

**Proposal for Scope of Work:
Review of Child Protective Services
Department of Health and Human Services,
Office of Child and Family Services**

Prepared by the Office of Program Evaluation and Government Accountability
for the Government Oversight Committee
August 11, 2021

At the July 14, 2021 meeting, the Government Oversight Committee (GOC) voted to add a review of Child Protective Services (CPS) administered by the Department of Health and Human Services (DHHS), Office of Child and Family Services (OCFS) to the OPEGA Work Plan as an immediate review. Along with adding the review to the Work Plan, the GOC voted to direct OPEGA to develop a proposed Scope of Work for GOC consideration and approval at the August 11, 2021 meeting. This document outlines the proposed Scope of Work.

Background

This review is being initiated following the deaths of four Maine children, ages 4 years or younger within the 21-day period between May 31, 2021 and June 20, 2021. These deaths have brought renewed attention to concerns regarding the safety of Maine children in their homes. With DHHS/OCFS at the center, the child protective services system engages multiple branches and levels of state and local government and interfaces with private providers.

Over the past several years, the GOC has maintained an ongoing interest in and commitment to oversight of child protective services. As directed by the GOC, OPEGA has completed the following projects during this period:

- Maine's Child Protection System: A Study of How the System Functioned in Two Cases of Child Death by Abuse in the Home (2018)
- Frontline Workers in the State Child Protective System: Perspectives on Factors That Impact Effectiveness and Efficiency on Child Protective Work (2019)
- Monitoring of Data on Out of Home Placements (2019-2020)

Additionally, in March 2021, the GOC renewed its interest in OPEGA pursuing a follow-up Frontline Workers Survey to begin in 2021, as resources allowed.

In response to the recent child deaths, the GOC conducted a meeting on July 14 to focus exclusively on child protective services matters. The GOC heard from representatives of DHHS/OCFS, Child Welfare Ombudsman, and Office of the Attorney General on key issues, processes and concerns coming into focus at this time. Additionally, two legislative requests for an OPEGA review of child protective services and DHHS/OCF were considered. The requests,

presented by Senator Diamond (6/30/21) and Senator Curry (7/9/21) respectively, both cited the recent deaths and highlighted concerns around DHHS/OCFS policies, practices and performance in regard to ensuring the safety of children in the home.

GOC Assignment and Guidance Regarding Scope of Work

At the July 14 meeting, the GOC, after hearing and considering the briefings and review requests, directed OPEGA to prepare a proposed Scope of Work for the review of child protective services for GOC approval at the August 11, 2021 meeting. The GOC also requested that DHHS/OCFS inquire about having OPEGA included in the Casey Family Services review of the recent child deaths, and Casey Family Services has invited OPEGA to participate in the Systems Mapping and Analysis portion of the review scheduled for late August.

The GOC specified five key areas and issues for OPEGA to consider in preparing the proposed Scope of Work for the review of child protective services:

- (1) Issues presented in the review requests submitted by Senator Diamond and Senator Curry;
- (2) Issues and concerns presented in the Child Welfare Ombudsman's 2020 Annual Report and 2021 interim review of 43 cases from the first seven months of the federal fiscal year;
- (3) Issues raised by GOC members regarding differing reports received from constituents, teachers, other local service providers, and stakeholders as compared to information from DHHS/OCFS;
- (4) Perspectives of OCFS frontline workers, incorporating a survey of frontline workers as included on the current OPEGA Work Plan; and
- (5) Oversight of child welfare, including the structure, roles and perspectives of key entities (these include: Child Welfare Ombudsman, Child Serious Injury and Death Review Panel, Child Welfare Advisory Panel, the Justice for Children Task Force, and Domestic Violence Homicide Panel).

In addition to these key areas and issues, OPEGA also considered:

- Insights and lessons from past OPEGA work related to child protective services;
- Evaluation work currently being performed by other entities, including Casey Family Services and Child Welfare Ombudsman; and
- What OPEGA can uniquely offer given our role and authority as a nonpartisan Legislative office charged with providing program evaluation, as specified in statute.

