



# MEMORANDUM

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TO: Representative Steve Alford, Chair, House Children and Seniors Committee  
FROM: Rick Riggs, Administrative Auditor  
DATE: February 3, 2017  
SUBJECT: Quarterly follow-up information from DCF

Representative Brenda Dietrich asked that our office provide your committee with the latest follow-up information from the Department on Children and Families related to the recommendations made in our July 2016 audit report, *Foster Care and Adoption in Kansas: Reviewing Various Issues Related to the State's Foster Care and Adoption System, Part 1*.

The accompanying document shows the department's responses from October 2016 and January 2017. In a few cases, we have noted recommendations that we consider to be implemented; the rest remain in process.

If you have any questions, please contact me at 296-3179.

cc: Members, House Children and Seniors Committee

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Attach #1

# Itemized Response to LPA Recommendations

Audit Title: Foster Care and Adoption in Kansas: Reviewing Various Issues Related to the State's Foster Care and Adoption System  
Agency: Department for Children and Families

LPA Recommendation	Agency Action Plan	October 2016 Response	January 2017 Response
1. To address the issues with the Kansas Protection Report Center DCF should:			
a. Review the findings and recommendations from the 2013 assessment and complete those that are in progress.	DCF has reviewed the findings and recommendations and, as the audit notes, is in the progress of implementing many of them.	DCF has a Performance Improvement Plan that addresses each of these recommendations. Implementation dates tied to the Casey report range from some recommendation already implemented to implementation dates of January 2017, July 2017 and the last one being January 2018.	Executive Team approved the practice model and has a strategic implementation plan beginning January 2017. KPRC began hiring Intake Protection Specialists in October 2016. This position requires a 4 year degree. These positions are being hired through attrition. The abuse/neglect categories have been identified. Two new categories are being added to the regulations, policy and procedure manual. The requirement for in person contact on a NAN assignment went into effect in July 2016 and was added to policy in January 2017. Other changes to the NAN population will be implemented by January 2018 when system changes can be fully completed. The agency is in the process of identifying the safety and risk assessment tool which best meets the needs of Kansas.
b. Review policies to determine if they are adequate and appropriate to ensure that reasonable efforts are made to assess the safety and welfare of a child.	DCF Audit Services will be reviewing policies and procedures with PPS staff as part of its ongoing monitoring of program. See agency action plan below regarding child welfare compliance monitoring.	DCF Audit Services has begun audit in October 2016.	PPS continues to review and revise policies for substantial changes two times per year. In January 2017 policies were revised and added to clarify safety versus risk to ensure staff have clarity on the difference. DCF Audit Services is currently performing audits of contractor policies and procedures. Both audits are current being finalized and an anticipated draft report issuance date is mid-February 2017.
c. Develop and implement procedures to ensure that a child's safety is assessed within the time assigned following a hotline call.	Case reads are conducted quarterly and timely safety assessments are done.	Case reads by DCF PPS have incorporated this as part of quarterly reviews. This is also to be incorporated into regular monitoring by the Child Welfare Compliance Unit housed in DCF Audit Services. Hiring for that unit is currently underway with expected review to start by December 31, 2016 and ongoing.	Quarterly case reads continue to be conducted by PPS staff. Last reads were conducted in October 2016 with a current read occurring in January 2017. PPS compiles data monthly which reports outcomes for timely safety assessments. DCF Audit Services continues to hire staff for this unit. The Manager of the unit started with the office in November 2016. Two other staff were hired and began work in December 2016. Interviews continue with estimates that the unit will have additional staff by the end of January 2017. Planning is underway to include these assessments as part of initial case reads and contractor reviews by the unit.
2. To address the issues with background checks DCF should:			

Attach # 1

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<p>a. Revise policies and processes to ensure that name-based background checks and child abuse and neglect registry checks are completed annually instead of every three years as current policy requires.</p>	<p>Currently, K.A.R. 28-4-805(a), only imposes legal duties concerning background checks on foster parents and those obligations concern their renewal applications. However, renewal applications are discretionary and not required by law. Furthermore, renewals are not specified in law as being on an annual basis. Nonetheless, it would be the better practice to have up to date information about criminal convictions of foster parents. That is why DCF will work cooperatively with KDADS to implement the NBCP system. It's Rapback feature will immediately notify DCF when a foster parent has activity in his or her criminal history record. Therefore, concerns noted in the audit about running annual background checks will no longer be an issue because DCF will be receiving immediate notifications when a foster parent receives a prohibiting conviction.</p>	<p>Planned implementation of annual background checks being conducted on every person 10 years of age and older affiliated with a foster home at the time of the home's annual renewal was August 3, 2016. A delay in processing renewal applications resulted in late submission of some foster parent annual background checks. The delay was resolved October 6, 2016. Planned implementation of background monitoring via the Rapback program by January 2017. This program will provide near real-time notification of foster parent arrests and convictions. To implement, all adults in foster homes must be re-fingerprinted. DCF has obtained fingerprint kits, KBI has trained DCF staff to take the prints, and commencing the third week of October, KBI and DCF staff will begin taking the fingerprints of all residents of foster homes 10 years of age and older.</p>	<p>DCF has completed initial enrollment of foster families in Rapback program. The program is operational and is receiving and processing results from KBI. Cooperation of foster families in enrollment process was good and DCF is evaluating alternatives for enrollment of remaining foster families who did not make appointments to have their fingerprints taken at the offered times.</p>
<p>b. Review and reconcile regulatory and the state statutory requirement for fingerprint-based checks of all individuals residing, working or volunteering in a foster home.</p>	<p>As a part of implementation of the NBCP system, all individuals required by state statutory requirements for fingerprint-based checks will be included in the new processes and procedures.</p>	<p>All individuals residing, working, or volunteering in a foster home who are legally required to be fingerprinted will be enrolled in the Rapback program. Also see above.</p>	<p>All individuals residing, working, or volunteering in a foster home who are legally required to be fingerprinted will be enrolled in the Rapback program. Also see above.</p>

