

Center for Children's Advocacy

TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY IN OPPOSITION TO SECTIONS 5(b)(c) AND (d) AND SECTION 8 OF SB 43, AN ACT CONCERNING REVISIONS TO THE DEPARTMENT OF CHILDREN AND FAMILIES STATUTES

Committee on Children

February 18, 2014

My name is Zoe Stout and I am a Senior Staff Attorney in the Child Abuse Project at the Center for Children's Advocacy, a non-profit organization affiliated with the University of Connecticut School of Law. The Center provides holistic legal services for poor children in Connecticut's communities through individual representation and systemic advocacy.

On behalf of the Center for Children's Advocacy, I urge you to oppose Sections 5 (b)(c) and (d) and Section 8 of this bill. Section 5 (b) proposes that foster families repay the Department of Children and Families (DCF) for home modifications made to accommodate disabled children if the children do not remain in that home for at least 5 years. Sections 5(c) and (d) propose that if the money is not repaid, DCF may put a lien on the residence and there shall be no statute of limitations for any action in regard to such collection. Section 8 proposes to repeal §17-63a of the General Statutes, which ensures that DCF determines measurable outcomes for service providers with whom DCF contracts.

1. DCF should not require repayment of home modifications by foster parents of disabled children

DCF proposes new language that allows them to pay for modifications to foster homes or prospective adoptive homes to safely accommodate foster children with physical disabilities. The proposal then seeks to hold the foster or prospective adoptive family liable to repay 50% of the funds, minus 10% for each year the child resides in the residence. If not repaid, the Commissioner may place a lien against the residence to secure the money.

Children with disabilities are difficult to place as they require much more skill on the part of the foster parents and sometimes their homes are not equipped to meet the needs of the child they seek to care for. The cost of wheelchair ramps, bathroom ceiling lifts, and stair lifts can be a decisive factor in whether a family is able to take in a foster child with special needs. DCF has a policy to fund these modifications through a statewide pool of wraparound funds and a multi-disciplinary committee for the purpose of prioritizing the funds.¹ DCF is willing to continue to assist with payment of the modifications, but now with strings attached.

Forcing families to repay a portion of the funds used for modification or putting a lien on their home should they fail to repay is unconscionable and counterproductive. If, after time, the child requires a higher level of care and is placed in a medical facility that is better able to meet his or her needs, the foster family is on the hook for potentially thousands of dollars. One of DCF's goals is to place children in the least restrictive, most family-like setting possible. In order to ensure that this goal is possible for all children, including those with physical limitations, DCF should assist foster families with home modifications and not railroad them into repaying the money if the placement does not work out. This is particularly true at a time when the foster home pool is shrinking rather than increasing.

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¹ CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES, POLICY MANUAL 36-55-25.12 (2010), available at <http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=452892>.

The Division of Foster Care's monthly report for October 2013 indicates that there are 2,007 licensed DCF foster homes, which is a decrease of 51 homes when compared with the Second Quarter 2013 report.² The number of non-relative foster homes has been steadily declining for the past five years.³

2. DCF should determine measurable outcomes for service providers and submit an annual report to the Human Services Committee

DCF seeks to repeal a section of the statute that mandates the Commissioner to determine measurable outcomes for services and incorporate such outcomes into contracts with service providers. Currently, the Commissioner is required to report these outcomes to the General Assembly yearly. Determining measurable outcomes should be DCF's goal so as to ensure that service providers with whom they contract are indeed providing quality care for youth. Millions of dollars are being spent to contract with agencies for services such as placement, therapy, drug and alcohol treatment, and in-home services. Without establishing a measurement tool by which to judge the achievement of such outcomes, there is no way to know if this money is well spent. By reporting these measurable outcomes and the application of outcome information about quality improvement to the Human Services Committee, there will be oversight as to which providers are excelling at serving the at-risk children of Connecticut and which providers need to be replaced. Instead of repealing this requirement, the legislature should demand accountability and transparency from the agency, to ensure DCF is providing quality service to the children for whom it is entrusted to care.

Public access to this information would help the Center for Children's Advocacy and other organizations like ours to secure proper support services to help young people. Reporting to the General Assembly creates accountability and gives DCF a tool for tracking whether the current providers can meet the needs of Connecticut's at-risk youth.

For these reasons, the Center for Children's Advocacy urges you to reject Sections 5 (b)(c) and (d) and Section 8 of this bill. The Center is in agreement with the other proposed revisions in this bill.

Thank you for your time and consideration.

Respectfully submitted,

Zoe Stout, Senior Staff Attorney
Child Abuse Project

² *Juan F. v. Malloy*, Exit Plan Quarterly Report (2014), available at <http://www.childrensrights.org/wp-content/uploads/2008/04/3rd-Qtr-report-2013-final.pdf>

³ *Id.*