



MICHIGAN HOUSE
**Adoption &
Foster Care**
TASK FORCE

2021-22 Michigan House of Representatives

————— **Report**

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Michigan typically has more than 10,000 children in foster care, and each year, approximately 3,000 of these children become legally available for adoption. Every one of these kids deserves a chance at a bright future, and the state has a moral and legal responsibility to help provide that opportunity.

That's why one of the first steps I took after becoming chair of the House Appropriations Committee was to call for this bipartisan effort.

It's no secret Michigan must do a better job with its child welfare system, including foster care and adoption. The system has been under federal oversight for more than a decade, stemming from a lawsuit filed in 2006 that detailed a series of serious shortcomings. While progress has been made over the past 15 years, there's still a long way to go.

How can we provide safe, stable and nurturing homes for children who need them? How can we establish a solid foundation to help them build better lives? How can we help transition kids from foster care, designed to be temporary, into permanent homes more quickly? How can we increase the number of adoptions?

These are some of the key questions we sought to answer with the House Adoption and Foster Care Task Force. Members spent several months consulting those with the experience and expertise necessary to help craft meaningful solutions. I want to thank them for their time and effort, and look forward to making progress acting on these recommendations during this legislative term.

We must break down barriers and make the system easier to navigate so more Michiganders will choose to share their homes and become foster families. We must expand access to services so foster kids will get the health care and legal support they need. We must improve caseworker retention and give these dedicated civil servants the tools they need to help those who need help the most.

It won't be easy. If it was, it would already be done. But I am confident this set of bipartisan recommendations will help our state's most vulnerable children overcome challenges and begin to thrive.



Sincerely,

Rep. Thomas Albert
Chair of Appropriations



Every child deserves a loving family and safe home to welcome them with open arms. While our adoption and foster care system has steadily improved over the past decade, there is much more to be done. Our state can and must do a better job of connecting abused and neglected children with caring parents and guardians.

I am honored to have been appointed chair of the bipartisan Adoption and Foster Care Task Force by Rep. Albert. I made it our task force's mission to listen to people from the entire continuum of our child welfare system, partner with experienced and knowledgeable professionals to learn how and why the system is falling short, and find effective solutions to ensure that every child has champions and forever homes by developing better, more effective systems to ensure their voices are heard.

Over the past six months, our task force has learned that our child welfare system could be better streamlined to make it more supportive for loving parents to open their homes to foster children, that children in the system need better access to quality health care and legal representation, and that caseworkers need more resources to do their jobs effectively.

I look forward to seeing the thoughtful recommendations within this report implemented to ensure our most vulnerable children are safe and loved.

Every child needs champions and a forever home.



Sincerely,

State Rep. Mary Whiteford
Vice Chair of Appropriations Committee
Chair DHHS Subcommittee

Meet the Task Force Members

The House Adoption and Foster Care Task Force was announced by House Appropriations Chair Thomas Albert on Feb. 4, 2021.



Rep. Mary Whiteford
(Chair)



Rep. Sarah Anthony



Rep. Brenda Carter



Rep. Tyrone Carter



Rep. Phil Green



Rep. Bronna Kahle



Rep. Jack O'Malley



Rep. Laurie Pohutsky



Rep. Daire Rendon



Rep. Rodney Wakeman



Rep. Stephanie Young

Task Force Meetings

The House Adoption and Foster Care Task Force held a series of virtual meetings over several months where people from all corners of Michigan's child welfare system were able to share their experiences and provide guidance on how to best improve outcomes for all involved. The bipartisan panel also collected numerous written comments to consider when crafting recommendations to help bring an end to Michigan's consent decree, achieve timely permanency, remove obstacles and disincentives preventing new families from supporting foster youth, increase adoptions, bolster kinship care, expand access to services, improve caseworker retention, enhance systemic legal representation, and much more.

Despite the challenges created by the COVID-19 pandemic, task force members were determined to participate in site-visit tours to view services and programs. The tours included the following locations:

The Wolverine Vassar Residential Campus in Vassar, MI
New Light Child and Family Institute in Millington, MI
Team Wellness Center in Detroit, MI
House of Providence in Oxford, MI



Outside the Wolverine Vassar Residential Campus.

Problems identified and recommended solutions worth exploring

Expanding access to special health care needs

Create a specialized Medicaid managed care option for Michigan youth served in the child welfare system

Children and youth in foster care often require targeted services due to their higher prevalence of unmet health conditions that are compounded by poor access to care. These complicated medical, developmental, and psychosocial needs are deeply rooted in a history of traumatic events.

To increase access to care and generate better health outcomes for youth in child welfare and juvenile justice, we recommend the creation of a specialized Medicaid managed care option plan in Michigan.

