

STATE OF CONNECTICUT

OCTOBER 24, 2001

**PERFORMANCE AUDIT
DEPARTMENT OF CHILDREN AND FAMILIES
FOSTER CARE LICENSING**

**AUDITORS OF PUBLIC ACCOUNTS
KEVIN P. JOHNSTON ♦ ROBERT G. JAEKLE**

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EXECUTIVE SUMMARY

In accordance with the provisions of Section 2-90 of the Connecticut General Statutes and Generally Accepted Government Auditing Standards, we have conducted a performance audit of the licensing of foster care providers by the Department of Children and Families. The Department is responsible for the licensure of such providers, as specified within Section 17a-114 of the General Statutes. The licensing process includes a review of the background of prospective foster parents and homes, and is designed to mitigate the risk that unsuitable providers will ultimately become foster parents for children placed by the Department.

The conditions noted during the audit, along with our recommendations, are summarized below. Our findings are discussed in further detail in the “Results of Review” section of this report.

Bureau of Quality Management – Licensing Activities and Monitoring

The Bureau of Quality Management is not satisfactorily involved with conducting direct licensing activities or monitoring licensing activities performed at the Regional Offices. Per the Department’s Policy Manual, the Bureau is responsible for “ensuring the integrity of the Department’s licensing and relicensing responsibilities by conducting direct licensing activities as well as monitoring regional licensing operations.”

The Department’s Bureau of Quality Management should expand its involvement in the licensing process and establish a system to monitor the individual licensing units within the Regional Offices. (See Item 1.)

Policy Manual

The Department has not included licensing and relicensing policies and procedures within its Policy Manual. The manual, established in March 1994, includes sections for “Initial Licensure Responsibilities,” “Relicensure Responsibilities,” “Decisions Concerning Applications and Licenses” and “Licensing Administration,” which were to be completed and updated in the future.

The Department should complete the sections of its Policy Manual which address specific licensing and relicensing responsibilities, and issue the updated manual to Department staff. (See Item 2.)

Timeliness of Relicensure

The relicensure of foster care providers is often not performed prior to the time that licenses in place expire. The relicensing process includes a review and update to the records maintained for each foster home/parent. There exists a risk that certain providers may continue to operate after their licenses expire while, in fact, they might not have been relicensed due to negative information obtained during a relicensure review.

The Department needs to improve its efforts to accumulate and process relicensing information in a timely manner. (See Item 3.)

Supervisory Approval of Relicensing Documents

Supervisory approvals of relicensing forms were not always completed at one of the Regions that we reviewed. The approval/review of licensing forms by regional foster home licensing program supervisors serves as an internal control to document that certain required licensing information has been obtained and that a satisfactory review of such has been performed.

Relicensing forms should be approved/signed by all of the individual regional program supervisors responsible for foster home licensing. (See Item 4.)

Over Capacity

The licensed capacity of foster care homes is often exceeded. As foster parents/homes are approved for licensure, a “licensed bed capacity” is determined based on the circumstances of the family and home.

The Department should improve efforts to only place children in homes that have available capacity. The reason for additional placements in homes that are at full capacity should be identified and summarized. (See Item 5.)

**Untimely
Licensure of
Relative
Placement
Foster Homes**

With the completion of a “basic assessment,” foster care homes with relative children in placement could generally remain unlicensed for a period of up to 45 days (with the passage of Public Act 01-70 this period was extended to 90 days, effective July 1, 2001.) This is allowed, as specified within Section 17a-114, subsection (b), of the General Statutes. Within that time period, a more detailed and thorough assessment must be completed. Our review disclosed that assessments often took longer than the 45 days that had been allowed during our review period and, in many instances, exceeded the current 90 day requirement.

The Licensing Units within the Regions need to obtain information concerning new foster care placements in a more timely manner, and complete the process of assessing relative foster homes within the timeframes required by Section 17a-114 of the General Statutes. (See Item 6.)

**Lack of
Documentation**

Our review of licensing information contained within the individual licensing records disclosed that there were often concerns presented, which were not completely resolved. These concerns had been raised either as a result of the information gathering process related to an initial licensure or relicensure, or due to (an) incidence(s) that had occurred within the foster home and/or the related provider.

The Licensing Units within the Regions should document the review of information that is present within a licensing file when it is “negative” in nature. (See Item 7.)

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

The Auditors of Public Accounts, in accordance with Section 2-90 of the Connecticut General Statutes, are responsible for examining the performance of State entities to determine their effectiveness in achieving expressed legislative purposes.

We conducted this performance audit of the foster care licensing process within the Department of Children and Families in accordance with Generally Accepted Government Auditing Standards. This audit encompassed effectiveness issues, which is one type of performance audit. Our objective was to determine if the Department has effective policies and procedures in place to ensure that licensing standards are maintained and if, in fact, such policies and procedures are being adhered to in a satisfactory manner. The licensing process includes a review of the background of prospective foster parents and homes, and is designed to help ensure that applicants that will ultimately become foster parents for children placed by the Department are appropriate.

