

**The Council of State Governments
2007 Innovations Awards Program**

**State of West Virginia
Department of Health & Human Resources
APPLICATION**

**ID # 07-S-39WVRESIDENTIALPLACEMENT
State: West Virginia**

Assign Program Category: Health and Human Services - Children and Families

1. **Program Name:**
Commission to Study Residential Placement of Children
2. **Administering Agency:**
West Virginia Department of Health and Human Resources
Bureau for Children and Families
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8. **Web site Address:**
Project-specific website in progress, access via www.wvdhhr.org
9. **Description of program (2 sentences):**
The Commission to Study Residential Placement of Children advocates that every effort be made to place a child in West Virginia before considering an out-of-state

placement realizing the important role family involvement play. Beyond framing the issue solely as a geographical 'border' one, it seeks to understand the issues and make rational decisions based on the reality of present situations, while striving to build capacity within our in-state system.

10. **Length of Operation:**

Approximately two years, April 2005 to present.

11. **Why was the program created? What problem(s) or issue(s) was it designed to address?**

The issue of out-of-state and out-of-home placement of children was brought to the forefront in 2004 when the West Virginia Department of Health and Human Resources published a strategic plan entitled, *Reduction of Dependence on Out-of-State Placement of Youth*, an undertaking mandated by the Legislature in its 2004 session. Out-of-state placements had been an issue of magnitude for some time. At almost the same time, the West Virginia Department of Education had established a taskforce looking at concerns surrounding education in out-of-home care, and published its report, *Reaching Every Child: Addressing Educational Attainment of Out-of-Home Care Children in West Virginia, July 2006* (attached). A comparison of the work already completed made obvious the areas of overlap and the need for leadership and cooperation. With the advent of the Commission to Study Residential Placement of Children established by legislative enactment on April 9, 2005 (House Bill 2334 - attached), the work efforts already completed or in progress were blended under the newly formed Commission (diagram attached). The Commission was housed in the Department of Health and Human Resources and chaired by the cabinet secretary of the agency. Membership was broad-based and included representation from health and human resources (medical and behavioral), the state superintendent of schools and local educational agencies, along with institutional education, juvenile services, the West Virginia Supreme Court of Appeals, probation services, circuit and family court judges and the Prosecuting Attorneys Institute (membership listing attached). The Legislature also mandated regular reporting (see Commission to Study Residential Placement of Children, Progress Report, December 10-11, 2005 and Commission to Study Residential Placement of Children, Status Report, Issued March 1, 2007 – attached).

This was a massive undertaking requiring effective leadership, cooperation and collaboration. The Legislature found that the state's current system of serving children and families in need of or at risk of needing social, emotional and behavioral health services was fragmented; the existing categorical structure of government programs and their funding streams discouraged collaboration, an issue further compounded because these children are involved in a child-serving system that includes child welfare, juvenile justice and special education.

The West Virginia Legislature charged the Commission with addressing issues that have been in the forefront for a number of years whereby: a mechanism would be

established to achieve systemic reform enabling all child-serving agencies involved in the residential placement of at-risk youth jointly and continually study and improve upon the system; an integrated, cost-effective system of care for at-risk youth and families would be established that recognizes limited resources are available drawing upon successful models and best practices; and, services delivered in the least restrictive setting appropriate to the needs of the child.

12. **Describe the specific activities and operations of the program in chronological order:** The Commission has been actively engaged in the tasks at hand for two years. Shortly after the completion of its first year of deliberations the Commission published its initial report and recommendations, *Advancing New Outcomes: Findings, Recommendations & Initial Actions of the West Virginia Commission to Study Residential Placement of Children - Summary Report, May 2006* (attached). The Commission's key findings showed standards and consistency were lacking, a critical need for stability of placements, more accurate data to support objective decision-making should be in place and a number of specific areas for improvement existed. Further, the system of care which focuses on a continuum of care model showed great promise.

Throughout the Commission's existence their accomplishments have been notable. The following initiatives highlight their work, which continues unabated:

- First and foremost, the Commission has continued to exist on a voluntary basis to ensure implementation of its recommendations. (The thirteen specific recommendations are fully outlined in the recommendation table found in the summary report – pages 21 through 26.) In general, the recommendations address process improvements, policy changes, workforce development, standards and continued collaborative work. These range from development of an accurate profile of the clinical needs of the out-of-home children to improvement of the Multi-disciplinary Team (MDT) process. The recommendations require attention by state agencies, service providers, the court system and the West Virginia Legislature.
- The Commission has used a formal tracking and monitoring process to ensure its work is achieved. They have adapted best practices in strategic planning by having a strong focus on monitoring and regular follow-up on the execution of its recommendations through periodic meetings as well as established lines of communication. They continue to rely on active working groups who are composed of many individuals focused on specific recommendations. These working groups see that actions are taken as planned and have been very dedicated to addressing issues, developing new processes and carrying out other activities that help the Commission achieve its work.