Several states have already used a variety of innovative strategies to expand their experiences with traditional Medicaid managed care (MMC) programs to help address the special health care needs of children and youth in the child welfare system. Establishing an encompassing, comprehensive MMC option in Michigan will lead to easy and timely access to primary dental, vision, physical, mental and behavioral health care visits for all children and youth in the child welfare system. It will also serve as a central source for data to track health care services received to ensure medical history always follows a child. Additionally, we recommend expanding membership eligibility to support those who have “aged out” of the child welfare system until they reach the age of 26 – similar to their current eligibility for Foster Care Transitional Medicaid. This will help ensure foster care alumni maintain adequate access to the care they need when transitioning into adulthood.

Bolstering kinship care

Increase kinship caregiver access to supportive services

Beyond the obvious drain on their finances and time, all kinship caregivers deal with social, emotional and practical challenges when raising children in their care. Though Michigan’s child welfare system prioritizes placing children in kinship care due to its family-centered dynamic, the state child welfare system itself is ill-equipped and falls short of responding to the needs of kinship families. With the lack of resources and awareness of available resources statewide, kinship caregivers often feel alone in their struggle.

We recommend building upon the current kinship navigator program housed at Michigan State University to better connect kinship caregivers to available resources statewide, including support programs, case management services, educational tools, financial assistance, and other services tailored to increase permanency outcomes. The Families First Prevention Services Act is now available to support programs that meet certain evidence-based criteria, and we believe an assessment of the kinship care program at MSU is due to allow the state to determine if changes are necessary to bring it in line with available funding opportunities.



Task Force Chair Mary Whiteford visits with Jason Dunn, founder of House of Providence.

Provide a platform for continuous kinship advocacy

Kinship care is often seen as a solution to many of the broader issues of the child welfare system, as children are able to grow into adulthood in a family environment rather than in the traditional foster care setting. Studies also show children placed into kinship families have better behavioral and mental health outcomes, underscoring the importance for Michigan to reform its child welfare system to better react to the needs of kinship caregivers and the children in their care. This will involve continued collaboration and advocacy for bold reforms and systemic changes.

We recommend the creation of a kinship caregiver advisory council within the Michigan Department of Health and Human Services to serve as a platform for kinship caregivers, providers and state agencies to advocate for targeted solutions to make Michigan's child welfare system more effective and family-centered at a state and local level.

Enter into a Family Finding and Engagement partnership

Cutting-edge technologies have led to the establishment of innovative internet search services, such as Family Finding and Engagement (FFE) programs, which help prevent unnecessary family separations through the process of connecting close and distant relatives to children in foster care. Every child has a family, and family members can be found if we actively try.

We recommend the Michigan Department of Health and Human Services partner with a third party to help connect foster youth who lack permanency to family members and friends who are able and willing to step in and care for them. All children deserve permanency and family connections, and FFE programs serve as genuine, cost-effective solutions to do just that.

Expand the legal definition of relative to include "fictive kin"

According to the Child Welfare Information Gateway, "Kinship care is the care of children by relatives or, in some jurisdictions, close family friends (often referred to as fictive kin)." Research has found that children in kinship care experience better outcomes than those in non-kinship placements; specifically, the children show improved placement stability, decreased behavior and mental health problems, and fewer examples of reentry into foster care after successful reunification. Currently in Michigan, children removed from their families to foster care are only able to be placed with individuals related to the child by blood, marriage, or adoption or with licensed non-kin foster parents. This definition limits the ability of "fictive kin," individuals who are not related to the child but have an emotionally significant relationship to the child, from serving as caregivers for a child while his/her parents rectify the issues that brought the family to the attention of Children's Protective Services.

To lessen the trauma associated with removal, provide better outcomes for children in foster care, alleviate the foster parent shortage the state is currently experiencing, and join the national movement supporting kinship care, we recommend, as many states have done, expanding the legal definition of relative in Michigan to include "fictive kin."

Recruiting and improving retention of high-quality child welfare workers

Start a university-agency educational partnership program

With inconsistency seeming like the only constant when it comes to caseworkers, poor caseworker retention rates often contribute to delayed permanency, higher rates of reoccurring maltreatment, and a growing number of foster care placements. While not all turnover is preventable, we should at least be cognizant to the array of factors that predict high turnover and work to implement strategies to mitigate them. One factor we quickly recognized was the lack of time allotted for new caseworkers to learn all the aspects of the job and meet professional standards. Without a meaningful development period, individuals entering the high-stress field often burn out and leave, creating a revolving door of caseworkers.

We recommend the Michigan Department of Health and Human Services explore the implementation of a university-agency educational partnership program for college students majoring in social work or human services and are interested in working in child welfare.

Through partnerships with participating state universities and community colleges, the program would cover the cost of internship credit hours for students who complete an internship in the child welfare system. Many states, including Arkansas, Arizona, California, Florida, Georgia, Hawaii, Indiana, Kentucky, Louisiana, Maine, Maryland, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Oregon, and Pennsylvania, have such programs, and federal IV-E funds can be utilized to help support program efforts. This will help higher education students gain a better understanding of the child welfare system and the career opportunities it provides prior to graduation, reduce the amount of time needed for new caseworkers to grow accustomed to the profession, and improve workforce retention rates.