According to the Department's Policy Manual, the primary purposes of licensing are to:

- Protect children in out-of-home care from abuse and neglect;
- Assure parents and the community that the person, facility or agency meets specific requirements;
- Improve the quality of child care through regulation and consultation; and
- Ensure that all service providers meet established standards of quality.

To accomplish our objectives, we conducted interviews with Department staff and performed on-site licensing file reviews at the individual Regional Offices. We also reviewed applicable statutes and regulations, prior audit reports, Department procedures, reports, files, documents, and other information. We did not use computer-based data to any material degree and therefore did not assess the reliability of such.

At the time of our review (April 2001), there were approximately 3,100 foster homes licensed by the Department. We selected foster homes for review by randomly selecting payments made to providers from the Department's Child Welfare Accounting disbursement journals. We selected 108 foster homes for review. There were no conditions disclosed which would indicate that our sample was not representative of the population taken as a whole.

BACKGROUND

The Department of Children and Families (DCF) has been established and operates primarily under the provisions of Title 17a, Chapter 319, Sections 17a-1 through 17a-83 of the General Statutes. In addition, under Sections 17a-90 through 17a-185 of Title 17a, Chapter 319a, and Section 17b-23 of Title 17b, Chapter 319o, the Commissioner and Department are charged with specific responsibilities in regard to overseeing the welfare of children.

The Department is organized as follows:

- ◆ Central Office;
- ◆ Five Regional Offices (including sub-offices within those regions); and
- ◆ Six institutions and treatment centers.

In general terms, Central Office staff serve administratively, while staff at the regions and facilities provide “direct services” to Department clients. As regards licensing, each region is responsible for the licensing function of foster homes that are geographically located within each such region. It should be noted that the Central Office does license approximately 10 private child placement agencies, which in turn license providers directly.

Licensing:

The Department, as specified within Section 17a-114 of the General Statutes, is responsible for the licensure of persons that provide foster care and subsidized adoption services for children served by the Department. Subsection (b) of Section 17a-114 does allow the Department to place a child with a relative who is not licensed for a period of up to 45 days, provided a satisfactory cursory review is performed. As we were performing our review, the relative license pending period was increased, effective July 1, 2001, from 45 to 90 days, with the passage of Public Act 01-70. Section 17a-114 also required that regulations be established to address “licensing” and “certification.” The most recent update of the regulations was completed in February 1997. Pertinent licensing regulations are found within Sections 17a-145-114 through 17a-145-125 (certification) and 17a-145-130 through 17a-145-160 (licensing.)

The Department, as well as services for children and families in general, has been under close scrutiny for some time. In December 1990, the Department (Department of Children and Youth Services [DCYS] at that time) entered into a consent decree to avoid litigation in response to a lawsuit filed in Federal Court by clients of the Agency and others. In general terms, the plaintiffs argued that the Department was not properly funded or staffed. The court appointed a monitor to oversee the implementation of decree mandates. The licensing of providers was specifically addressed in the decree and remains an issue of concern. The plaintiffs have brought up numerous actions concerning licensing since the time the decree was entered into. Most recently, agreements between the plaintiffs and the Department addressed the issues of:

- 1) children placed in unlicensed, lapsed license or unapproved homes, and
- 2) the inclusion of relative and special study foster homes within the staffing and support guidelines for foster homes in general.

As regards the issue of relative and special study foster homes, it should be noted that effective March 22, 1995, the Commissioner had been allowed to grant “certification” to a relative of a

child in lieu of a foster care license. “Certification” had included a review of prospective caregivers that was less in scope than a “licensing review.” However, effective March 25, 2000, The Federal Department of Health and Human Services published a Final Rule addressing the “Adoption and Safe Families Act” (AFSA.) The Act requires relative foster parents to obtain full licensure rather than certification, for cases in which Federal reimbursement is sought. Generally, the Department may receive 50 percent reimbursement of Foster Care payments if certain eligibility requirements, including licensure, are met. The Department requires all new relative applicants to be fully licensed. For those relative foster families that had been “certified” in prior years, but who can not meet licensing requirements, Federal financial participation under the Title IV-E program is, therefore, forfeited.

Foster home licenses are generally in force for a two-year period. The licensing process is performed within the Foster and Adoption Services Unit (FASU) in each respective Region. Depending on the size of the Region, there are three to four staff involved with the process. A “home study worker” (FASU Social Worker) is the principal contact and information gathering source. The process may begin with a phone call to the Region or the attending of an open house, which indicates that a party is interested in becoming a caregiver. The home study worker explains the commitment and responsibilities involved. If the individual(s) continue to be interested, a home study is scheduled and required information is collected. The Department purchased a program to document and track the review/process. It also tracks the process in a Department database.