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c. Review and reconcile regulatory and state statutory requirements to ensure that foster home license renewals and background checks are completed annually.	Currently, K.A.R. 28-4-805(a), only imposes legal duties concerning background checks on foster parents and those obligations concern their renewal applications. However, renewal applications are discretionary and not required by law. Furthermore, renewals are not specified in law as being on an annual basis. Nonetheless, it would be the better practice to have up to date information about criminal convictions of foster parents. That is why DCF will work cooperatively with KDADS to implement the NBCP system. It's Rapback feature will immediately notify DCF when a foster parent has activity in his or her criminal history record. Therefore, concerns noted in the audit about running annual background checks will no longer be an issue because DCF will be receiving immediate notifications when a foster parent receives a prohibiting conviction.	All individuals residing, working, or volunteering in a foster home who are legally required to be fingerprinted will be enrolled in the RapBack program. Real time monitoring of foster home license criminal records is a vast improvement on the LPA's recommendation of only checking the criminal record once per year. Annual background checks are not mandated by statute or regulation as conceded by LPA in Appendix B to their report. Also see above.	All individuals residing, working, or volunteering in a foster home who are legally required to be fingerprinted will be enrolled in the RapBack program. Also see above.
d. Revise policies and processes to ensure that individuals in a foster care home who become ten years of age have KBI background checks and child abuse and neglect registry checks annually as required by law.	As a part of implementation of the NBCP system, all individuals required by state statutory requirements for fingerprint-based checks will be included in the new processes and procedures.	See above concerning RapBack and the vast improvement over LPA's recommendation of annual background checks which are not required by law.	All individuals residing, working, or volunteering in a foster home who are legally required to be fingerprinted will be enrolled in the RapBack program. Also see above.
e. Train staff on the revised policies.	As a part of implementation of the NBCP system, all staff involved in background check processes and procedures will require updated training. Roll out of the Kansas Child Welfare Training program should address this recommendation. DCF and Child Welfare contractor staff will receive this training which is currently scheduled to begin in January 2017.	Staff have been notified and trained on new policies effective August 3, 2016.	LPA considers this recommendation implemented as of the October 2016 response.

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f. Consider whether to require annual background checks for individuals in relative foster homes, including homes used for temporary placement.	As the NBCP system is implemented, consideration will be given to whether to include individuals in relative foster homes, including homes used for temporary placement.	DCF will review the policy change and implement the RapBack program for relative placements. Enrollment scheduled to begin July 2017	RapBack program is implemented and in place for relative placements.
g. For relative foster homes, revise the process to ensure annual name-based KBI background checks and DCF child abuse and neglect registry checks are completed on all individuals over the age of ten in the home.	DCF will review processes and include compliance in reviews conducted by the child welfare compliance unit.	DCF will review the policy change and implement the RapBack program for relative placements. Enrollment scheduled to begin July 2017	RapBack program is implemented and in place for relative placements.
3. To address the issues related to monthly face-to-face visits for children in foster care, for children in adoptive placements, and for children returning home, DCF should:	This is a key activity in the Program Improvement Plan of the CFSR. PPS and the providers will collaborate to develop and implement tools to promptly and more effectively document quality and frequency of visitations. In addition, the aftercare policies for children in foster care, adoptive placements and returning home will be revised to address concerns and reflect needed changes.		
a. Review and clarify the inconsistencies between policies and contractual obligations of contractors to ensure the safety of children regardless of the placement.	DCF is currently working on this task so that changes can be made before the next contract renewal occurs in 2017. Changes will be incorporated into the new contracts.	Policy review underway. Policies to be revised effective January 2017.	Contractual terms require contractors to follow PPS policy. This will be an agenda item for a January 23rd meeting with contractors. LPA considers this recommendation implemented as of the January 2017 response.
b. Regularly monitor a sample of cases to ensure that case-management staff are conducting the required monthly face-to-face visits and considering implementing penalties for non-compliance.	DCF is implementing a new child welfare compliance unit within Audit Services. The change of that unit, will include monitoring of contractor compliance to policies and procedures and contract and performance outcomes. Monitoring of monthly visits will be incorporated as part of the scope of the unit's work.	DCF Child Welfare Compliance Unit established to begin audits, in addition to those performed by PPS staff. Applicants for unit have been interviewed and hiring process underway. Target is to have unit operational (hired and trained and performing audits by the December 31, 2016. In addition to this unit, DCF has incorporated "Documentation Best Practices" into training that will be provided to Contractors and DCF staff beginning November 2016.	DCF Audit Services continues to hire staff for this unit. The Manager of the unit started with the office in November 2016. Two other staff were hired and began work in December 2016. Interviews continue with estimates that the unit will have additional staff by the end of January 2017. Planning is underway to include these assessments as part of initial case reads and contractor reviews by the unit. In addition, PPS initiated the Documentation 101 training in November 2016 for PPS staff and contract staff. Prevention and Protection Services Performance Improvement staff conduct quarterly case reads on a random sample of cases from contractor case files. One of the components read for is the monthly in person visits.