Limit caseloads, provide additional support for learning caseworkers when possible

Beginner CPS, foster care and adoption caseworkers are often thrown into high caseloads accompanied by high workloads that can lead to heavy stress and emotional exhaustion, attrition, decreased worker-family contact and unmet professional standards.

To support learning caseworkers as they acclimate to the field, when possible, we recommend the Michigan Department of Health and Human Services and public and private agencies adopt a uniform strategic onboarding process.

The department and public and private agencies should explore implementing phased training and orientation over 18 months for new staff. There should be an emphasis placed on reduced caseloads, low-risk case assignments, and joint field visits for new employees, with the ultimate goal of gradually increasing caseloads as workers progress in the profession. Establishing reasonable caseloads and manageable workloads for new caseworkers will allow them to invest more time into supporting families and children and can lead to improved caseworker retention rates.

Allocate state resources to develop additional administrative positions to support caseworker functions, responsibilities

If they are not out in the field conducting direct client contact or collateral contact, caseworkers are spending a great deal of their time completing paperwork and various administrative tasks. Depending on the degree of complexity, some child welfare cases require intensive intervention – requiring caseworkers to spend a greater deal of time engaging families and delivering quality services. Because of this, there is a strong need for support staff to help allocate workloads more efficiently.

To reduce individual workload – in regard to paperwork and administrative tasks – and strengthen service delivery to at-risk families, we recommend the Department of Health and Human Services report to the Legislature its plans to establish an internal teaming model that includes the development of specialized support staff positions to assist CPS caseworkers on high-risk cases that require more caseworker involvement.



State Rep. Bronna Kahle (left) talks with New Light Child and Family Institute Executive and Clinical Director Dr. Rick Watkins and Foster Care Manager Tina Sentell.

The report would also require the department to include a cost estimate of implementing such a model statewide, to ensure it can be financially supported by funds appropriated by the Legislature.

Increasing the frequency of successful adoptions

Establish tax credits for adoptive parents

Families looking to adopt have a lot to consider financially. Depending on the type of adoption, costs can add up quickly through birth parent expenses, travel expenses, agency and court filing fees, medical and legal paperwork, home assessment fees and more. And for those with their hearts set on adopting a newborn, there's a lengthy list of all the essential items attached. Although certain upfront fees can be reimbursed through the state's non-recurring expenses program and a majority of private agencies complete home assessments free of charge, adoptive families still incur costs.

To help lessen the financial strain an adoption can have on a family budget, we recommend establishing a state income tax credit for adoptive parents that is limited to any child adopted from within Michigan. This meaningful assistance will further incentivize adoptions statewide and match more Michigan youth with loving families.

Acknowledge job providers that provide adoption assistance for employees

Paid time off – or the lack thereof in certain business sectors – can be a barrier for many prospective adoptive families. Upon adopting, families should be able to take time off the job to provide care for their new children and build strong bonds without having to worry about a paycheck. Michigan has already joined a handful of other states in providing paid time off for state employees who adopt, but not all workers across the state have access to this pro-family benefit.

To encourage more private industries to follow suit, we recommend establishing a business tax credit for Michigan-based job providers that voluntarily opt to provide their workers with paid leave following the placement of a child who is identified as pre-adoptive.

Boost the promotion of adoption programs, increase access to maternity resources and supports

Every pregnant woman deserves access to essential health care services and information about the benefits and risks of specific procedures, drugs, tests, treatments, and alternatives to abortion. Many women, especially those with low incomes, lack this privilege and feel alone in their struggle. Oftentimes they feel abortion is their only option, despite numerous pregnancy and parenting programs and adoption services across the state. These compassionate support services, staffed by fully trained and caring counselors, empower women to protect their reproductive health, avoid crisis pregnancies, receive adoption education, and improve parenting skills. They also make referrals to adoption agencies that provide pregnant mothers known to be considering terminating their parental rights a safe process to match their children with loving families through open or closed adoptions.

To help eliminate barriers to pregnancy resources for expectant mothers, adoption services, and efforts to find permanent families for children, we recommend a significant investment in the marketing of adoption agencies, alternative pregnancy and parenting programs, pregnancy resource centers, maternity counseling, and post-adoption services.

Additional resources are needed for these programs to advertise their services, optimize their websites, expand their outreach, and carry out their missions. These funds could also prove beneficial in efforts to dispel the stigma of adoption and enhance the family recruitment efforts of adoption agencies. By empowering moms with the resources and support they need to have healthier outcomes for themselves and their babies, we will build stronger communities and a brighter future for Michigan.

