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Testimony from the Division of the Child Advocate Update Joint Committee on Child Welfare System Oversight June 26, 2024

Chair Concannon, Vice Chair Gossage, Ranking Minority Member Ousley, and Members of the Committee, I am Kerrie Lonard, Child Advocate with the Division of the Child Advocate (KDCA). Thank you for this opportunity to provide testimony today.

*Please find included in testimony KDCA Quarterly Snapshot and map showing number of complaints received within each DCF Region.

Themes and Policy Considerations:

The following themes and policy considerations are known and emerging throughout the KDCA complaint process, many of which have also been identified through the federal Child and Family Services Review (CFSR) and the state's Program Improvement Plan (PIP).

Communication, both timely and quality, remains a key component or issue within each area. Also important to note is the impact and intersection of each theme and policy.

- ❖ Intersection between impact and authority of the Court, Department for Children and Families (DCF), and the Case Management Providers (CMP). KDCA applauds the collaboration and efforts of all three branches to hold the first Judicial Child Welfare Summit.
 - High-Quality Legal Representation
 - Explore models, funding, and best practices for quality legal representation.
 - Continue discussions around HB 2381.
 - Explore Title IV-E funding for legal representation, as well as other funding streams.
- ❖ Expanded Appellate Rights
 - Fully vet any bill proposing to expand appellate rights to ensure that any change in the present process includes (1) a comprehensive examination of KSA 38-2273 legislative history and applicable case law, (2) ensures equal access to due process to all parties, and most importantly (3) places the child at the center, balancing

best interest of the child in conjunction with child's time and their right to permanency.

❖ Reduce the Number of Children and Youth in Care

○ Placement Stability and Mental Health

- Lack of community mental health resources and family supports leading to a child entering care and further exasperated while in care.
- Barriers in securing appropriate services, including level of treatment due to Medicaid and MCO determination process.
- Continue to support community-based prevention mental/behavioral/developmental health services, family supportive substance use treatment programs, affordable childcare and early education programs, and other initiatives that address ensuring families have their basic needs met.
 - The shift to Community Behavioral Health Centers and Medicaid billable coding is an important step to expanding the mental and behavioral health service array.

○ Permanency

- The support of the Legislature to pass into law, SOUL Families, was an important step to providing a new avenue for our young persons to achieve permanency.
- Encourage exploration around the validity and enforceability of post permanency contact agreements.
- Distinguish Safety versus Risk
 - Consider statutory provisions that more clearly define neglect.
 - Timely Reunification:
 - Improved Parent Engagement.
 - Support Family Time as a key component and right for the child, not just the parent.
 - Support program initiatives that support children and families following reintegration such as intensified aftercare services.
 - Timeline to permanency following parental rights termination.
 - Improved concurrent planning.
 - Improve timeline for identifying the adoptive resource.

The KDCA Team looks forward to working the JCCWSO and other committees as data is reviewed, information and education provided, to best formulate future recommendations and policy initiatives.

General KDCA Update:

- KDCA has been working with the Office of Information Technology Services to transition from our existing website host to a new host. The website handle will remain the same. However, the site will have a new format to be user friendly no matter what type of device you are using. Formal migration is expected to occur at the end of July or early August.
- KDCA Team has been meeting on a weekly to bi-weekly basis over the last several months, strategically walking through our case management system, assessing, and evaluating processes to improve workflow and efficiency.
- KDCA continues to work with stakeholders and community engagement opportunities as a participating member and/or contributor, including but not limited to the CAPTA Citizen Review Panels (Intake to Petition/CJA Taskforce and Custody to Transition), Family First Prevention Services Act/Kansas Strong for Children and Families Interagency and Community Advisory Board (ICAB), and Kansas Linking Infrastructure for Nurturing Kids (KAN-LINK) Steering Committee.
- KDCA will be reaching out following the July 1 transition to schedule the Quarterly check-ins with CMPs, including formal introduction to Ember Hope, now serving Sedgwick County.
- KDCA working with the Governor's Office and the Department of Administration to transition from KDCA to the independent Office of the Child Advocate (OCA).

The KDCA Team will continue to work diligently, and through the transition to OCA, to bring voice to the concerns of our Kansas children and families touched by our child and family wellbeing system, from a position of independence and neutrality, and working to advocate for and support best practices so that one day we can all step back knowing that our Kansas families have what they need and our children are safe from abuse and harm.

I am pleased to stand for questions at the appropriate time.

