

Department of Human Services 2009-11 Policy Option Package

Division Name: Administrative Services Division

Program Name: Office of the Directory and Policy - Office of Investigations and Training

Policy Option Package Initiative: Children are Safe and Healthy

Policy Option Package Title: Children's Care Provider Investigation and Training

Policy Option Package Number: 279

Related Legislation: N/A

Summary Statement:

DHS has assigned responsibility for investigating reports of child abuse in certain therapeutic treatment settings (CCPs) to the Office of Investigations and Training (OIT). To begin operations, OIT was required to employ investigators, trainers, and data and support staff on a two-year limited-duration basis. This Policy Option Package will make that program reassignment to OIT permanent.

1. WHAT WOULD THIS POLICY OPTION PACKAGE (POP) DO AND HOW WOULD IT BE IMPLEMENTED?

Effective December 1, 2007, OIT became responsible for investigating reports of child abuse alleged to have occurred in licensed, Children’s Care Provider (CCP) settings. OIT worked collaboratively with community partners, including providers, to develop the administrative rules governing these investigations, and has provided ongoing training to providers since January 2008.

To conduct investigations and train providers, OIT required additional staff, all of whom currently are employed on a two-year limited-duration (LD) basis. These positions must be made permanent for OIT to continue this function. To implement this POP, OIT will convert the limited duration positions into permanent positions, and will hire staff for screening, investigating, training, data management and administrative support.

2. WHY DOES DHS PROPOSE THIS POP?

This POP ensures ongoing, independent investigations by trained OIT investigators, and reduces potential conflicts of interest in the investigative process. It also allows for ongoing provider training in mandatory abuse reporting, and in child abuse prevention.

3. HOW DOES THIS FURTHER THE AGENCY’S MISSION OR GOALS?

Two of the department’s primary goals are to ensure that children are healthy and safe. In addition, the Federal Adoption and Safe Families Act (ASFA) places significant emphasis on the safety and well-being of children, including children living in out-of-home placements such as CCPs. Reducing child abuse or re-abuse is a top state and federal priority. OIT’s investigations of alleged child abuse in treatment settings support these goals and priorities. The established partnership between OIT and CCPs to reach these goals

ensures common understanding of the issues and promotes joint strategies to reduce abuse and prevent it from occurring.

4. IS THIS POP TIED TO A DHS PERFORMANCE MEASURE? IF YES, IDENTIFY THE PERFORMANCE MEASURE. IF NO, HOW WILL DHS MEASURE THE SUCCESS OF THIS POP?

This POP supports the following performance measures:

KPM 15 – Child re-abuse:reduction in abuse; and

KPM 33 – Customer service: providers understand the reporting and investigations process, and partner with OIT to provide protective services when needed.

OIT will maintain data about its activities and requirements for corrective action. Information will be shared with providers and community partners.

Outcomes will include:

- Allegations of abuse in CCPs will be investigated promptly, thoroughly and fairly by trained OIT staff.
- Providers will partner with OIT to provide protective services when necessary.
- Providers will be trained in mandatory reporting and in investigative processes.
- Based upon the information gained from the investigative process, providers will complete any actions required to address identified issues and prevent further abuse.

5. DOES THIS POP REQUIRE A CHANGE(S) TO AN EXISTING STATUTE OR REQUIRE A NEW STATUTE? IF YES, IDENTIFY THE STATUTE AND THE LEGISLATIVE CONCEPT.

No statutory changes are required.

6. WHAT ALTERNATIVES WERE CONSIDERED AND WHAT WERE THE REASONS FOR REJECTING THEM?

The alternative to this proposal would return responsibility for these investigations to CAF, which now investigates reports of abuse in family and day care provider settings. DHS recognizes CAF's special expertise in those settings, and recognizes OIT's special expertise in therapeutic treatment settings. Returning CCP investigations to CAF would mean that providers who have been trained to understand and participate in the OIT investigative process will require additional, and possibly different, training. Maintaining this function within OIT will ensure the stability of a DHS workload reassignment, which has already occurred on a temporary basis.

