

FFTA NORTH CAROLINA CHAPTER  
MEETING MINUTES  
December 3, 2010

FFTA Chapter Members in attendance:

Karen McLeod and Leslie Kellenberger (CFSA-NC, now Benchmarks), Marcia Moore and Jacqueline Messick (Triad Treatment Homes), Lynn Jones, Courtney Dabney and Alicia Bowles (Children's Home Society/Youth Homes), Erica Burgess (Methodist Home for Children), Kim Morgan (The Children's Home), Lisa Kiser and Liberty Johnson (Thompson Child and Family), Maureen Murray and Kess Ballentine (Duke University Medical Center), Lance Oldham (Youth Focus), Paul Roodhuyzen (Triumph), Kimberly Hale (ResCare/VOCA/New Horizons), Tammy Cody (Grandfather Home for Children), Tara McMinn and Jenny Rahilly (Alexander Youth Network), Marci White (NC Mentor), Phyllis Stephenson and Cindy Thomas (ES/UCP), Christy Humphrey, LeAnne Graham and Donna Yalch (Boys and Girls Home), Chris Rogers (YDCA & Caring Family Network), Alisa Russell and Wendy Rice (Community Specialized Services), Michelle Maynard (Community Support Services).

Guests/Non-Members in attendance:

Dawn Taylor (Support, Inc.), Lynn Loomis (Guilford DSS), Bob Hensley (DSS), Alvina McCallop (Omega Independent Living), Lane Cooke (UNC School of Social Work), Mark O'Donnell (DMHDDSAS), Joyce Ollison (Faith in Families), Gwen Sherrod (Safe Haven Children's Services), Mary Walker (Families Together). Joining by conference call was Cathy Isaacs (Family Preservation Community Services).

Phyllis Stephenson, Chair, welcomed all and attendees introduced themselves.

Presentation by Bob Hensley, NC DSS Regulatory and Licensing Services

Kevin Kelley was not able to attend. Bob's presentation is an addendum to these minutes. Bob thanked the group for honoring the late Julie Smith. Her replacement will start Monday, Sandy Craig.

Presentation by Karen McLeod, CEO, Children and Family Services Association (now Benchmarks)

Karen spoke on the state budget and legislative issues. The governor has asked her department heads to propose 5, 10, and 15% cuts. Karen met with the governor's office this week, with the lead staff in charge of the budget. They discussed cuts that would be made under various scenarios. The state currently anticipates between a 3.5 and 3.8 billion dollar deficit. The state is operating significantly below the budget of 3-4 years ago while still providing the same level of services and providing those services to more people. We now have a Republican controlled legislature who campaigned on eliminating duplication and unnecessary services, smaller government and streamlining. They have been clear that they are going to cut their way out of the deficit. There is a one cent tax that currently generates 1.5 billion dollars a year which Republicans will probably not renew. Talk of tax reform causes much angst. Reform broadening the tax base could reduce the tax rate for everyone, but it sounds like new taxes.

The two largest budget line items are health and human services (12%) and schools (47%). Last year's budget cuts included line items called "realizing savings" which allowed the Department Secretaries the discretion to find money in savings (about 200 million in the budget) but those cuts are not as transparent to the public. Our goal will be to find ways to help the secretaries make cuts at their discretion while making those cuts transparent.

Potential cuts to DHHS (cuts the Secretary does not like) include :

- \$6 million cut to CPS funding while counties are already struggling with case loads, some more than others. This would transfer the costs to the county and while some counties will be able to handle this, some counties will have to make cuts through either increasing case loads or reducing foster care in order to maintain CPS. A lot of the child welfare side is federally mandated. While there are not a lot of state dollars, those that are available are very critical to holding the system together.
- Cuts to Child and Family Teams. We have been lobbying for more trained facilitators on the MH and DSS side not less.
- \$5.5 million dollar cut for state aid to the counties already pinched because their local revenue is down.
- There are cuts slated for between now and fiscal year end June 30, 2011.
- The Governor will do her budget, then send it to the legislature. The legislature has already said that they will be using the budget "as a doorstep" as they will be developing their own. Remember that the Governor can then veto their budget.
- Dramatic cuts will be coming; schools will be hit pretty hard with larger classrooms and less teacher aids.
- Departments will be expected to show performance measures and outcomes while having funding for their IT systems cut at the same time. Some divisions will be merged with others and other may be privatized. The Republicans will be utilizing zero based budgeting and divisions will have to prove why services are necessary.
- As the result of a suit brought by Disability Rights of NC, NC's adult mental health system is currently under a federal investigation. In other states, such investigations have expanded across the system into other services. In Georgia, for example, a lot of money was put back into the system for children's services as a result of federal investigation. Karen is hopeful that the federal investigation will reduce the likelihood of cuts to services in the coming session.
- The Republicans are utilizing John Hood and the John Locke Foundation (a conservative think tank
- On the MH side, the Secretary is looking at LME mergers and more LME waivers.
- A lobbying firm has been hired by CFSA in hopes of avoiding the devastating cuts which have occurred in other states, in some cases leaving only EPSTD , inpatient, and outpatient services. We ALL have an obligation to our agency and our clients to start informing our legislators of the value of our services. CFSA is scheduling 17 legislative events across the state before Session begins on 1-26-11 to let legislators know how crucial MH, child welfare services are to the fabric of society. Legislators will hear from our community partners.