Achieving timely permanency for children in foster care

Maintain a standard time of promptness for fingerprinting, criminal background checks

Most likely resulting from mandatory department staff furloughs brought on by the COVID-19 pandemic, foster care and adoption agencies have reported numerous delays in the processing of fingerprints for prospective adoptive families. These delays – some as long as five months – have impacted the ability for agencies to complete family assessments and home evaluations for prospective adoptive families, postponing permanency for foster children. While the Michigan Department of Health and Human Services has temporarily assigned additional staff to address the backlog of fingerprint requests, agencies have expressed the need for more sufficiency in staffing levels in the Division of Child Welfare Licensing (DCWL) to truly resolve the lengthy delays.

To ensure the DCWL is properly equipped with the resources it needs to process the high volume of fingerprint requests by agencies and maintain the 14-day standard time of promptness, we recommend the Legislature provide adequate funding to support additional, permanent, full-time division employees to assist in processing efforts. No child's adoption should ever have to be prolonged over avoidable delays in fingerprint processing and paperwork.

Strive for more meaningful child welfare court proceedings

Strengthening a family circuit court's ability to make better informed decisions in the best interest of children is one of the key ingredients to achieving timely permanency for children in foster care. Every child welfare case is unique and delicate in its own way. The critical decisions judges make when determining whether abused and neglected children should be reunited with their parents, whether parents' rights should be terminated, whether children should be placed in out-of-home care, and whether children should become legally free for adoption or placed with a relative guardian are never cut-and-dry. A lot of factors come into play with each case decision, but without proper and meaningful engagement from legal-lawyer guardians ad litem, caseworkers, foster parents, court-appointed special advocates (CASAs) at every court proceeding, it's difficult to determine whether or not all child protective court outcomes truly reflect the best interests of children. Unwarranted court delays, the lack of LGAL and caseworker involvement, concerns over how much weight CASAs and foster parents are given in hearings, and inability for children to speak directly to a judge, were frequently communicated throughout our task force meetings. It quickly became clear improvements are needed to make child welfare court proceedings more meaningful.

To help improve the quality and depth of child protective court hearings, reduce the child's stress and safety risks, help prevent unnecessary placement moves and ultimately improve case outcomes, we recommend the State Court Administrative Office, county family courts, tribal courts, the Department of Health and Human Services, in consultation with the Foster Care Review Board, participate in an annual workshop to review current processes and implement improvements.

Improvements to consider include requiring LGALs to be more actively involved at each court hearing and state on the record when they last visited a child, ensuring foster parents are given an opportunity to address the court, prioritizing input from CASAs, exploring methods to increase child participation, and reducing the number of "cattle call" hearings that result from court delays.

Establish a county pilot program structured around high-quality legal representation for child protective proceedings

Access to high-quality legal representation for children and families in child protective proceedings directly results in better outcomes and timely permanency for foster youth. Information conveyed by well-trained, committed lawyer-guardians ad litem (LGALs) ensures all parties' legal rights are protected and their needs and wishes are effectively communicated. This ultimately helps judges make the best, most informed decisions about permanency plans, family reunifications, or the termination of parental rights.

Understanding the link between higher rates of positive outcomes for children and families and high-quality legal representation, we recommend the creation of a county pilot program that is structured around improving the quality of legal representation for children and parents in child protective hearings.

The program would be required to put an emphasis on reduced caseloads for LGALs, more frequent family and child engagement by LGALs, elevated-training standards for LGALs, timely permanency and the expedition of legal milestones, and better compensation for LGALs. The pilot initiative would also serve as an expansion to the federally funded Child and Parent Legal Representation CPLR grants offered by the Michigan Department of Health and Human Services for county family courts, but would not be bound by the Title IV-E funding stipulations CPLR grants are restricted to.

Expand CASA services statewide, support existing programs

Michigan's child welfare system is overburdened. Caseworkers and lawyer-guardians ad litem are overrun with high quantities of caseloads, working overtime to provide each child they are assigned to with the individual attention and advocacy they not only need, but deserve. Unfortunately, every child has different needs – some needing more representation than others due to the complexities of their cases and the severity of the abuse and neglect they endured. That's where court-appointed special advocates (CASAs) come in. CASAs are specially trained community volunteers appointed by judges to speak up for the best interests of abused or neglected children in court proceedings. These champions for children in crisis bring urgency to their needs, advocating for their safety, permanence and well-being through independent recommendations based on their strong relationship and understanding of a child. There are currently 28 CASA county programs statewide, leaving thousands of Michigan youth that could benefit from having an extra advocate underserved. In a system that's troubled by frequent caseworker turnover, it couldn't be more important to ensure every child has access to a constant advocate who will fight for their best interests, stand by their side, and give them a voice.

We recommend the state allocate additional resources to support existing CASA services and open new programs in underserved counties. Children with CASA volunteers are more likely to find safe, permanent homes, succeed in their education, and half as likely to re-enter the foster care system. Michigan should not be satisfied until youth in each of the state's 83 counties have access to a CASA county or regional program.