- The WV Child Placement Network (WVCPN) website was launched in late July 2005. The website allows viewing in one place, in real time, the availability of resources to meet the specific needs of the child needing placement and treatment. Of the seventy-one providers identified, fifty-eight are required to provide information based on their contract to participate. In February 2007 there were 1,001 current registered users; moreover, of the seventy-one identified providers, thirty-four were 100% users of the site while the remaining thirty-seven range from 60% to 99%.
 - The new *Group Residential Provider Agreement, August 2005*, as well as the new *Emergency Shelter Care Provider Agreement, August 2005*, were effective September 1, 2005 (attached). Two new features have been incorporated into these agreements as a result of House Bill 2334. First, the provider must update the bed availability information on the website (WVCPN) daily. Secondly, the inclusion of the 'no-refusal' clause, which states that if the provider has an open bed which has been determined appropriate for the level of care that the child needs, then they will be expected to provide services for that child.
 - *A Comprehensive Clinical Review of Youth in Out-of-State Placements* (attached) was completed in June 2006. As a result of this process improvements are being made to enhance the tools used in the clinical review work. Additionally, plans are being developed for conducting ongoing standard, objective clinical reviews of youth at-risk for out-of-state or regional placements. The initial focus is on youth 16-21 years of age in out-of-state placements.
 - Legislation was introduced and passed (House Bill 4790 - attached) during the 2006 Legislative Session that will allow licensed group residential facilities in West Virginia to continue the placement and treatment of youth in WVDHHR custody at their facilities upon reaching their 18th birthday. This will allow the youth to complete their treatment without a disruption in placement.
 - Administrative changes in the West Virginia Certificate of Need (CON) Summary Review process have been implemented to allow more timely program reconfiguration and/or expansion to address identified needs, gaps and barriers. This is a very significant step.
13. **Why is the program a new and creative approach or method?** The Commission to Study Residential Placement of Children strived toward a seemingly impossible task of involving stakeholders from multiple child-serving departments, bureaus, divisions, courts, agencies, service providers and representatives of these youth and families who receive services. The Commission owes its success, in part, to the guidance of key leaders within the executive and judicial government. Two of these leaders are Supreme Court Chief Justice Robin Davis who for two consecutive years has made her focus, *The Year of the Child*, and Department of Health and Human

Resources Cabinet Secretary Martha Yeager Walker who as a State Senator and chairman of the Committee on Health and Human Resources focused heavily on these issues and continues to do so in her new role.

Unlike some formal commissions, Commission chair, DHHR Secretary Martha Walker, has encouraged open discussions from not only the Commission members in attendance, but also participation of stakeholders, especially working group and support staff members. This inclusiveness provides broader insights and enhances the accountability of and to the Commission.

14. **Start-up Costs:** The Commission to Study Residential Placement of Children did not have any substantive start-up costs. All stakeholders volunteer their time and resources toward meeting the objectives of the Commission.
15. **What are the program's annual operational costs?** The cost for the annual operation of the Commission is absorbed by the participating entities; moreover, the Commission is reliant on the work of numerous volunteers. An independent facilitator has been used to keep the Commission on track and these costs have been assumed by the Department of Health and Human Resources.
16. **How is the program funded?** There have been no additional appropriations directed specifically toward the Commission's work. Individual departments and agencies have been mindful that consensus, collaboration and cooperation are maintaining budget neutrality at this juncture. The Commission seeks solutions that are cost-effective, thus allowing everyone to serve more children in appropriate and less restrictive settings.
17. **Did this program require the passage of legislation?** The Commission to Study Residential Placement of Children was established by action of the Legislature on April 9, 2005 (House Bill 2334).
18. **What equipment, technology and software are used to operate and administer this program?** The Commission utilizes multiple technologies and software to store, gather and share data: Microsoft Office products, West Virginia's Statewide Automated Child Welfare Information System (SACWIS), and the West Virginia Child Placement Network (WVCPN).