Kerrie Lonard
Child Advocate



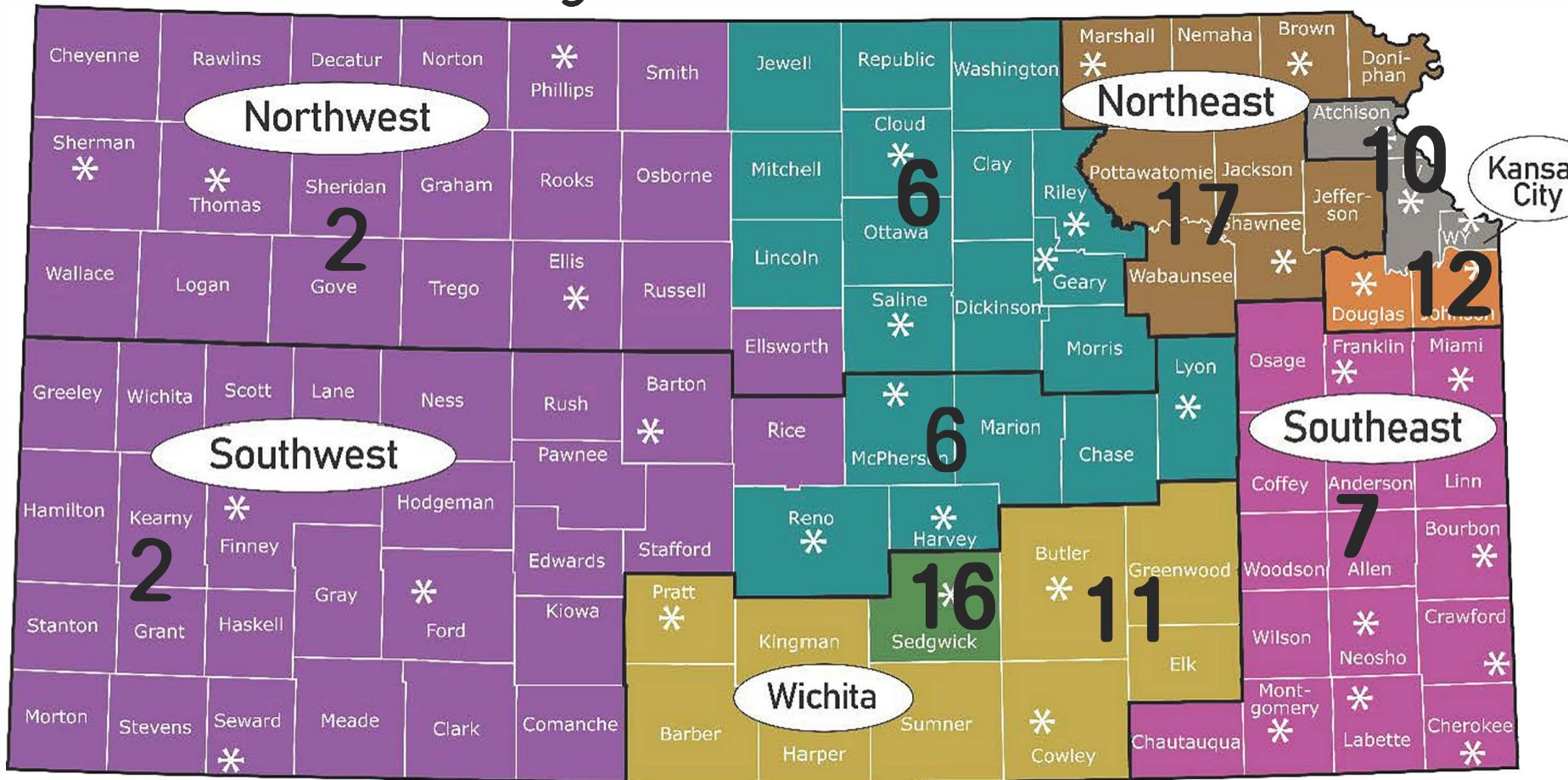
INVESTIGATION OUTCOMES					
Outcome—Formal Reports Issued	Q1	Q2	Q3	Q4	Annual
Supported	13	16			
Unsupported—With Recommendations	8	5			
Unsupported—No Recommendations	14	10			

COMPLAINT INVESTIGATION ACTIVITIES											
	Q1	Q2	Q3	Q4	Annual	No Formal Investigation	Q1	Q2	Q3	Q4	Annual
Complaints Received	52	53				Out of Scope / Duplicate	2	4			
Children Involved	90	102				Complaint Withdrawn	0	0			
Formal Investigation Opened	5	3				Loss of Contact	6	3			
Complaint Assessment/Monitoring	1	1				Resolution Reached with Assistance	41	59			