Develop a full cost prospective adoption rate payment system to better serve unmatched youth

On average, 3,000 children will become legally eligible for adoption in Michigan – and hundreds are awaiting adoption at any given time with no identified matched adoptive family. In general, many of these unmatched children are older youth with more complex needs that are also working through severe trauma and receiving clinical intervention. Because of this, these higher-needs children are not able to achieve permanency as quickly, as child-placing agencies need additional time and resources to recruit and prepare families that can be matched with them. Adoption agencies are currently given the option of receiving a \$20/day per diem for the first 150 days of serving unmatched children that ultimately gets subtracted from the total reimbursement they are eligible to receive upon completing an adoption. When there are no barriers in an adoption case, the current incentive-based adoption payment system works well; however, its structure is flawed when it comes to more complex cases that take much longer than 150 days to complete, as agencies receive less reimbursement – or even receive no compensation at all – the longer a case goes on. Because Michigan's adoption agency payment structure is not designed to help agencies match higher-needs youth with prospective adoptive families, agencies often feel they are forced to deny certain case referrals to maintain financially stable programs and properly pay staff.



(From left) State Reps. Bronna Kahle, Mary Whiteford, Daire Rendon, and Phil Green visit the New Light Child and Family Institute in Millington to participate in a panel discussion.

We recommend the development of a separate per diem and finalization payment model for licensed foster care agencies and adoption agencies to support the upfront and ongoing services necessary to match children to adoptive families.

We also propose an increase to the 150-day per diem rate to \$23/day to be more in line with a 2019 Public Consulting Group LLC actuarial study to ensure agencies have the resources they need to help more Michigan youth achieve timely permanency.

Explore the creation of a county pilot program to expand a foster care team to include a parent support worker

Michigan foster care workers have the difficult job of supporting children, biological parents, and foster parents as a case proceeds through the juvenile court. Foster care workers provide support to multiple families at once and have significant and varied duties relating to the cases as imposed by state law and MDHHS policy. Foster care workers are often overextended and required to make difficult time-management decisions on a daily basis, sometimes at the expense of the different individuals they are attempting to support. As a result, they are not always able to fully invest their time on reunification efforts.

We recommend the exploration of creating a county pilot which would assign a parent support worker to work side by side with the foster care worker, but who exclusively focuses on the needs of the biological parents and assists them to meet the requirements of their treatment plans to expedite reunification with their children.

Redefining congregate care settings, preventing out-of-state placements of foster youth

Increase access to in-state high-quality treatment programs

Research shows the strategy of reducing reliance on child-care institutions is more cost-effective in the long run and results in better outcomes for children and families. It's exactly why the state is rightfully prioritizing the placement of children in family-based care settings and investing more resources into family preservation and reunification strategies. All of this said, residential care facilities and institutional settings are still needed, as they provide several comprehensive intervention and support services for foster youth who come from intense instability and are in need of higher levels of care. The current emphasis on reducing Michigan's reliance on residential care settings is leading to the "underplacement" of children who could actually benefit from the services provided at these facilities. It can also lead to multiple moves and out-of-state placements because of the limited number of beds in facilities statewide – a practice that only adds to the trauma children are already experiencing. Not all children need the same level of care as trauma differs from child to child, and residential treatment facilities often serve as the last line of defense before children become involved in the juvenile justice system.

To prevent out-of-state placements and ensure children have adequate access to the comprehensive intervention and support services they need, we recommend state licensed residential facilities in good standing with the department that are also Qualified Residential Treatment Programs be permitted to care for additional foster youth if they can demonstrate they meet proper zoning, staffing and facility standards.

Develop an overall vision and philosophy for residential care in Michigan

Positive outcomes for all foster youth throughout Michigan depend on state's ability to be responsive to their individual needs. This cannot happen if all entities are not on the same team. The secret to every successful team is good communication – listening above all, building cooperation and trust, and resolving conflicts together. As it currently stands, the future of residential care facilities in Michigan is in a state of uncertainty. The Michigan Department of Health and Human Services wants to revamp the structure of congregate care, but facilities – especially private providers operating on per diem budgets – are hesitant to transform their programs over their lack of trust with the department. This dysfunctional partnership between the state and the residential care sector leads to unnecessary stalemate that only hurts at-risk foster youth. Michigan needs an overall vision and unified philosophy for congregate care.

We recommend the department conduct an annual comprehensive needs assessment regarding the utilization of residential treatment and the needs of youth who are referred for these clinical interventions in order to benchmark and understand where service gaps exist statewide. The assessment should specify which types of beds are needed – for what age group, gender and geographical regions. Additionally, the department should be required to engage community partners on its findings to help providers mold their programs to be more reflective of the identified needs of foster youth, and the Legislature to ensure the proper allocation of financial supports.



The provider community stands ready and able to work with the department as a team, but for that to happen, the department must be more transparent about its service needs and expectations so providers can implement financially stable models to better support the ever-changing needs of foster youth. An annual comprehensive needs assessment will also allow the state to track historical data and be more systematically adaptive.

