



**EMBARGOED Media Statement**

October 17, 2018



**DCYF's Response to DRW Out-of-State Placement Case Study of Washington's Youth**

Olympia —Today, Disabilities Rights Washington (DRW) publicly released its recommendations to the Department of Children, Youth, and Families (DCYF) after conducting a case study of out-of-state youth. The DRW case study is a review of Clarinda Academy, a facility located in Iowa. After its review, DRW submitted five recommendations to DCYF. The department is taking the report provided by DRW seriously, and has taken the following immediate action:

1. Ceased placements at Clarinda Academy upon receipt of the draft report from DRW.
2. Created plans for all children placed at Clarinda Academy to either achieve permanency or to return to the state before the end of January 2019.

In addition to the specific actions related to Clarinda Academy, the department is taking some broader actions looking at all children placed in out-of-state group homes.

1. All children in out-of-state care (approximately 80) have been visited by a team consisting of the child's caseworker or one who knows the child personally and a member of the department's executive staff. These visits have taken place over the past several weeks and will conclude next week.
2. Once the visits have been completed the department will create a more detailed audit plan to review the care of children in out of state facilities.

Of the approximately 9100 children in out-of-home care in Washington, about 4.2% are in congregate care. This includes approximately 300 in in-state facilities and 80 in out-of-state facilities. These children typically have complex behavioral health challenges that require 24-hour care not feasible in individual foster homes or have other challenging therapeutic needs. In general, children do better in the least intensive setting possible, typically an individual family foster home.<sup>1</sup>

*"What is the difference between children who do and do not experience congregate care?" We find that:*

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<sup>1</sup> <http://www.ncsl.org/research/human-services/congregate-care-and-group-home-state-legislative-enactments.aspx> and <https://www.casey.org/what-are-the-outcomes-for-youth-placed-in-congregate-care-settings/>

- *Children in congregate care settings are almost three times as likely to have a DSM diagnosis compared to children in other settings.*
- *Children in congregate care settings are more than six times more likely than children in other settings to have “child behavior problem” as a reason for removal from home.*
- *On average, children spent a total cumulative amount of 8 months in a congregate care setting compared to an average time in a particular placement type of 11 months for children in other settings.*
- *The overall time in foster care was longer for children who spent some time in congregate care, with an average of 28 months compared to 21 months total time in foster care.<sup>2</sup>*

Washington State places a much higher percentage of children in family foster home settings than most states. As reported in discussions of the FFPSA at national conferences the national average for placement in congregate settings is 16%, almost 4 times higher than Washington’s rate.<sup>3</sup> The papers referenced below report numbers between 14% and 20% at various times in the past few years for this number.

The department agrees with Disability Rights Washington’s main premise that children in out-of-home care are in general better off as close to home as possible, and that we should place all children in in-state facilities where possible. A small set of children have specialized needs that can most effectively be met by specific facilities, sometimes located out of state, but for most children an in-state facility is the best choice when the child needs this level of care.

The challenge the department faces today is a lack of in-state providers. The rates we currently pay are inadequate; providers are unable to run an optimal program without significant private contributions. Public Consulting Group is currently engaged in a rate study to determine the necessary rates for each level of service for group homes in Washington, and the department intends to submit a budget decision package for this year’s budget that will allow us to develop adequate in-state capacity over the next 18-24 months.

Following are the individual responses to each of DRW’s recommendations.

1. DCYF should immediately terminate all contracts with Clarinda Academy.

Upon receipt of DRW’s draft report, DCYF took immediate action and froze any additional placements at Clarinda. DCYF is in the middle of executing permanency plans

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<sup>2</sup> [https://www.acf.hhs.gov/sites/default/files/cb/cbcongregatecare\\_brief.pdf](https://www.acf.hhs.gov/sites/default/files/cb/cbcongregatecare_brief.pdf)

<sup>3</sup> [https://www.acf.hhs.gov/sites/default/files/cb/cbcongregatecare\\_brief.pdf](https://www.acf.hhs.gov/sites/default/files/cb/cbcongregatecare_brief.pdf) and [https://fcda.chapinhall.org/wp-content/uploads/2015/07/Congregate-Care\\_webcopy.pdf](https://fcda.chapinhall.org/wp-content/uploads/2015/07/Congregate-Care_webcopy.pdf)

for the youth involved. Our current plan is for no children to be placed at Clarinda Academy within 90 days.

There are about 80 young people in out-of-state placements today, and these kids all have complex behavioral issues, usually as a result of suffering significant physical and emotional trauma for many years. DCYF can't cavalierly "bring them home" without a plan to address each child's individual needs and a placement option that is better than the placement they are in today.

2. DCYF should audit all other out-of-state placements and end contracts with any other non-compliant facilities.

DCYF executive staff visited all of the children in out-of-state placements and asked specific questions to check on the facility's compliance with our contract requirements. This is not an exhaustive audit – it's a short-term check to make sure there are no egregious violations that have to be dealt with immediately. DCYF will assess the results when all the visits are complete and determine the next steps. DCYF may well audit all the facilities, or may choose targeted reviews of some that have raised concerns.

3. DCYF should conduct an internal audit of all out-of-state placements.

DCYF is in the process of figuring out how and when to do these audits. Each review will need to look carefully at alternate in-state placement options for each youth.

A suggestion inside the body of this recommendation is that DCYF should conduct an internal review of its case management practices. Currently DCYF depends on local contractors for health and safety checks on each youth monthly.

DCYF is changing policy to supplement contracted monthly checks with monthly phone calls and quarterly physical visits from their caseworker. This will significantly increase our ability to determine the progress the young person is making in their therapy.

4. DCYF should provide for all young people to receive visits from their natural support systems and prospective placements.

DCYF provides this today for prospective placements and has done so in several previous cases.

A better solution is to not have kids in out-of-state placements. Inadequate in-state capacity to handle these complex cases limits our choices. We are working hard to fix this.

5. DCYF should engage a multi-disciplinary team dedicated to building support plans for the least-restrictive placements appropriate for each young person's needs.

The department agrees with this recommendation.

We thank Disability Rights Washington for bringing these concerns forward, and are engaged in a serious effort to improve the quality of care for children with complex behavioral health needs in Washington.

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