TOP CONCERNS REPORTED—2024 YTD				
Agency Conduct	Child Safety	Dependent Child Health, Well-Being, and Permanency	Family Separation & Reunification	Other Issues
<i>27 Complaints</i>	<i>25 Complaints</i>	<i>17 Complaint</i>	<i>38 Complaints</i>	<i>13 Complaints</i>
Communication Failures	Failure to Protect Children from Parental Abuse or Neglect	Failure to Provide Child with Adequate Medical and/or Mental Health Services	Failure to Provide Appropriate Contact Between Child and Parent and/or Other Family Members	Lack of support and/or services to foster parent
Unwarranted/Unreasonable/Inadequate Agency Intervention	Failure to Address Safety Concerns Involving Children in Foster Care or Other Non-Institutional Care	Unreasonable Delay in Achieving Permanency	Unnecessary Removal of Child from Relative Placement	Failure to Provide Parent with Services / Other Parent Issues
Poor Case Management, High Case-worker Turnover	Failure to Address Safety Concerns Involving Children Being Returned to Parental Care	Unnecessary or Inappropriate Change of Child’s Placement, Inadequate Transition to New Place-	Unnecessary Removal of Child from Relative Placement	Concerns with Judicial Process

*Data as of June 18, 2024

DCF Regions & Catchment Areas



* DCF Service Center

AREA #1
Saint Francis Ministries

AREA #3
KVC

AREA #5
Cornerstones of Care

AREA #7
Saint Francis Ministries

***13 complaints with unknown county

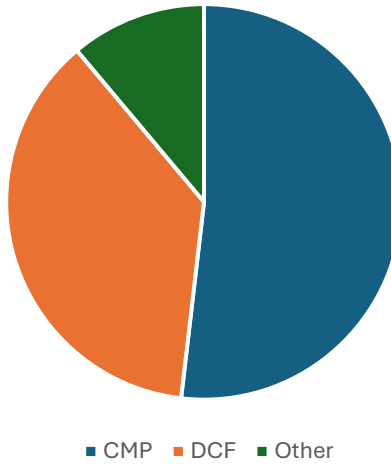
AREA #2
Saint Francis Ministries

AREA #4
TFI Family Services

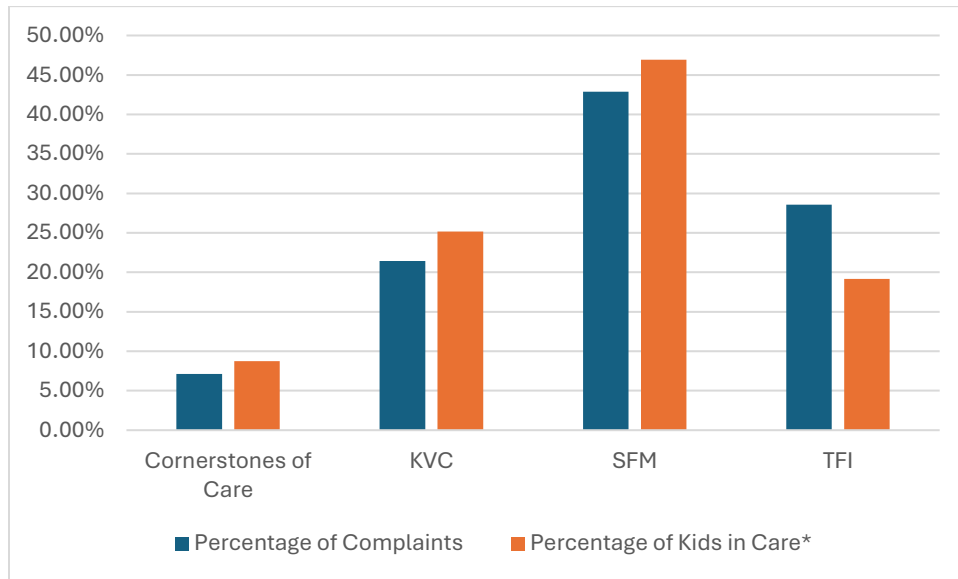
AREA #6
KVC

AREA #8
TFI Family Services

Identified Organization in Agency Conduct Complaints



Percentage of children in care versus Agency conduct complaints by CMP.



*Based on number of children in out of home placement on 4/30/2024

[Out of Home Placement Settings \(ks.gov\)](https://ks.gov)