

MEMORANDUM

TO: Linda Wininger
FROM: Patti VanWagoner, Community Services Manager Cottonwood Bldg.
SUBJECT: Bierly Children
DATE: September 25, 2001

RECOMMENDATION FOR CONCERN #1: OCPO concurs with the complainant's concerns regarding the lack of service prior to the removal of Jordan. Please refer to recommendations for Concern #4.

RESPONSE:

DCFS will respond to concerns in #4.

RECOMMENDATION FOR CONCERN #2: OCPO recommends that Barry Richards receive specific training on the appropriate actions that should be taken when children with chronic medical conditions are taken into custody. This should include obtaining information about the care of child's medical condition directly from the child's doctor, coordinating with the Health Care Team, and ensuring that a medical evaluation is obtained as soon as possible.

[Redacted in accordance with UCA 63-2-304]

and because juvenile diabetes is not an uncommon illness. OCPO recommends that DCFS incorporate diabetes training into the training on the investigations of medical neglect. OCPO believes this training is imperative to provide workers with a basic knowledge of the illness to provide parameters to questions necessary to clarify the specific needs of the child and facilitate coordination with medical professionals to assess risk. OCPO is scheduling a training for OCPO staff and invites anyone interested from DCFS to attend this training.

OCPO recommends that the DCFS contract monitor for the Christmas Box House review the concerns regarding Jordan's delay in insulin and determine what process should be used to ensure that children with chronic medical conditions receive medications in a timely manner. OCPO requests verification of the results of this review.

RESPONSE:

The state office DCFS Administration will respond to this recommendation. I will refer this concern to the contract monitor for the Christmas Box house to follow up with OCPO on regarding implementation of a process to ensure that children with chronic medical conditions receive medications in a timely manner.

RECOMMENDATION FOR CONCERN #3: Because OCPO is unable to verify that the foster mother did not provide Jordan with adequate care and Jordan's primary care physician reported that his medical needs were being met while in the care of the foster mother, OCPO makes no recommendations to this complaint.

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OCPO recommends that the current foster care worker, Linda Harris, and the previous foster care worker, Kelly Lewis, received training on the appropriate steps to follow when they receive concerns that foster children are not receiving adequate care. OCPO notes that this should include a referral to CPS intake to determine if an investigation is warranted. If the concerns do not meet the criteria for an investigation, OCPO recommends that the caseworker immediately conduct a private interview with the child regarding the specific concerns, explore the concerns with the foster parent, and interview any other party who may have pertinent information to ensure the child is receiving appropriate care.

OCPO recommends that Kelly Lewis receive training on the DCFS policy that outlines the requirements for visiting foster children regularly in the foster home in order to make ongoing assessments of their well being and any potential needs the children may have. OCPO further recommends that Ms. Lewis demonstrate knowledge of this policy that she is provided with the resources necessary to comply with this policy.

OCPO recommends that the foster care worker review and implement the recommendations made by Mr. Ortiz regarding the development of a safety and crisis plan. OCPO requests a copy of the safety and crisis plans.

RESPONSE:

DCFS agrees with the recommendation that caseworkers need to be trained on how to appropriately respond to concerns regarding the care children are receiving in foster homes. DCFS Salt Lake Administration respects the recommendations regarding the specific caseworkers and will take these recommendations under advisement. DCFS commends OCPO in the recognition that engaging the parent, caseworker, foster parent, and medical professions in developing a Safety Plan and Crisis Plan for this case would alleviate many concerns. Building this type of child and family team and utilizing a team meeting for creating, tracking, and adapting service plans is the next module of the practice model that will be implemented within the next few weeks. *[Redacted in accordance with UCA 63-2-304 (27)]*

RECOMMENDATION FOR CONCERN #4: OCPO recommends that Mr. Richards be able to demonstrate a knowledge of CPS policy, the ability to adequately assess risk and the ability to write clear and specific activity logs which accurately represent the action taken on the case. The Ombudsman believes the the appropriate way to document DCFS' expectations of Mr. Richards and his attempts to comply with the expectations is through a plan of corrective action. OCPO requests a copy of the DCFS action plan to implement this recommendation.