## Mark O'Donnell, Division of MHDDSAS Presentation

- Mark gave background information regarding the history of the various residential levels of care. In the last session of the legislature, there was a movement to decrease usage of level III and IVs, stop warehousing kids and improve clinical outcomes. There were about 3,000 kids in group homes, now there are about 550.. There is a study at Duke (not yet complete) showing 83% stable in the community.
- When the TFS service definition SPA was submitted to CMS, CMS opened a review of all NC's residential levels. There are only 29 children in Level I Family-type across the state and 12 kids in Level IV (therefore, what's the need?) There is debate on the 150 children in Level II program type questioning the efficacy of that setting. This leaves Level II Family type. CMS' questions about the TFS definition were so problematic that DMA withdrew the definition for further revision.
- CFSA convened a workgroup this summer including Value Options, DMA and DMH and developed a new Specialized Residential Service definition for those high end kids to replace Level III and IV. Once DMH/DMA leadership team approves it, it will move on to the clinical review committee. Recommendation is that this service will only be provided by CABHAs.
- CMS questions about the TFS definition included was it really treatment and how it would fit in the full continuum. A full rewrite is not necessary but the definition needs to be tweaked. Catharine Goldsmith at DMA is handling the revision. Once complete, it will go back out for Public Comment. Shooting for January submission.
- Of the 550 children in group homes, those with Borderline Personality Disorder cannot be treated successfully in group care (there are questions about them being treated in PRTFs as well). Perhaps they would be more successful in a smaller setting with a well trained and supportive TFP and an appropriate model of care to support them. The concern is that if they are moved into TFC at this point, the results would not be successful.
- Dr. Mike Lancaster, now with CCNC, led the development of the proposed Therapeutic Family Services definition. Mark O'Donnell is chairing a small work group including FFTA members Phyllis and Bonnie Judkins to identify trainings and models of care which would give therapeutic parents the opportunity to gear up NOW so that whenever the definition is approved by CMS, those parents would be ready to meet the new requirements and serve tougher kids. The workgroup is discussing how to disseminate the model.
- Karen shared with us that one of the concerns in the PRTF work group is that there is not a consistent assessment tool for clinicians to utilize with evidence based components to assess the risk for children. An appropriate assessment is necessary in order to ensure that children are placed appropriately the first time they are placed. The PRTF workgroup is currently working with Durham, Eastpointe, and Value Options UM/UR to determine what they need along with providers, DMA, and the LMEs in the hope of coming up with standardized components of an assessment. These components should then bleed into DSS so that if a child is taken into custody, they can be placed appropriately in the first placement, instead of a child being "failed up" the continuum.
- Children are being placed without agencies knowing the true issues that those children are facing. Agencies may find that the children are not appropriate for

TFC. Or they may find they're not appropriate for PRTF because they are displaying behavioral issues and not mental health issues. PRTFs were utilizing Level IIIs as a step down plan. Since this is no longer an option, some kids are actually "stuck" in PRTFs. Newly trained TFS parents would be appropriate for these children as well as other children who are "outliers." There must be specific evidence based practices for the specific needs of the child. TFS is a short term program, about seven or eight months.