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c. Regularly monitor a sample of cases to ensure that child placing agencies are conducting required monthly visits with foster homes and consider implementing penalties for non-compliance.	DCF is implementing a new child welfare compliance unit within Audit Services. The charge of that unit, will include monitoring of contractor compliance to policies and procedures and contract and performance outcomes. Monitoring of monthly visits will be incorporated as part of the scope of the unit's work.	See above for action steps.	DCF Audit Services continues to hire staff for this unit. The Manager of the unit started with the office in November 2016. Two other staff were hired and began work in December 2016. Interviews continue with estimates that the unit will have additional staff by the end of January 2017. Planning is underway to include these assessments as part of initial case reads and contractor reviews by the unit.
4 To address the issue with DCF approving nearly all exceptions to exceed capacity or to allow insufficient sleeping space, DCF should develop and implement a system that ensures exceptions are thoroughly reviewed and only granted when in the best interest of the child.	DCF will continue to review exceptions and grant them only when in the best interest of the child. In addition, as described in the written response, DCF is building systems to find homes with room to take children and avoid unnecessary exceptions.	HomeSeeker – Coordination with KDHE and Kansas Geological Survey has shown integration of ArcGIS with CLARIS licensing software on a operational test platform. Soon, with the integration of child location data from DCF, this software platform will layer data on location and characteristics of children in foster care with location of licensed homes and the resources and capabilities of those homes. This will spotlight the location of loving foster parents who are the perfect match to provide care. No longer will Licensing be forced to grant inappropriate CPA exceptions demands because of lack of options. Improved foster home and foster child matching begins January 2017.	The GIS system is nearly operational. The IT departments of DCF and KDHE have been working closely to integrate the child location data into the platform. The most recent report is that the January 2017 deadline remains realistic.
5 To address the issue concerning the regulatory requirement for foster homes to have sufficient financial resources, DCF should:			
a. Clarify the regulations to clearly state that financial resource of the foster family is sufficient before the foster child is placed in the home.	DCF will revise the regulations as suggested by LPA.	Policy Advisory 2016-2 has been published requiring foster parent to submit financial documentation and undergo a financial assessment by a Licensing Division Surveyor at the initial licensing survey and annually thereafter at renewals. The purpose of this assessment is to ensure that all foster parents are financially independent prior to licensure and especially prior to receiving any foster care reimbursement payments. This was implemented September 1, 2016. In addition, DCF plans to update K.A.R. 28-4-802, which addresses requirements that a foster family have sufficient income or resources, to improve the specificity of the requirements of the regulation. This is planned for implementation by July 2017.	LPA considers this recommendation implemented as of the October 2016 response.

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b. Clearly define what the term "sufficient" means in regulatory requirements.	DCF's revision of the regulations will either define the term sufficient or otherwise address the issue.	See above.	The Licensing Division continues to implement Policy Advisory 2016-2 with clarification having been made to CPAs and foster parents with regard to the amount of documentation of expenses required. There had been a misperception that a high level of documentation of foster family expenses was required on a routine basis, which was not the case.  LPA considers this recommendation implemented as of the January 2017 response.
c. Develop policies and a process to ensure that initial and renewal license applications provide detailed financial information, and that DCF staff verify the information, at least on a sample basis.	DCF will require adequate proof of financial information to meet standards that will be set by revised regulations. DCF is implementing a new child welfare compliance unit within Audit Services. The charge of that unit, will include monitoring of contractor compliance to policies and procedures and contract and performance outcomes. The sample review will be part of the monitoring process.	See above.	LPA considers this recommendation implemented as of the October 2016 response.