The worker takes this information and begins to complete either a “Verification of Requirements for Licensure” (DCF-0043) or “Assessment for Licensure for a Relative, Special Study or Independent Home” (DCF-805), depending on the type of prospective placement. During this process, the worker is often conferring with a FASU Social Work Supervisor; the supervisor also approves/signs these licensing forms. The Verification forms address each licensing regulation; the “regular” verification form (DCF-0043) lists the individual regulations specifically, and presents questions directed towards requirements that must be answered by the social workers. The forms that document the review of “relative and special study” homes have a slightly different process. Some of the requirements covered in the regulations are covered in the “Initial Application,” as it also serves as a “Basic Assessment for Placement.” This is due to the fact that a more expedient placement (usually due to a crisis situation) is often required under a relative placement situation.

It appears that these standard forms address all required licensing data and support a documented review of such information by the Department.

The Department has a data base system that tracks licensing. As we were beginning our review, we were informed that the system was just beginning to offer certain licensing reports to Central Office staff. It would appear that the system could be used by the Regional Offices to track the licensees that they are responsible for. Further, it could be used by Central Office staff to monitor the Regions and to identify lapsed licenses for follow-up. We were told that each region has established it’s own system to track such licenses. It is a standard practice to send re-licensing packets out 90 days before a license expires.

The Department's Policy Manual describes the role of the Bureau of Quality Management in "ensuring the integrity of the Department's licensing and relicensing responsibilities by conducting direct licensing activities as well as monitoring regional licensing operations." Our observations and discussions with Department officials disclosed that the Division of Quality Assurance's Licensing Unit does not monitor or evaluate such licensing or relicensing. They do perform a review of investigations that are performed by the Department if an "incident" occurs at a State licensed or certified foster or adoptive home. This is discussed in more detail as Item No. 1 within the "Results of Review" section of this report.

As regards private child placement agencies, licensing is addressed within Section 17a-149 of the General Statutes. The Commissioner's authority over such agencies is "limited to inspection, review and supervision of the applicant under this section and shall not include inspection, review or supervision of the homes in which a child is placed. Regional office staff will request and review a home study for homes selected for a DCF placement. Usually, the use of a child placing agency, of which there are approximately ten on contract, is for special needs type placements.

Organization:

The Director of Foster and Adoption Services (Central Office) provides the principal direction and policy/procedures over licensing issues. However, the Regional Offices where licensing takes place report to the individual Regional Administrators and the Regional Administrators report to the Bureau Chief of Child Protection. The Director of Foster and Adoption Services also reports to the Bureau Chief of Child Welfare.

NOTEWORTHY ACCOMPLISHMENTS

The Office of Foster and Adoption Services recently implemented a statewide corrective action plan to track all providers in need of licensure or re-licensure. According to Department statistics, 285 active providers were identified as being “unlicensed” in October 2000. Efforts were made to effectuate licensure in all but six of those cases as of June 1, 2001. Statewide and regional summaries, tracking logs and quality assurance reports were used to monitor the licensing units in a more effective manner. We encourage the Department to continue this process, as these efforts should satisfy the concerns presented in the “Results of Review” section of this report, as Items 3 and 6.

AREAS REQUIRING FURTHER REVIEW

The issues of foster care and adoption have been studied extensively. Of particular note were two reports that were reviewed:

- ◆ **“Adoption of Children in State Foster Care”** – *Report of the Connecticut Law Revision Committee to the Judiciary Committee and Human Services Committee of the Connecticut General Assembly* (February 1999); and
- ◆ **“Department of Children and Families Foster Care”** – *Legislative Program Review and Investigations Committee* (December 1995.)

In general terms, there is a consensus that recruiting and retaining foster and adoptive homes is a difficult task. It is generally acknowledged that the number of children entering the foster care system is increasing, and will continue to increase in the foreseeable future. There has not been a corresponding increase in the number of foster and adoption homes licensed. Per the Connecticut Law Revision Committee Report, “The median period that a foster parent in Connecticut retains a license is only 2.7 years.”

The scope of our review was limited to determining if the Department has effective policies and procedures in place to ensure that licensing standards are maintained and if, in fact, such policies and procedures are being adhered to in a satisfactory manner. While licensing regulations and standards may be specific and explicit, there is a degree of judgement that goes into each licensing decision.

Since there is an urgency to establish and retain a pool of prospective foster and adoptive parents/homes, there is an inherent risk that certain providers are approved for licensure that would not be approved if there were more prospective foster parents/homes than needed. This is evident by the fact that certain active foster parents/homes, that had been “certified” in prior years, do not meet “licensing” standards. However, these providers continue to care for children placed with them. The requirements and degree of scrutiny for certification are less in scope than for licensure.