- Phyllis noted that it needs to be determined what skills families must have in order to work with these children. What are the 10 things that are needed in a model in order for it to be successful? There are currently agencies who have found successful models which have good outcomes. These models have base components that we need to ensure parents possess.
- Bob noted that there are currently 125 private agencies and that they are not created equal. There must be safeguards put in place to ensure that agencies which serve these children have the necessary skill set including having clinical skills. It is not enough to simply train the parents, the appropriate supervisory staff must also be in place.
- Mark noted that no one wants agencies to get set up and there is a need for qualified agencies using proven models of care. Some agencies now are utilizing crude mechanisms. CABHA will support improvements and Medicaid is requiring a clinical milieu. There is a hope that we can get to a point of having quality agencies with a clinical focus and then do away with some of the burdensome and costly trainings if a working model can be established.
- Funding for Child and Family Teams, the mechanism for implementing the System of Care approach may be cut
- Two challenges to therapeutic foster care providers:
  - Measure outcomes. Identify key data sets.
  - Be active in the legislative agenda. Get to know your local legislators and speak with them frequently, especially at home in their district.
- If we want more professional parents, then we have to be more professional providers.

#### Training Committee

Tom Culver was not present to present information regarding the upcoming training. However, Phyllis shared his findings with us. One speaker mentioned, the adult who was in foster care, was too costly. They are continuing to examine options. The focus is to find training locally for agencies not able to attend the FFTA national conference.

#### Business Meeting

FFTA-NC is now the largest FFTA chapter in North America and will be recognized at the national FFTA Conference July 24-27, 2011 in Disney/Orlando.

The Chapter Board will meet at a TBD date in February

Lane Cook with UNC School of Social Work announced "Lunch n Learn" webinars. They will be focusing on Attachment problems on December 15<sup>th</sup> and will do a three part course on Sexual abuse starting in January.

Next FFTA-NC meeting 2-11-11 at 11pm. Cutting Board Restaurant in Burlington

Respectfully submitted,

Jennifer Rahilly, FFTA-NC Chapter Secretary

**ADDENDUM TO MINUTES  
PRESENTATION BY BOB HENSLEY, TEAM LEADER  
REGULATORY AND LICENSING  
NC DIVISION OF SOCIAL SERVICES  
DECEMBER 2, 2010 RECRUITER'S NETWORK  
DECEMBER 3, 2010 FOSTER FAMILY-BASED TREATMENT ASSOCIATION**

The Black Mountain office receives on an average 40 new licensing transactions per day. This is 200 a week or about 800 to 900 per month. The transactions are date stamped and logged into various excel programs for tracking. New applications county dss, new therapeutic applications, new private agency family foster care. Relicenses, Changes, Transfers and Terminations by public, private agencies are also categories. This takes one or two days. The licensing action is then assigned to Rhoda or Nicole. Transactions are prioritized in this order: Interstate Cases, Relicenses, Returns for New Licenses, New Licenses, Changes, Transfers, Terminations.

After the licensing action is reviewed and if it is correct it is given to a processing assistant who enters the information into the Foster Care Licensing System. This generates a license and insures the foster home is in the payment system. The licenses are generated on the DHHS Dix campus. They are mailed to the Black Mtn. office from the Dix Campus and these are mailed to the various agencies (100 county departments of social services and 125 private child-placing agencies). The time frame for this procedure has remained very constant for about a year. We typically receive the new licenses by Tuesday or Wednesday the week after they are keyed into FCLS. The licenses are mailed to the agencies within one or two days after we receive them. For example for everything entered into FCLS this week we will receive the new licenses next Tuesday or Wednesday. If we receive the licenses on Tuesday they will be mailed to agencies on Wednesday or Thursday, if we receive the licenses on Wednesday they will be mailed to agencies on Thursday or Friday. Holidays do affect this.

Agency errors and cps substantiations continue to slow down the licensing process.

**TIMEFRAMES**

- For a new application that is thorough, accurate and complete it takes about 15 minutes to review and approve.
- For a new application that is not through, accurate and complete it takes about 25 minutes to review and write it up for return.
- For a new application that is not thorough, accurate and complete it is not feasible to do corrections over the phone. Most of the time we get voice mail with no indication of when the call will be returned. The voice mail does not indicate when the worker will be available. This takes much

longer than 25 minutes and is not efficient. We have left voice mails for licensing workers and later learned they are no longer employed with the agency. However Rhoda and Nicole have permission to make phone calls if it is more efficient for them. I encourage them to mail the packets back to the agency. Rhoda and Nicole may end up wasting several hours trying to connect with someone by phone.