Proposed Scope of Work

The following table outlines OPEGA's proposed Scope of Work. To understand and effectively evaluate the delivery of child protective services by DHHS/OCFS, OPEGA notes that it is necessary not only to examine DHHS/OCFS policies, practices and outcomes, but also the interplay between DHHS/OCFS and other components of the overall child protective services system, including but not limited to the courts, law enforcement, schools, service providers, other stakeholders and oversight entities.

Table 1: Proposal for Scope of Work - Review of Child Protective Services, DHHS/OCFS	
Scope Areas	<p>OPEGA will focus the evaluation of CPS on the following three scope areas:</p> <ol style="list-style-type: none"> 1. Protecting Child Safety – Initial Investigation and Assessment 2. Protecting Child Safety – Reunification and Permanency 3. Oversight of Child Protective Services <p>Additional details on potential components and review objectives for each proposed scope area are presented in Table 2.</p>
Potential Methods	<p>OPEGA has identified a number of potential research methods to complete the evaluation of each Scope Area as follows:</p> <ol style="list-style-type: none"> 1. Review of governing law, regulations and policies; 2. Collection and analysis of survey and/or interview data from: <ol style="list-style-type: none"> a. DHHS/OCFS staff, which may include: frontline workers, supervisors, administrators; and b. Stakeholders, which may include mandated reporters, attorneys, judges, guardians ad litem, and others; 3. Analysis of data from DHHS/OCFS and other sources; and 4. Review of case files and records. <p>OPEGA proposes to select and use the most appropriate and available methods as determined in the course of the review.</p>
Reporting	<p>Due to the many potential components of each scope area (see Table 2), completing the evaluation of all three will require significant time and resources. To ensure the GOC receives timely information to support ongoing oversight of child protective services, OPEGA proposes a multi-faceted approach to presentations and reporting (rather than a single evaluation report) as follows:</p> <ol style="list-style-type: none"> 1. Informational briefings from outside entities during September-December 2021, which may include: <ol style="list-style-type: none"> a. Child Welfare Ombudsman update on FY2021 activity; b. Child welfare oversight panels, which may include the Child Serious Injury and Death Review Panel, Child Welfare Advisory Panel, Justice for Children Task Force, and Domestic Violence Homicide Panel; and c. Casey Family Services final report; 2. Monthly Project Status Updates from the OPEGA Director; 3. Initial Evaluation Report, focusing on Scope Area 1; and 4. Final Evaluation Report, addressing Scope Areas 2 and 3.

Table 2: Potential Review Components and Objectives By Proposed Scope Area		
1	Protecting Child Safety – Initial Investigation and Assessment	<ul style="list-style-type: none"> • Understand how initial investigation and assessments are designed and conducted • Evaluate how well the initial assessments are performed, potentially including: <ul style="list-style-type: none"> ○ Roles and responsibilities of caseworkers and supervisors ○ Information sources and quality, communication channels ○ Thoroughness of work performed ○ Role of Structured Decision Making (SDM) tools ○ Training and supervision of caseworkers and supervisors • Understand how DHHS/OCFS assures quality of initial investigations and assessments • Understand role of Assistant Attorneys General (AAGs) and Courts in decision making regarding child safety in the home • Understand and assess how stakeholders (mandated reporters, service providers, state agencies) interact, communicate and share information • Perceptions of DHHS/OCFS staff and stakeholders
2	Protecting Child Safety – Reunification and Permanency	<ul style="list-style-type: none"> • Understand how reunification assessments are designed and conducted • Evaluate how well reunification assessments are performed, potentially including: <ul style="list-style-type: none"> ○ Development of reunification plans ○ Monthly caseworker contacts with parents, child, and resource/foster parents ○ Family team meetings ○ Family visitation • Understand roles and coordination between DHHS/OCFS, courts, AAGs, attorneys, and guardians ad litem • Perceptions of DHHS/OCFS staff and stakeholders
3	Oversight of Child Protective Services	<ul style="list-style-type: none"> • Understand the current structure of oversight of DHHS/OCFS and child protective services broadly • Understand the roles and responsibilities of the various entities involved in oversight of child protective services (including, designated oversight panels, the Child Welfare Ombudsman, State and Federal government oversight) • Evaluate effectiveness of the oversight structure • Identify barriers and/or gaps in information sharing • Identify how other states provide oversight of child protective services