A review of efforts made to recruit and retain prospective foster and adoptive parents/homes may be warranted. If the shortage of qualified caregivers can not be alleviated, some form of “contingency plan” should be in place. Determining the strategies used by other States may be helpful in that regard.

RESULTS OF REVIEW

Our examination of foster care licensing policies and procedures, and related records at the Department of Children and Families disclosed matters of concern requiring disclosure and agency attention.

Item No. 1 - Bureau of Quality Management– Licensing Activities and Monitoring:

- Criteria:* The Department is organized into five Bureaus and seven Offices and other units. One of the Bureaus, the Bureau of Quality Management, has five divisions within it. The Licensing Unit is a division within the Bureau of Quality Management. According to the Department’s Policy Manual, the Unit is responsible for “ensuring the integrity of the Department’s licensing and relicensing responsibilities by conducting direct licensing activities as well as monitoring regional licensing operations.” Foster homes are specifically stated as an applicable activity that comes under the purview of this directive.
- Condition:* Our inquiries and review of operations disclosed that the Bureau of Quality Management does not conduct direct licensing activities. Further, the duties performed by the Bureau were not of a “monitoring” nature. Rather, the Bureau simply serves to review internal investigations performed by the Department when an “incident” (substantiated abuse or neglect resulting in harm to a placed child) occurs at a foster home. The “Licensing Unit” within the Bureau does perform a licensing function on child care facilities, of which “foster homes” are not included.
- Effect:* Department policy, which would provide a monitoring or oversight function over foster home licensing, has not been implemented. Such a function would provide a higher degree of assurance that licensing regulations and standards are met and that foster care providers/homes are appropriate.
- Cause:* According to Department staff, the Bureau does not possess the required resources to monitor foster home licensing.
- Recommendation:* The Department’s Bureau of Quality Management should expand its involvement in the licensing process and establish a system to monitor the individual licensing units within the Regional Offices. (See Recommendation 1.)

Agency Response: “The Department is in the process of updating its licensing policy. It was reported to the Acting Director of the Office of Foster and Adoption Services (OFAS) in November 2000 that the licensing policy had been in draft form for several years and required completion. Since November 2000, the Acting Director of OFAS developed a work group to review the existing draft and update all current procedures and complete the licensing policy. To date the policy is near completion and the work group plans to submit their draft for review by July 30, 2001. A meeting will be held by this work group and include Quality Assurance to allow them an opportunity to provide input.

Since the implementation of the corrective action plan to track all licensed foster, relative and special study homes, the Office of Foster and Adoption Services (OFAS) has directed this effort. In addition OFAS arranged for the Division of Program and Planning to periodically audit these findings. It has been suggested that the Bureau of Quality Management monitor the licensing process. The Acting Director of OFAS would support that Quality Management take over the oversight of tracking and quarterly audits of all foster homes.

It should be noted that Quality Assurance does provide direct licensing oversight of Private Agencies and Facilities. In the past this division did have direct licensing responsibilities for foster care but this centralized licensing process was disbanded by Commissioner Rossi and reassigned to each Region’s Foster and Adoption Service Units (FASU). The Department did assign a portion of the licensing process to its Treatment Division connected to relative licensing. It resulted in poor performance, as many of these applications, assessments and certifications were not completed in a timely fashion. These problems were partially resolved when FASU took full control of the certification process. It was clear however in October 2000 that corrective action was warranted to resolve all case processes which delayed the licensing process.

It should also be noted that the Division of Quality Assurance does provide direct guidance of regulatory concerns related to licensing; direct involvement in policy development related to licensing; provision of a hearing when requested to revoke a foster care license; provision of a hearing when requested on substantiation of abuse/neglect in a foster home.”

Item No. 2 - Policy Manual:

- Background:* The Department established a “Policy Manual” in March 1994. This manual serves to document the operations of the Department, and includes sections that relate to foster care provider licensing.
- Criteria:* The Department Policy Manual was issued with the expectation that sections would be completed and updated in the future. It serves to document the policies and procedures of virtually all Department activities. In that sense, it serves as a control that certain Department objectives concerning its mission are achieved.
- Condition:* As of June 2001, policies and procedures related to foster care provider licensing, as well as other licensed providers (Child Care Facilities, Extended Day Treatment Programs, Child Placing Agencies, etc.) had not been issued within the Department Policy Manual. The manual has been set-up to include sections for “Initial Licensure Responsibilities”, “Relicensure Responsibilities”, “Decisions Concerning Applications and Licenses”, and “Licensing Administration.”
- Effect:* Sections of the Department Policy Manual concerning licensing have not been completed in a timely manner. Providing firm and clear policies and procedures over the licensing process, and the requirements and standards that must be met, minimizes the risk that Department staff responsible for foster care licensing will err in their decisions to license prospective foster parents/homes. Children placed by the Department could be at risk if they are placed with foster care providers that have not met licensing requirements and standards.
- Cause:* A cause for this condition was not determined. As we were performing our review, we were informed that additions to the manual that address foster care provider licensing were in “draft” form.
- Recommendation:* The Department should establish and issue sections within its Policy Manual which address specific foster care provider licensing and relicensing responsibilities. (See Recommendation 2.)
- Agency Response:* “Contrary to the assertion in the auditor’s report the Department does have expectations that all policy be completed and periodically reviewed and updated. Part of the lack of attention to policy may be attributed to lax management, which resulted in this policy not being updated. Under the direction of new management