- For minor relicensing errors Rhoda and Nicole do make phone calls and send e-mails in order to prevent a lapse in the license.
- Black Mountain staff averaged two hours a day doing status checks. This caused a delay in processing licensing transactions and entering the data into FCLS. We will do a status check if agencies have not heard from us for 50 work days.

### **AGENCY ERRORS**

- I have reviewed all new therapeutic foster parent applications through November 22, 2010. This involved 96 applications—35 were approved and 61 were returned to agencies due to errors.
- I have reviewed all new private agency family foster parent applications through November 8, 2010. This involved 30 applications—13 were approved and 17 were returned due to errors.
- Licensing transactions are being completed within 30 to 35 days unless some criminal activity or child protective services issues come to our attention.

### **ABUSE/NEGLECT SUBSTANTIATIONS (REVOCATIONS)**

- Revocations
  - For the time frame January 1, 2010 to date 29 revocation letters have been sent to foster parents. Ten pertained to county departments of social services and 19 pertained to private child-placing agencies.
  - Reason for Revocations:
    - County departments of Social Services: Neglect—6; A/N—1; Sexual Abuse—1; Rule Violations—2.
    - Private agencies: Neglect—11; Abuse—2; A/N—2; Sexual Abuse—3; Rule Violations—1.
- Pending Revocations
  - For the time frame January 1, 2010 to date there are 22 pending revocations. Eight pertain to county departments of social services and 14 pertain to private agencies.
    - County departments of social services: Neglect—5; A/N—1; Rule Violations—2.
    - Private agencies: Neglect—9; Sexual Abuse—3; SA/N—1; Rule Violations—1.

**The primary reason for substantiations of neglect relate to improper discipline—the use of corporal punishment. The factors precipitating**

**this are the foster parents grew up in households where corporal punishment was the primary means of punishment and stress due to loss of employment. These factors should inform our practice.**

**TYPICAL LICENSING ISSUES/ERRORS:**

- 5015 not submitted or all fields not completed. A 5015 needs to be submitted for every licensure request.
- Applicants who are 21-25 typically should be licensed for children birth to 12. Young adults should not be licensed for teens. We are aware of too many instances of sexual activity between teen-age foster children and young adult foster parents.
- Applicants who are unemployed and are receiving unemployment benefits will have to wait until they are employed before we will process the application. We will not terminate a license of a current foster parent if the applicant/applicants lose their jobs. However the supervising agency has to be diligent in monitoring the family to make sure the stress levels do not result in abuse or neglect of a child. We also ask that if a foster parent has become unemployed and a foster child is removed from the home that another child not be placed in the home until the foster parent becomes employed.
- Homes with 4 or 5 dogs in the house as well as large number of dogs outside the house, must carefully be assessed. Are dogs aggressive? How do dogs react to child pulling their tail, reaching for their food bowl?
- Applicants who have been sexually abused—no treatment. Serious discussions should be held with these individuals concerning their parenting of sexually abused/reactive children. Are there unresolved issues, PTSD, etc.? Will foster parent support therapy for sexually abused foster child?
- Areas on the 5016 (Application) not checked, left blank. The 5016 is interactive we do not want attachments, we want explanations in the areas provided on the form.
- Except for medicals all documents, findings, clerk of court, department of corrections, etc. have to be current within 180 days. This means current within 180 days that it is date stamped at the Black Mountain office.
- On the local background check some folks still state minor traffic violations, nothing serious – we need to know the specific violations and the dates.
- Family assessment and 12 skills not thorough. The individual who did the training on the 12 skills needs to be the one to write those. We have received some applications where it is obvious the foster parents wrote these—not allowed. We have also received applications where the 12 skills are cut and pasted from other foster parent applications. (The workers forgot to change the name of the foster parent.) Recent changes in family circumstances need to be thoroughly discussed—death, divorce, birth of child, pregnancy, etc.