Helping foster families, caseworkers and agencies support foster youth

Increase funding for the Family Incentive Grant, reduce licensure barriers for foster parents

The primary goal of foster care is to provide children with a safe, stable and nurturing environment until they are able to achieve reunification or permanency. To ensure the home of foster parents and other substitute caregivers are capable of serving as a safe haven for foster youth, a thorough, on-site home evaluation or “physical exam” is performed by a certification worker. This assessment, which is needed prior to taking in a foster child, can be extremely intimidating and is one of several barriers preventing prospective families from fostering. Oftentimes, physical exams find deficiencies in plumbing, wells, electrical, and other infrastructure – all of which pose safety hazards and can serve as grounds for withholding licensure until properly mitigated. In Michigan, the Family Incentive Grant (FIG), which is a pool of funding allocated by the Legislature to support initial licensure of foster homes and licensure renewals, can be used to assist foster parents and prospective foster parents purchase home improvements and services to obtain compliance with Division of Welfare Licensing standards. The FIG helps curtail the costs of necessary home improvements that are preventing families from becoming licensed caregivers. The grant – while beneficial – has limited funds and is a “first-come, first-served” structure.

To aid foster family recruitment efforts and further reduce the financial burden of the foster care licensure process, we recommend the Legislature increase its annual investment to the Family Incentive Grant.



Task Force Chair Mary Whiteford participated in a foster parent panel discussion in Flint.

Close the funding equity gap between public and private child welfare agencies, elevate independent living programs

Offering a full continuum of high-quality and comprehensive services, including juvenile justice and residential care, family preservation services and diversion programs, and foster care and adoption services, private, non-profit, accredited child welfare agencies are an essential part of Michigan’s child welfare system. Unfortunately, the state has a track record of leveraging state-run organizations over its private, non-profit partners, creating a funding equity gap that negatively impacts the level of care given to children and families. Bottom line: similar services, regardless of whether an agency is public or private, should be funded equally. The Michigan Department of Health and Human Services contracted with Public Consulting Group LLC (PCG) to conduct a full-cost analysis to determine annual actuarially sound rates for foster care child placing agency administrative rates. The final PCG report submitted in March 2021 recommended roughly a 20-percent administrative rate increase for private child welfare agencies.



(From left) State Reps. Daire Rendon, Brenda Carter, Mary Whiteford, Stephanie Young, and Phil Green stand outside the Wolverine Vassar Residential Campus prior to an on-site tour and panel discussion.

To provide these agencies the financial certainty they need to continue treating foster youth and maintain adequate staffing levels, we recommend a \$9 increase to private foster care administrative rates. In addition, we recommend a historic funding increase to independent living programs that assist foster youth as they transition into adulthood.

Help local foster care closets achieve their mission of clothing foster youth, supporting families in need

Upon their placement into a foster home, many foster youth arrive with only a few of their treasured belongings. Unfortunately for some children – only the clothing on their backs. As for foster parents, the ability to prepare for the arrival of a new child varies. Sometimes there’s advanced warning, and other times

there's an hour heads up. This can make it extremely difficult for foster parents to have all the necessities readily available. To make the placement transition more peaceful, foster care closets and similar non-profit organizations exist across Michigan, providing clothing, shoes, toys, linens, toiletries, and nursery equipment free of charge to local foster children and families in need.

To aid efforts in keeping the shelves of foster care closets stocked, enhancing community outreach and allowing these valuable initiatives to expand into underserved areas across Michigan, we recommend the state provide consistent supports so every foster child is clothed with confidence and self-esteem.

Supply CPS caseworkers with vouchers to address urgent needs of children upon home removal

When conducting a child abuse and neglect investigation into a family, if at any time the CPS caseworker determines a child is at imminent risk of harm despite making reasonable efforts to safely maintain family preservation, they may file a petition with the court requesting the child be removed from their home. In instances where petitions for removal are authorized by the court, it's common for the removed children to have urgent needs. Oftentimes, children being removed from their homes to be placed into out-of-home care settings do not have proper clothing and are food-deprived. This reality has led to an expressed need for more support be given to help CPS caseworkers address the privations suffered by children removed from dangerous environments.

From funds allocated by the Legislature, we recommend the Department of Health and Human Services provide vouchers for caseworkers to distribute when deemed appropriate to provide meals, clothing or other necessities for children, including human trafficking victims, upon removal from their homes. The department should track the distribution of the vouchers and submit a report to the Legislature on the number of vouchers distributed, the number of children benefited, and what the vouchers went toward.

Streamline foster home licensure process, reduce paperwork for caregivers

The number of licensed foster care homes across Michigan has declined in recent years, as the state saw the closure of nearly 2,000 foster homes in 2020 alone. These closures can be attributed to the high demands placed on foster parents. Many foster parents told us it feels like the whole child welfare system is working against them. One consistent example of this is the licensure process and all the paperwork that comes with it. Foster parents cite much of the forms they're required to fill out as duplicative and intrusive, adding the licensure renewal process could be more streamlined. This sentiment is not unique to Michigan, it's shared by foster parents across the country. Some states have implemented strategies for streamlining their foster home licensure processes by redesigning home study requirements, eliminating paperwork duplication, and installing performance-based perks for foster parents in good standing.