a work group has met monthly to complete the licensing policy since November 2000. It is expected that this work group submit a draft of the licensing policy by July 30, 2001. This draft will focus on licensing related to foster, relative, special studies and independent licenses and adoption. Upon review of this policy any corrections will be completed by August 30, 2001 and final submission will be made to all Bureau Chiefs and Commissioners by September 1, 2001. Approved licensing policy will be distributed to all Regional Managers and Regional Administrators. The Acting Director of OFAS will meet with FASU Managers and Supervisors to discuss and review by the end of September 2001.”

Auditors’ Concluding Comments:

The comments made within our finding were not made to assert what the Department’s future expectations may be. We simply present the fact that the Policy Manual was established in 1994 and that, as of June 2001, licensing policies and procedures had yet to be issued.

As of August 7, 2001, a draft policy had been established. However, we were informed that it will have to be amended due to some regulatory concerns before it is issued.

Item No. 3 - Timeliness of Relicensure:

Background: The licensure and relicensure of foster care providers are performed at the Department’s Regional Offices. Generally, licenses are granted for two-year periods.

Criteria: The five Regional Offices of the Department, have each established a system to track the status of licensed foster care providers. It is a standard practice for the Regions to send re-licensing packets to licensees 90 days before a license is to expire. Licensees are to fill out a relicensing application and return it to the regional licensing units. A review of the information provided is performed. Current police and protective service inquiries are also completed.

Condition: Our review of 108 individual licensees disclosed that 26, or 24.1 percent, had “gaps” between licenses. These gaps ranged from 28 to 384 days, with the average being approximately 171 days. It should be noted that we reviewed the “licensing history” of the licensees we tested, rather than strictly the most recent licensure. However, we treated as exceptions only those “gaps” in licensure that occurred within the past three years.

Effect: Foster care providers have been allowed to care for Department placed children and receive payment, during periods in which they did not possess a current license. There exists a risk that these providers may continue to operate after their licenses expire although, in fact, they might not have been relicensed due to negative information obtained during a relicensure review.

According to licensing staff, the Department had recognized the condition noted prior to our review. A recent effort to identify lapsed licenses and to follow-up on them, had been made.

Cause: Department staff have indicated that foster parents are often untimely in returning relicensure information.

As regards licensing requirements necessary to claim Federal reimbursement under the Title-IV-E program, the Department has taken the position that a foster care provider is considered “licensed” if a signed application has been received by the Department prior to expiration. Licensing staff have used this rationale within their self-assessment of the condition.

Recommendation: The Department needs to improve its efforts to accumulate and process relicensing information in a timely manner. (See Recommendation 3.)

Agency Response: “The Uniform Administration Procedure Act provides allowance of a signature on a foster care application to keep the license intact. Thus any foster home whose license has not yet been completed for relicensure but whose record contains a current signed application is not to be considered a lapsed license. Also as it was noted in the Auditor’s finding the Department has implemented a successful tracking system to provide oversight of foster, relative and special study licenses. It was recognized that the Department has been successful in sustaining its effort since March 2001.”

Item No. 4 - Supervisory Approval of Relicensing Documents:

- Background:* As explained in a previous section of this report, licensing information is gathered and processed at the Regional Offices of the Department. The Department has established standard licensing forms which require supervisory approval.
- Criteria:* The Department uses a comprehensive standard relicensing form that documents the information gathering and review process. This form, "Recommendation for License Renewals," is submitted and signed by the assigned social worker. The supervisor of the social worker, as well as the program supervisor responsible for licensing at each respective region, must then approve it.
- Condition:* Our review disclosed that the "Recommendation for License Renewal" forms were often not signed off as "approved" by the program supervisor at one of the regions we examined. Our review of 12 licensees at this one region disclosed that 7, or 58.3 percent, lacked such approval.
- Effect:* There is no assurance that relicensing information and decisions were reviewed/approved by the program supervisor who oversees foster care licensing at one of the regions.
- Cause:* According to licensing staff, "only problematic, or unusual situations such as waivers, were signed by the Program Supervisor" at this one region.
- Recommendation:* Relicensing forms should be approved/signed by all of the individual regional program supervisors responsible for foster home licensing. (See Recommendation 4.)
- Agency Response:* "As noted in the Auditors report, it is required that FASU Program Supervisors sign DCF form, 425-B, the relicensing form. The Acting Director of OFAS will review this responsibility with each regional Program Supervisor to ensure that the Department reaches 100% compliance with this requirement."

