



The Expert

This is a newsletter dedicated to helping individuals and agencies work within a world that the average person can easily view with anxiety, feelings of intimidation and confusion

News Letter

Witness

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CACFS Leads Fight for Group Home Rates

The last week of February Alliance Executive Director Carroll Schroeder signed an engagement letter with the law firm Pillsbury Winthrop Shaw Pittman to represent the Alliance in its suit for rates that reflect the real costs of providing group home services. The signing of the engagement letter represents the culmination of a six-month long search and interview process by the Litigation Committee and the beginning of the actual litigation process. California Alliance of Child and Family Services Monday Morning news letter 3/6/06

This is an important step towards forcing the State of California to keep the promise it made back in the 1980s to bring the State's reimbursement to group homes up to actual costs. At that time, a study of group home cost was made. The California State legislature agreed to fund group homes 90% of their costs and then gradually raise their rates up to full costs including cost of living increases.

That promise was never kept and with the exception of a few COLAs, group homes have been getting squeezed in a vise of rising costs often driven by increased regulatory mandates and inflation. When one compares the cost of housing, the minimum wage, food, clothing, social worker salaries, workers compensation (to name just a few costs) over the last twenty years it is truly amazing that any group home program has been able to stay open.

Some agencies have been able to keep their doors open by fund raising but the real cost has been the loss of good programs for the State's most vulnerable residents; foster children. Some of our finest programs have closed their doors. One example of many was the Florence Crittenton program for unwed mothers and their children just off the Pasadena Freeway.

There is no question that group homes are expensive to operate. One estimate is that the state spends eight hundred million dollars per year on group home care for children under 18 years. That represents a very large number of children. There is no doubt that all group homes are not created equal. Most do quite well with their clients in spite of the squeeze, but there are a fair number that are little more than warehouses for disturbed children. In addition, significant numbers of children are placed in group homes by county workers for reasons other than the child's treatment needs. Sometimes it is just easier to find a group home bed.

The Alliance has been at the forefront in trying to get the state to move to more accountability along with pushing for adequate funding for the programs that are truly effective in the treatment of children. There is also a need to move children out of group homes and into Foster Family Agencies and county foster care who do not fit the criteria for treatment group care. Some children should not be placed in group homes to start with as they could be better served in foster care or in home services.

While costs have gone up rates have not kept pace.



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Legislative initiatives .

Bi-Partisan Child Welfare Legislation

SB 1576 Murray (D-Los Angeles) Transitional housing for emancipated youth: Would build on THP-Plus housing program for emancipated youth by eliminating the 60% county share of cost requirement which has limited participation in THPP to only three counties.

AB 2495 Bass (D-Baldwin Vista) Parity of services between Kinship Guardianship Assistance Program (Kin-GAP) and foster care: Would provide relative caregivers with the same funding level as the basic foster care rate rather than the lower TANF rate for dependent children.

SB 1667 Kuehl (D-Santa Monica) Review hearings: Would authorize foster parents and relative caregivers to attend all review hearings relating to the adoption or legal guardianship of the minor, and to submit relevant information to court in writing.

AB 2216 Bass. Child Welfare Leadership and Performance Accountability Act of 2006: Would locate the Foster Care Ombudsman out of the California Department of Social Services (CDSS), which oversees foster care licensing, policy and rates, and would relocate it with independence and greater authority in the Health and Human Services Agency and make the position responsible to the Secretary not the Director of CDSS.

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Looking at **AB 2495**, it appears to be a very good idea to reimburse relative care givers at the same level as foster parents. However, I would like to see one requirement. That would be that, in order to get this rate, the relative care givers would have to take the same number of hours of training as foster parents. As it stands now, it is very difficult to get relative care givers to take any training courses. Relative care givers are caring for the same population of children as foster parents yet are not learning about the resources available to them or techniques for working with at risk children with special needs. This short changes these children and contributes to relative caregivers burn out. I would also suggest that respite services be made available to these families. I will be very interested to see the position taken by The Alliance.

NACAC Conference

The North American Council on Adoptable Children (NACAC) will host its 32nd Annual Conference at the Long Beach Convention and Entertainment Center, July 26-29, 2006. Please contact NACAC, phone 651-644-3036, or e-mail bev@nacac.org

A Bomb Proofing Thought

A major step towards protecting your agency from a large judgment is to train you staff to document, document, document and then document that you documented. In any dispute nothing has occurred unless it is written down, and in many cases, signed. Don't get caught in a court of law trying to prove that you did something that did not get documented in a client's chart. Train your staff to write down: 1. observations, 2. interventions and 3. results.

The California Alliance will be reviewing this legislation and will take a position regarding whether to support this legislative package.



Important

If you would like more information, a training for your staff, or coaching for an upcoming lawsuit, you may contact me at the contacts below. If you are going to be testifying, talk to your attorney before you call me.

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