The SACWIS in West Virginia is the Families and Children Tracking System (FACTS). FACTS is an embedded automated case management system required to store, sort, collate and report huge amounts of data that is critical for the operation of the Bureau for Children and Families' social services programs. The WVCPN provides online access to the Department of Health and Human Resources licensed group residential facilities, emergency shelters, MR/DD facilities, and the Department of Juvenile Services (DJS) Juvenile Centers databases.

19. **Did this program originate in West Virginia?** The Commission to Study Residential Placement of Children originated in West Virginia. However, it is expected that similar types of programs/initiatives may be occurring elsewhere throughout the country.
20. **Are you aware of similar programs in other states?** We are not aware of similar programs in other states that would compare to West Virginia's Commission to Study Residential Placement of Children. However, since many of the same issues that the Commission is working to resolve are of concern nationally it is expected that other states may have or wish to implement similar type programs or initiatives.
21. **Is the program fully implemented?** The West Virginia Commission to Study Residential Placement of Children is fully implemented and supports six major working groups. Its work is far from completed; however, the commitment to sustain the effort remains high.
22. **Briefly evaluate (pro and con) the program's effectiveness in addressing the defined problem(s) or issue(s). Provide tangible examples.** Effective cooperation and communication among the participating entities (Circuit Judges, the State Supreme Court, the Division of Juvenile Services, the Department of Education, the Prosecuting Attorneys Institute, the Department of Health and Human Resources and others) continues at a high level, especially agency-to-agency interaction outside of the direct Commission work.

This collaborative effort is demonstrated through multiple initiatives across the state. Two of these initiatives are the *A Comprehensive Clinical Review of Youth in Out-Of-State Placement* and the Reaching Every Child Task Force.

A Comprehensive Clinical Review of Youth in Out-Of-State Placement, conducted in 2006, was implemented to systematically review clinical needs of children and youth using a comprehensive instrument to determine if the children and youth were having their clinical needs met by the out-of-state facility where they were placed. This collaborative effort involved over 175 professionals that volunteered their time to this review.

Another initiative that demonstrates the collaborative effort is seen through the Reaching Every Child Task Force. This task force, led by the Department of Education and co-chaired by the Department of Health and Human Resources, seeks to understand and address the critical educational issues of children in out-of-home care. Furthering this commitment, a cooperative agreement for sharing data to meet the education needs of children and youth in out-of-home care has taken place.

23. **How has the program grown and/or changed since its inception?** Although this Commission had a major emphasis on residential placements, the Commission has expanded their scope to include children in out-of-home placement and at-risk of out-of-home placement.
24. **What limitations or obstacles might other states expect to encounter if they attempt to adopt this program?** As with many programs this size, momentum begins at a high level and could wane after awhile. To overcome this, each state must take a hard look at itself and be fully committed to making changes. The support of the Legislature is essential. States must understand that they will be dealing with the internal and external forces of change. To overcome these challenges, they will need to be proactive in preparing for these changes. West Virginia, like other states, is dealing with complex systems change. States must be aware of the multifaceted demands that are placed on limited workforce and service systems. The Commission to Study Residential Placement of Children has made every effort to continue to enhance the working relationships among the key agencies involved in the Commission's work. With the common value of doing what is best for the child, the Commission has forged significant recommendations that will ultimately change the outcomes regarding out-of-home children in West Virginia. True change comes when those most responsible for the outcomes reach consensus on the challenges and then agree to work toward solutions that last.

Please note the following attachments:

- § *Reaching Every Child: Addressing Educational Attainment of Out-of-Home Care Children in West Virginia, July 2005*
- § *House Bill 2334 - Commission to Study Residential Placement of Children, April 9, 2005*
- § *Diagram 1 - Overview of Organizational Infrastructure Addressing Out-of-Home Care of At-Risk Children in West Virginia*
- § *Members - Commission to Study Residential Placement of Children*
- *Commission to Study Residential Placement of Children - Progress Report, December 10-11, 2005*
- § *Commission to Study Residential Placement of Children - Status Report, March 1, 2007*
- *Advancing New Outcomes: Findings, Recommendations & Initial Actions of the West Virginia Commission to Study Residential Placement of Children Summary Report, May 2006*

- *Group Residential Provider Agreement, August 2005*
- § *Emergency Shelter Care Provider Agreement, August 2005*
- § *A Comprehensive Clinical Review of Youth in Out-Of-State Placements Report, June 2006*
- *House Bill 4790 - Relating to Child Welfare Placement, March 11, 2006*