Item No. 5 - Over Capacity:

Background: The license issued to foster care providers by the Department presents an approved “capacity.” This represents the number of children that can normally be placed in the home by the Department.

Criteria: Prospective foster care providers and homes are reviewed by the Department prior to licensure. Part of the review process is to determine how many children should be placed within the home. Assessments of the prospective foster parent(s), the size of the biological family, and the home itself, are performed. These factors are considered in the decision to set a licensed capacity.

Condition: Our review disclosed that of the 108 foster homes we reviewed, 17 or 17.7 percent, were “over capacity.” We obtained a summary report from the Department, which concluded that 12.2 percent of foster care providers were over capacity. While we could not readily confirm the accuracy of this data, it appears to support the fact that our sampled exception rate related to this criteria was fairly representative of the population.

It should be noted that State of Connecticut Regulation 17a-145-160, subsection (c), allows the Commissioner to authorize the placement of additional children in homes that have already reached capacity, if “special circumstances” exist. As a practice, exceptions will be made to keep sibling groups intact or to place a child when no other resources (homes) are available. Approval must be obtained from the individual Regional Administrators. The Department does not have a mechanism in place to identify and summarize the “reasons” for over capacity, by an individual licensee.

Effect: Placing children in homes that have already met their licensed capacities increases the risk that all children placed within such homes will not receive the necessary care and attention. Physical space requirements may also be compromised.

Cause: Department staff have told us that recruiting and retaining good foster parents/homes is a challenging task.

Recommendation: The Department should improve efforts to only place children in homes that have available capacity. The reason for additional placements in homes that are at full capacity should be identified and summarized. (See Recommendation 5.)

Agency Response: “Contrary to the Auditors assertion the Department does have established procedures to identify and summarize the reason for placing a child into a foster home at full capacity. Policy 41-19-2, Principles in Foster Care Matching, clearly states that a social worker must review any overcapacity placement with their supervisor and/or Program Supervisor prior to placement. Monthly reviews are required and include submission to the Regional Administrator. DCF form 2156, *Authorization for a Placement Which Exceeds Population Limitations* must be filled out prior to these types of placements and reviewed monthly. This form provides an explanation for the placement and requires a plan to reduce the overcapacity. The Regional Administrator’s signature is required.

Nationwide, over 540,000 children currently reside in some form of foster care. The number has increased 90% in the past 10 years. Nationwide, there has been a significant drop in licensed foster homes. Connecticut has experienced these same trends. Anecdotal assertions have been made that the problem is due to sibling placements and fewer available resources for adolescents. The Department needs to focus its recruitment efforts on these populations to reduce the overcapacity issues. OFAS intends to track foster homes that exceed their population limits to ascertain the reason for the placement and to increase our efforts to address this problem. The Recruitment and Retention Plan for 2001 recommends that a Support Plan be written with all foster homes to include training and support needs. It has further been recommended that in cases of overcapacity that this Support Plan be reviewed to ensure that the foster home has the additional support that it may need.”

Auditors’ Concluding Comments:

We do not assert that the Department does not have established procedures to identify the reason for placing a child into a foster home at full capacity, **on a case-by-case basis**. Our concern is that data is not maintained to allow the Department to identify and summarize the “reasons” for placement in homes at full capacity, in an aggregate form. Quite simply, Department data indicates that 12.2 percent of licensed homes have placements which exceed licensed capacity, but it can not be determined how much of this percentage is due to the placement of sibling groups, or other reasons. Establishing a system to capture relevant information will help the Department to reach its stated goal of being able to “track foster homes that exceed their population limits to ascertain the reason for the placement and to increase our efforts to address this problem.”

Item No. 6 - Untimely Licensure of Relative Placement Foster Homes:

Background: Generally, foster care providers must become licensed by the Department prior to the time that children may be placed within the home. There is an exception for instances in which a child requiring removal is placed with a relative (aunt, uncle, grandparent, etc.).

Criteria: With the completion of a “basic assessment,” foster care homes with relative children in placement could generally remain unlicensed for a period of up to 45 days. This is allowed, as specified within Section 17a-114, subsection (b), of the General Statutes. Within that time period, a more detailed and thorough assessment to effect licensure must be completed. It should be noted that, subsequent to our review, Public Act 01-70 of the Regular Session of the 2001 General Assembly extended the 45 day requirement to 90 days, effective July 1, 2001.