To transform Michigan’s foster care licensure process as more streamlined and a reduced burden for applicants, we recommend the Division of Child Welfare Licensing within the Department of Health and Human Services to redesign the initial home evaluation to be more focused on the job of fostering and less focused on criteria that have little or nothing to do with parenting skills. We also recommend the creation of an “extended license” for licensed foster homes that are in good standing with the department to help reduce the occurrence of license renewals.

The success of Michigan’s child welfare system hinges on its ability to not only recruit high-quality foster parents, but also retain existing caregivers with proven records of dependability and trust.

Expand lawyer-guardian ad litem training requirements

In child welfare cases, lawyer-guardians ad litem (LGALs) and parent attorneys have the critical role of representing and advocating for the best interest of children in the courtroom. LGALs are court-appointed licensed attorneys that determine the facts of each child welfare case by conducting an independent investigation including, but not limited to, interviewing the children they’re appointed to, social workers, family members, and reviewing all relevant reports and information to ensure outcomes of each court proceeding reflect the wishes and needs of every Michigan child. Parent Attorneys are assigned to represent the biological parents to ensure that their constitutional rights are upheld and advocate on their behalf to expedite reunification. Despite the significance of their role, state law falls short of providing uniform trauma-informed training for LGALs and Parent Attorneys. This gap in training requirements has contributed to multiple incidents where LGALs and Parent Attorneys have unintentionally failed to provide trauma-sensitive services to the children they represent. The State Court Administrative Office Child Welfare Services Division has developed an online, comprehensive, self-paced training program for LGALs that includes a trauma training module, however, the program.

Due to the complexities involved with representing children who have been abused or neglected and parents who have faced adversity in their lives, we recommend state law be revisited by requiring all LGALs and parent attorneys to receive trauma-informed training prior to accepting a court appointment in a child protective proceeding.

Strengthening prevention services, preventing out-of-home placement, expanding access to family support and parenting programs

Prioritize investments in community-based, prevention services

It’s financially advantageous for the state to prioritize investments in community-based, prevention services that engage children and families before they become involved in child welfare system. Intervening with at-risk families early on through comprehensive, family-strengthening services can reduce the need for more costly interventions often utilized when families have deeper involvement with the courts as a result of child abuse or neglect. Michigan families are stronger when they have access to services and programs designed to support their overall success and stability. The services and programs include, but are not limited to, unified resiliency centers that address the many needs of those experiencing trauma, toxic stress, chronic disability, and substance abuse disorders, evidence-based home visiting programs, child abuse and neglect prevention counseling for parents, and nurse-family partnerships.

We recommend the state continue to prioritize investments in these programs statewide to expand residents’ access to the critical prevention services they offer. We also call for the Michigan Department of Health and Human Services to communicate with the Legislature where more prevention services programs are needed through the identification of underserved areas.

Michigan families with the most challenges deserve consistent support to maintain strong familial environments, and it couldn’t be more important for the state to focus efforts on keeping families together to reduce child welfare system involvement.

Devote resources to support, expand maternity home programs statewide

Lack of access to safe, affordable housing for pregnant mothers in need serves as a large obstacle that deters women from continuing their pregnancies. Maternity homes play an essential role in providing homeless, expectant mothers with a stable home environment, financial stability, and an array of services aimed at developing parenting and life skills necessary for them to succeed. This free-of-charge, supportive housing is

usually limited and hard to find, but without it, women and their unborn children may be forced into unsafe, abusive situations that make terminating a pregnancy feel like the only feasible option. Maternity homes give pregnant mothers in need an opportunity to gain the emotional, physical, and spiritual strength to raise children in a loving, supportive, and positive way, or to follow an adoption plan if they so choose. This important work, which often goes unnoticed, helps reduce the number of children entering the state's child welfare system.

We recommend the state increase support for existing maternity homes throughout Michigan, and for the Department of Health and Human Services to conduct a statewide assessment to identify underserved communities in need of greater access to maternity home programs.

Address the intersection between housing instability and child welfare

Poverty oftentimes can be mistaken for abuse and neglect, and there is a strong link between the experience of poverty, such as inadequate housing or homelessness, and involvement with the child welfare system. Parents who experience homelessness are much more likely to have one or more of their children placed in foster care compared to parents with access to stable and affordable housing. Despite this reality, child welfare caseworkers often do not pay enough attention to client families' housing needs. Supportive housing offers a safe, stable, and affordable solution for low-income, at-risk families so they can stay together while improving overall well-being. In turn, greater access to supportive housing can reduce the number children and youth spending time in foster care settings due to housing stability challenges. The federal Family First Prevention Services Act (FFPSA) of 2018 presents states with a unique opportunity to reimagine programs by allowing flexibility in the use of Title IV-E funds to help children remain safely in their homes and prevent foster care placements. Michigan should examine ways to use flexibility of FFPSA to its advantage, exploring how supportive housing could be integrated into its approved state plan.