OCPO recommends the supervisor, Carolyn Thomas, receive Human Resource Supervisor Training and training on CPS policy. OCPO further recommends that the CSM support Ms. Thomas by developing an action plan that provides mentoring, training and supervision of Ms. Thomas to assist in strengthening her supervisory skills and understanding of policy.

OCPO recommends that Kelly Lewis receive training on appropriate documentation in SAFE activity logs and demonstrate the ability to document casework activities including all relevant information that is used in decision making on cases.

OCPO recommends that Linda Harris receive training on how to document and prepare meaningful, clear, and concise Progress Summary/Court Reports and be able to demonstrate this ability.

OCPO recommends that the foster care worker continue to consult with both Jordan and Ms. Bierly's therapists and request a recommendation from the therapists regarding whether increased visitation and/or a trial home placement for Leigh and Jordan is appropriate.

RESPONSE:

DCFS disagrees with this recommendation as a general practice but would take this under advisement in specific cases such as this one that warrant clarity since the client is in contact with so many different parties here at DCFS.

DCFS agrees with the expectations of the CPS caseworker and feels that this issue has been addressed through an agreement between Mr. Richards and his supervisor. Mr. Richards is no longer supervised by Carolyn Thomas and has been transferred to a different neighborhood team under the supervision of Rowena Heath.

DCFS disagrees with this recommendation as the Salt Lake Valley Region has implemented several processes within the region that address some of these concerns. All caseworkers who are concerned that they may need to remove a child while responding to an allegation of abuse and neglect must staff the case with a Family Service Specialist prior to removal.

DCFS agrees with providing caseworkers with the training necessary to provide appropriate documentation in the SAFE system. DCFS agrees with the recommendations for the ongoing caseworker to consult with the therapists involved with the case and has knowledge that this has been done.

RECOMMENDATION FOR CONCERN #5: OCPO recommends that Linda Harris and her supervisor, Dan Reid, review DCFS policy #315.9 regarding foster children vacationing out-of-state with their foster parents.

OCPO makes no recommendations regarding the complaint that DCFS requested out-of-state travel prior to Leigh entering custody.

RESPONSE:

DCFS disagrees with this recommendation as the supervisor and caseworker have reviewed the policy and are aware that they were out of compliance with this policy because of the intervention and direction of the Assistant Attorney General and the Guardian Ad Litem.

RECOMMENDATION FOR CONCERN #6: OCPO makes no recommendations at this time; however, if contacted by [Redacted in accordance with UCS 63-2-304], OCPO will investigate this complaint.

RESPONSE: No response needed.

RECOMMENDATION FOR CONCERN #7: OCPO recommends that DCFS review with the foster care worker, Kelly Lewis, the foster care licensing process to ensure that in future cases, the appropriate steps have been taken prior to the introduction of a child to a foster family.

RESPONSE:

DCFS agrees with this recommendation and it has been completed.

RECOMMENDATION FOR CONCERN #8: In response to this complaint, the Ombudsman implemented a new process in which immediate action will be taken to locate complainants when mail is returned undeliverable. OCPO also has a current process in place in which a more immediate response will be made to assist clients when DCFS has been unable to resolve their complaints.

RESPONSE:

No response needed.

RECOMMENDATION FOR CONCERN #9: OCPO recommends that the CPS worker, Barry Richards, and his supervisors demonstrate knowledge of DCFS policy regarding notification to natural parents.

RESPONSE:

DCFS agrees that caseworkers and supervisors need to know how to instigate a kinship search through the use of the tools available and use every effort necessary to locate the absent parent.

RECOMMENDATION FOR CONCERN #10: OCPO recommends that the Initial Placement committee review the placement concerns identified in this case and address them in the new placement protocol to preclude this problem from occurring in the future.

OCPO recommends that DCFS coordinate with the Foster Care Foundation to ensure that all potential foster parents are given clear information regarding the licensing process. Specifically that although they may be approved for a license, there is an authorization process to determine how their home will be utilized by DCFS and that a license may not guarantee placement.

RESPONSE:

This is being reviewed by Kelly Powers and her workers.