The Department has an established process to place children in the homes of relatives, pending a thorough licensing review. A cursory review of information provided within an application completed by the prospective foster parent(s) is performed, in the form of a “basic assessment.” A more detailed and thorough “Assessment for Licensure” is to be completed and approved so that licensure may be obtained. Such license will only be granted if regulatory requirements and standards are met.

Condition: Our review disclosed that assessments often took longer than the 45 days allowed at that time. Of 34 relative placements included within our sample, 22, or 64.7 percent, had not been completed within the 45 day period. The degree of tardiness ranged from 10 to 204 days, with the average being approximately 88 days. It should be noted that in 18, or 52.9 percent, of the 34 placements reviewed, assessments were not completed within 90 days.

Effect: Children placed by the Department with relatives were allowed to remain in “unlicensed” homes longer than what is statutorily allowed.

For instances in which prospective relative foster parent(s) and/or homes are deemed to be inappropriate based on the licensing review, placed children are exposed to that environment for a longer period.

- Cause:* According to licensing staff, they do not always become immediately aware of a “relative placement.” Further, information required from prospective licensees is often not submitted in a timely manner.
- Recommendation:* The Licensing Units within the Regions need to obtain information concerning new foster care placements in a more timely manner, and complete the process of assessing relative foster homes within the timeframes required by Section 17a-114 of the General Statutes. (See Recommendation 6.)
- Agency Response:* “As the auditor noted there was a delay in FASU receiving timely information regarding relative placements by the Treatment Divisions in the regions. Since October 2000 there has been notable improvement in this area. To date however any lapsed license that has been identified has been related to relative placements. Although communication has improved between Treatment and FASU, continued efforts are warranted to safeguard against delayed information that results in a failure to meet the General Statutes and qualification for Federal Reimbursement.”

Item No. 7 - Lack of Documentation:

- Background:* As explained in a previous section of this report, licensing information is gathered and processed at the Regional Offices. A case record/file is maintained for all licensees which includes the licensing and relicensing applications and information submitted by the providers, documentation concerning the Department’s review/confirmation of the application/information submitted, and a record of any investigations performed by the Department regarding the provider.
- Criteria:* Sections 17a-145-130 through 17a-145-160 of the Connecticut Regulations present specific requirements and standards that must be met to obtain a license. Sections 17a-114-14 through 17a-114-25 present specific requirements and standards that must be met for relative caregivers to become certified. Excerpts of some of these Sections follow:
- Pursuant to Section 17a-145-144, “Foster and prospective adoptive parents and other members of the household shall be of good character, habits and reputation.” Section 17a-114-19, subsection (e), states that “certified relatives and other members of the household shall be of good character, habits and reputation.”

- Pursuant to Section 17a-145-147, “Foster and prospective adoptive parents shall have an income sufficient to meet the needs of their family.”
- Pursuant to Section 17a-145-151, “Foster and prospective adoptive parents shall be physically, intellectually and emotionally capable of providing care, guidance and supervision.”

Condition:

Our review of licensing information contained within the individual licensing records disclosed that there were often concerns presented, which were not completely resolved. These concerns had been raised either as a result of the information gathering process related to an initial licensure or relicensure, or due to (an) incident(s) that had occurred within the foster home and/or involved the related foster parent(s). We present the following examples:

- *A foster father and two biological sons had extensive police records that were identified as a result of a Department inquiry. As concerns the foster father, the most recent conviction was in 1997 for “Breach of Peace.” A history of the other convicted charges included “Possession of Narcotics”, “Reckless Endangerment”, and “Weapons in a Motor Vehicle.” As concerns the biological sons, who were found to be living in the home, there were a number of felony charges between 1995 and 1998, including “Possession of Drugs”, “Larceny”, and “Failure to Appear.”*

We could not identify information in the file to indicate that the Department found any mitigating factors to support licensure.

- *A foster father had a documented history of substance abuse. There were no dates presented or description of the action taken by Department staff to support why they were satisfied that this was not a current concern. Subsequent to our inquiry, the Department added notes to the file indicating that this was not a current concern as the incidents occurred “years ago.”*
- *A licensing file presented many indications that a licensed foster father had alcohol dependency problems. Per narratives within the file, the subject acknowledged a recent problem and had been in recovery. Further, it was disclosed in a December 1999 state police check that the foster father had a criminal record dating back to 1988, which included “Assault Third”, “Sexual Assault in Spousal Relationship”, “Unlawful Restraint”, and “Disorderly Conduct.” It was also disclosed at this time that the foster father’s driver license was suspended in 1997 for “Driving Under the Influence.”*

It should be noted that the foster family has been licensed since 1994. As regards the issue of alcohol dependency problems,

the Department took, what appeared to be, appropriate action by requesting that the foster father sign an “Authorization for Release of Information” from a treatment provider. However, the foster father refused to sign the release and there was no other relevant correspondence on file to indicate that the issue was properly resolved. As concerns the issue of past criminal charges, it should be noted that such charges were nolle. However, the Department did not have knowledge of the charges or the disposition of such, until five years after initial licensure.