- 5016 not signed by foster parent applicants, social worker, agency director/designee.
- 1515 (Fire Inspection) not complete (areas left blank). If Fire Inspector makes a comment on the form about a concern, it needs to be corrected before sending the form to BM. Foster parents need to be trained about the form so they can review it with the Fire Inspector before he/she leaves their home. If there are areas not checked or checked that shouldn't be the foster parent needs to discuss with the Fire Inspector. Please note that under the Foster Parent's signature there is a statement that says if any area checked NO on the form, it will result in non-approval of the home until the items in question are brought into compliance.
- 5150 (Environmental Conditions Checklist) items left blank, no signatures.
- 5017 if the foster parent checks yes to any of the conditions on the form, he/she needs to elaborate.
- 5156 MD needs to fill out form in entirety, again train foster parents that before they leave the MD's office he/she has filled out the form in its entirety.
- The information the applicant puts on the 5017 and the information the MD puts on the 5156 should be the same information.
- If the applicant or the MD indicates health issues (physical or mental) the agency needs to explain these on the 5016, Item X under the Grid where you check YES/NO for Good Physical Health, Good Mental Health. If an applicant lists their state of health as fair or poor on the 5017 this needs to be explained. If there is a MH diagnosis need full explanation. For example someone lists depression. What does this mean? Does condition affect activities of daily living? How does the condition manifest? What happens when applicant becomes depressed? How is it treated? ETC.
- We are getting the impression that licensing workers are not reviewing the fire inspection form, medical forms, etc.
- RIL document (5268) not attached. The 5268 first has to be sent to the Raleigh office and then the results sent with the licensure request to the BM office.
- Fingerprint clearance letters not attached.
- For relicenses you really need to get the 5157 to us at least two months before the license expires. Again changes in family circumstances since initial or last relicensure need to be thoroughly discussed—death, divorce, birth of child, pregnancy, etc.
- Agencies have asked us to increase capacity in family foster care and therapeutic foster care for "false" sibling groups. For example, a Therapeutic foster home is licensed for two children, there is one child there now. The agency wants the capacity increased to three in order to place two siblings in the home. This request is denied. The two siblings are not related to the other foster child all ready in the home. This also applies to family foster care. A FFC home is licensed for three. There are three foster children in the home. They have one child of their own. The

home is licensed for three and the agency requests an increase in capacity to place two siblings in the home. This is denied. The two siblings are not related to the other foster children already in the home. Our rule refers to increasing capacity to keep siblings together this means all the foster children in the home are siblings.

An applicant has been selected to replace Julie Smith. Sandy Craig will be joining our staff on Monday, December 6, 2010.

### **TRAINING OPPORTUNITIES/ACTIVITIES DESIGNED TO REDUCE ERRORS**

- Contracting with Harry Maney to update the Foster Care Licensing Manual.
- Contracting with UNC-CH (Jordan Institute) to develop an online training course for licensing workers.
- December 15 home-based staff members are coming to Black Mtn. and it is our plan that all licensing transactions in the BM office will be processed on that day. It will take more time to enter the information into FCLS or send packets back to agencies.
- Foster Home Licensing training webinar is scheduled for January 25, 2011.

### **RESOURCES**

- [http://www.ncdhhs.gov/dss/licensing/foster\\_care\\_rules.htm](http://www.ncdhhs.gov/dss/licensing/foster_care_rules.htm)
- Supplemental Guide to Foster Home Licensing
- The Perfect New License Packet
- The Perfect Relicensure Packet
- The Perfect Change Packet
- The Perfect Transfer Packet
- The Perfect Termination and Revocation Packet
- Documents from the June 15, 2010 webinar (Power point presentation, handouts questions and answers)

### **MISCELLANEOUS**

We still are seeing a large number of transfers of foster parents from one agency to another. You can't convince me that if a large number from one agency transfers to another -- there has been some recruiting going on and promises of a higher rate. This is not illegal but it certainly is unethical. It makes us suspicious of the entire business practices of the agency.

Our child welfare attorney has advised that agencies can recoup training fees from foster parents who transfer from one agency to another. However the contract has to be very specific and cannot be valid in perpetuity. An agency will have to determine a fair amount that it costs to train foster parents. For example, if foster parents transfer after six months recoup 75% of the costs, one year 50%, two years 25%.

We send licensing information, memos, Dear Director/Agency letters to the dss/executive directors. We hear from licensing workers that this information does not get to them on a timely basis.

Federal Title IV-E review will be conducted in NC in July 2011. The PUR is October 1, 2010 through March 31, 2011. Foster care cases of children and foster home licensing records will be pulled for this review and if NC fails the IV-E audit there can be a significant loss of IV-E dollars for the state.

Bob Hensley, ACSW  
Team Leader  
Regulatory and Licensing Services  
December 2<sup>nd</sup> and 3<sup>rd</sup>, 2010.