To address the critical intersection between housing and child welfare, we recommend the Department of Health and Human Services, in consultation with the Michigan State Housing Development Authority and local housing authorities, submit to the Legislature a plan on how it intends to utilize flexibility of FFPSA to increase supportive housing capabilities across Michigan for at-risk families, and provide more robust training to caseworkers and supervisors about the links between homelessness and foster care placements to ensure more meaningful safety and risk assessments are conducted.

Create a work group to study the feasibility of the provision of legal and support services for parents during the CPS investigation

Removal of a child from his/her parents has a far-reaching traumatic impact. In Michigan, many removals occur due to allegations of neglect and not the more egregious physical or sexual abuse. Michigan law requires a finding of "substantial risk of harm" to a child prior to ordering removal and requires the State to make reasonable efforts to maintain children in their homes. Parents facing a CPS investigator with more extensive knowledge of the child protection system are often unable to advocate for their constitutional right to care for their own child or adequately determine the proper supports that would allow them to maintain their children at home. Often the first time these parents have the opportunity to consult with an attorney is in court when the removal petition is heard. Provision of legal and supportive services to parents during the early stages of a CPS investigation could reduce the number of children traumatized by removal from their homes and assist families to address the issues that brought them to the attention of Children's Protective Services in the first place.

Therefore, we recommend the creation of a multi-disciplinary work group to study the feasibility of the provision of legal and support services to parents during the Children's Protective Services investigations.

Establishing more oversight to reduce child maltreatment, installing systemic accountability

Improve child welfare outcomes through systemic accountability

Within Michigan's child welfare system – where decisions about safety, permanency, and well-being for vulnerable children and at-risk families are being made every day – accountability is essential. Accountability not only protects those who are served, but it also helps identify better ways to operate, motivate staff, inform decision-makers, and promote intra-agency coordination. That said, the child welfare system is

complex, comprising of several different governmental and non-governmental entities, public and private agencies, and non-profit organizations. If there is an issue with a department or agency caseworker, a shortfall in department policy, delays in services, or even a concern over whether state law is being followed, foster parents, prospective adoptive parents, and relative kin have communicated how difficult navigation of the system can be. There is a need for increased attention to accountability throughout the state's child welfare system.

We recommend the creation of a uniform, intra-agency complaint intake system to better allow the Office of Children's Ombudsman (OCO), and both the Office of Inspector General (OIG) and division of Continuous Quality Improvement (CQI) within the Michigan Department of Health and Human Services to process a high-volume of child welfare related complaints. Although each entity has its own focus, the OCO, OIG and CQI share a similar role in investigating complaints, reviewing policies, assessing compliance with state law, and increasing accountability regarding MDHHS-administered programs and ongoing child welfare cases.

We are confident Michigan children and families with experiences with the child welfare system can be better served through the integration of more accountability, and a uniform central intake system that allows for better communication, systemic improvements, and high quality services.

Ensuring long-term success of Michigan's child welfare system

Prioritize reinvesting savings from safe reductions in the child welfare system population

As the state continues its progress of safely reducing the number of young people in the child welfare system, it's essential cost-savings from reduced caseloads are efficiently allocated. Reinvesting cost-savings from reductions in foster care populations can contribute to fewer entries and re-entries into the child welfare system, leading to better outcomes for all Michigan families and youth.

We recommend the Michigan Department of Health and Human Services submit a comprehensive, annual report to the Legislature highlighting its efforts to reinvest cost-savings. The report should outline the department's reinvestments into multiple categories, including prevention and/or permanency services, adoption assistance, safety assessments, adoptive and foster family recruitment, training modules, caseworker bonuses and wage increases, and more.

Elevate Michigan's child welfare system on the national stage through collective advocacy

To build off the findings and recommendations of the bipartisan House Adoption and Foster Care Task Force, and continue efforts to significantly improve outcomes for Michigan youth in the state's child welfare system, a platform for collective advocacy and increased coordination among the three branches of government would prove invaluable. As more evidence-based strategies and best practices are developed nationwide, it's imperative for the state to be equipped with the necessary means to be proactive in its efforts to address the needs and better the lives of Michigan's at-risk children and families.

To elevate Michigan's child welfare system to a model of excellence on the national stage, we recommend establishing an ongoing, independent, non-partisan, culturally competent citizen's commission that would identify prevailing gaps, problems and barriers relating to children and youth services. The commission would research best practices, review all current data, statutes and processes, and engage with both governmental and non-governmental child welfare related entities to provide perspective, insight and recommendations for improvements to the state's child welfare system.

2021-22 Michigan House of Representatives

— **REPORT** —