- *A foster parent that had been “certified” as a relative could not be “licensed” due to substantiated physical abuse and a pending charge of “Assault of an elderly, blind, disabled, pregnant or mentally retarded person in the second degree with a firearm” against a biological grandchild residing in the foster home.*

Regulations state that foster parents “shall be of good character, habits and reputation”, whether they are licensed or certified as relative placements. While it was determined that the subject foster parent could not be licensed due to the conditions noted, relative certification was allowed to continue.

Effect: By exclusively relying on the information present in certain licensing files, we question whether licensing regulations and standards have been satisfied. While there may have been follow-up and/or resolution on the issues raised by the social workers assigned to such cases, their efforts were not properly documented.

Cause: A cause for this condition was not determined.

Recommendation: The Licensing Units within the Regions should document the review of information that is present within a licensing file when it is “negative” in nature. (See Recommendation 7.)

Agency Response: “The Auditor’s report noted that sometimes the Link Narrative would identify concerns but never provide a resolution to these concerns. FASU recognizes that there has been inconsistent effort to enter all case activity into LINK. It is recommended that Supervisors provide periodic review of case narratives to ensure compliance in meeting documentation standards. Standards of documentation would include all telephone contacts, face-to-face visits and case conferences with community providers or regional supervisors/ management. In addition, efforts should be made to ensure that all LINK Home Provider Screens are up to date and accurate.”

RECOMMENDATIONS

- 1. The Department’s Bureau of Quality Management should expand its involvement in the licensing process and establish a system to monitor the individual licensing units within the Regional Offices.**

Comment:

According to the Department’s Policy Manual, the Licensing Division within the Bureau of Quality Management is responsible for “ensuring the integrity of the Department’s licensing and relicensing responsibilities by conducting direct licensing activities as well as monitoring regional licensing operations.” Our review of the actual duties of the Division disclosed that it is not functioning at that capacity.

- 2. The Department should establish and issue sections within its Policy Manual which address specific licensing and relicensing responsibilities.**

Comment:

The Department has a “Policy Manual” that serves as a guide to the policies and procedures that are to be followed to ensure that certain objectives are met. While a chapter was established to address “Licensing”, it has not been completed.

- 3. The Department needs to improve its efforts to accumulate and process relicensing information in a timely manner.**

Comment:

The relicensure of foster care providers is often not performed prior to the time that licenses in place expire. Our review of individual licensees disclosed that there were often “gaps” between licenses.

- 4. Relicensing forms should be approved/signed by all of the individual regional program supervisors responsible for foster home licensing.**

Comment:

Program Supervisors are to review license renewal forms and sign such forms to indicate approval. Our review disclosed that “Recommendation for License Renewal” forms were often not signed off as “approved” by the Program Supervisor at one of the Regions we examined.

- 5. The Department should improve efforts to only place children in homes that have available capacity. The reason for additional placements in homes that are at full capacity should be identified and summarized.**

Comment:

Our review of a sample of foster homes disclosed that the number of foster children placed in almost 16 percent of such homes exceeded the licensed capacity. Department data, used to track over-capacity, indicates a similar exception rate. While the Department is able to identify foster care providers that are over capacity, it does not have a system in place to identify and summarize the reasons for such.

- 6. The Licensing Units within the Regions need to obtain information concerning new foster care placements in a more timely manner, and complete the process of assessing relative foster homes within the timeframes required by Section 17a-114 of the General Statutes.**

Comment:

Our review disclosed that assessments often took longer than the 45 days allowed at that time. Of the relative placements included within our sample, almost 65 percent, had not been completed within the 45 day period. Subsequent to our review, the requirement was extended to 90 days by Public Act 01-70, effective July 1, 2001. The sample assessments that we reviewed were not completed within 90 days in approximately 53 percent of the relative placements we reviewed.

- 7. The Licensing Units within the Regions should document the review of information that is present within a licensing file when it is “negative” in nature.**

Comment:

Our review of licensing information contained within the individual licensing records disclosed that there were often concerns presented, which were not completely resolved. These concerns had been raised either as a result of the information gathering process related to an initial licensure or relicensure, or due to (an) incident(s) that had occurred within the foster home and/or the related provider.

CONCLUSION

In conclusion, we wish to express our appreciation for the cooperation and courtesies extended to our representatives by the officials and staff of the Department of Children and Families during this examination.

John A. Rasimas
Principal Auditor

Approved:

Kevin P. Johnston
Auditor of Public Accounts

Robert G. Jaekle
Auditor of Public Accounts