7. WHAT WOULD BE THE ADVERSE EFFECTS OF NOT FUNDING THIS POP?

Not funding this POP would return responsibility for CCP investigations to CAF, which, in the interim has assumed additional responsibilities. Workload issues for CAF staff would increase. If responsibility for CCP investigations returned to CAF, division staff would require significant training in CCP abuse investigations to accommodate the process and expectations with which CCPs have become familiar. The specific investigative expertise OIT has developed during the past 20 years no longer would be available to children receiving services in CCPs. The ongoing collaboration between OIT and provider agencies to protect children at risk of abuse in CCPs would need to be redeveloped. The current administrative rule governing CCP investigations, which was collaboratively developed, would need to be repealed or amended.

8. WHAT OTHER AGENCIES (STATE, TRIBAL AND/OR LOCAL GOVERNMENT) WOULD BE AFFECTED BY THIS POP? HOW WOULD THEY BE AFFECTED?

DHS licensing agencies and providers have acknowledged the benefits of OIT conducting CCP investigations. Relevant information including required protective action is shared with CAF, law enforcement agencies, the Oregon Youth Authority, tribes and parents who may have children in CCPs.

9. WHAT ASSUMPTIONS AFFECT THE PRICING OF THIS POP?

Implementation Date(s): July 1, 2009

End Date (if applicable): June 30, 2011

a. Will there be new responsibilities for DHS? Specify which division(s) and describe their new responsibilities.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Administrative Services | <input type="checkbox"/> Addictions and Mental Health |
| <input type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Public Health |
| <input type="checkbox"/> Division of Medical Assistance Programs | <input type="checkbox"/> Seniors and People With Disabilities |

b. Will there be new administrative impacts sufficient to require additional funding? Specify which office(s) and describe how it will be affected.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Human Resources | <input type="checkbox"/> Payment Accuracy and Recovery |
| <input type="checkbox"/> Information Security/Privacy | <input checked="" type="checkbox"/> Investigations and Training |
| <input type="checkbox"/> Document Management | <input type="checkbox"/> Facilities |
| <input type="checkbox"/> Audit and Consulting | <input type="checkbox"/> Contracts and Procurement |
| <input type="checkbox"/> Information Services (computers) | <input checked="" type="checkbox"/> Budget, Planning and Analysis |
| <input type="checkbox"/> Financial Services (accounting) | <input type="checkbox"/> DHS Office of Communications |

c. Will there be changes to client caseloads or services provided to population groups? Specify how many in each relevant program.

No.

d. Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration or temporary.

Pos Count	FTE	Classification Title	Classification No.	No Mos	Step	Status (PF, PP, LD)
ASD / Office of Director & Policy (OIT):						
1	0.88	Investigator 3	MMN X5233 AA	21	2	PF
1	0.88	Investigator 3	MMN X5233 AA	21	2	PF
1	0.88	Investigator 3	MMN X5233 AA	21	2	PF
1	0.88	Research Analyst 2	OA C1116 AA	21	2	PF
1	0.88	Administrative Specialist 1	MMN X0107 AA	21	2	PF
1	0.88	Principal Executive Mgr C	MMS X7004 AA	21	2	PF
6	5.28					

Total Positions

- e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach and training?**
- Salaries and benefits of permanent staff as indicated in 9d with associated Services & Supplies
- f. **What are the ongoing costs?**
- Salaries and benefits of permanent staff as indicated in 9d with associated Services & Supplies
- g. **What are the potential savings?**
- h. **Based on these answers, is there a fiscal impact?**

Yes.

- i. What are the sources of funding and the funding split for each one? Include grant names and fund type, such as “Medicaid, General and Federal Funds.”**

General Fund (50%), Federal Fund –Federal IV-E (50%)