

**TESTIMONY OF WILLIAM J. DIVELLO
ASSISTANT INSPECTOR GENERAL FOR AUDITS
OFFICE OF THE INSPECTOR GENERAL
BEFORE THE D.C. COUNCIL COMMITTEE ON HUMAN SERVICES**

**AUDIT OF SUSPECTED INCIDENTS
OF FOSTER CHILDREN MALTREATMENT
REPORTED TO THE DISTRICT OF COLUMBIA
CHILD AND FAMILY SERVICES AGENCY**

MARCH 3, 2005

GOOD AFTERNOON CHAIRMAN FENTY AND MEMBERS OF THE COMMITTEE. I APPRECIATE THE OPPORTUNITY TO APPEAR BEFORE THE COMMITTEE ON HUMAN SERVICES CONCERNING THE OFFICE OF THE INSPECTOR GENERAL'S (OIG) AUDIT OF SUSPECTED INCIDENTS OF FOSTER CHILDREN MALTREATMENT REPORTED TO THE DISTRICT OF COLUMBIA CHILD AND FAMILY SERVICES AGENCY. MY NAME IS WILLIAM DIVELLO, I AM THE ASSISTANT INSPECTOR GENERAL FOR AUDITS. SEATED WITH ME ARE ROY SIMMONS, AUDIT DIRECTOR, AND KATRICE HOWELL, AUDITOR-IN-CHARGE.

AS YOU ARE AWARE, THE OIG HAS COMPLETED AN AUDIT OF THE POLICIES AND PROCEDURES USED BY THE DISTRICT OF COLUMBIA CHILD AND FAMILY SERVICES AGENCY (CFSA) TO MANAGE MALTREATMENT INCIDENTS REPORTED FOR CHILDREN IN ITS CUSTODY OR CARE. SPECIFICALLY, THE AUDIT REPORT COVERS REPORTS OF MALTREATMENT INCIDENTS (ABUSE, NEGLECT, OTHER HEALTH AND SAFETY ISSUES, AND

UNUSUAL INCIDENTS) FOR CHILDREN EITHER IN THE CUSTODY OR CARE OF CFSA. THIS AUDIT IS THE FIRST OF TWO AUDITS THAT ADDRESS VARIOUS FUNCTIONS ASSOCIATED WITH THE CFSA'S MISSION OF PROTECTING AND PROMOTING THE HEALTH, SAFETY, AND WELL-BEING OF CHILDREN IN THE DISTRICT OF COLUMBIA. OUR SECOND AUDIT WILL CONCENTRATE ON ACCOUNTABILITY FOR CHILDREN IN FOSTER CARE AND DETERMINING WHETHER CHILDREN WITH SPECIAL NEEDS ARE RECEIVING SERVICES TO ADDRESS THESE NEEDS.

PERSPECTIVE

WHILE OUR REPORT IS PROBLEM ORIENTATED, IT IS NECESSARY TO KEEP THE FINDINGS AND RECOMMENDATIONS IN CONTEXT. AFTER A PERIOD OF RECEIVERSHIP IMPOSED BY THE COURT, THE CENTER FOR THE STUDY OF SOCIAL POLICY WAS THE COURT-APPOINTED MONITOR ASSIGNED TO ASSESS CFSA'S PERFORMANCE. THE CENTER FOR THE STUDY OF SOCIAL POLICY REPORTED THAT CFSA MADE SIGNIFICANT PROGRESS IN MANY KEY AREAS IN THE COURT-ORDERED FINAL IMPLEMENTATION PLAN.

FOR EXAMPLE, IMPROVEMENTS WERE NOTED IN REDUCING SOCIAL WORKER CASE LOADS, MANAGEMENT OF CASE PLANS, MONTHLY VISITS BY SOCIAL WORKER'S TO CHILDREN IN FOSTER CARE, AND THE LICENSING OF GROUP HOMES. ALTHOUGH PROGRESS HAS BEEN MADE IN MANY AREAS DURING THE PAST SEVERAL YEARS, OUR AUDIT DISCLOSED

THAT IMPROVEMENTS ARE NEEDED AT CFSA TO EFFECTIVELY MANAGE SUSPECTED MALTREATMENT INCIDENT REPORTS. I WOULD ALSO NOTE THAT CFSA HAS REACTED POSITIVELY TO OUR REPORT RECOMMENDATIONS AND HAD INITIATED CORRECTIVE ACTIONS DURING THE COURSE OF THE AUDIT.

AUDIT OBJECTIVES

THE OVERALL OBJECTIVES OF THE AUDIT WERE TO DETERMINE WHETHER CFSA: (1) MANAGED THE FOSTER CARE PROGRAM IN AN EFFICIENT, EFFECTIVE, AND ECONOMICAL MANNER; (2) COMPLIED WITH REQUIREMENTS OF APPLICABLE LAWS, RULES AND REGULATIONS, POLICIES, AND PROCEDURES; AND (3) IMPLEMENTED INTERNAL CONTROLS TO ENSURE THE HEALTH, SAFETY AND WELFARE OF CHILDREN IN YOUTH FACILITIES. OUR SPECIFIC OBJECTIVE FOR THIS AUDIT WAS TO DETERMINE THE ADEQUACY OF POLICIES AND PROCEDURES FOR DOCUMENTING, REPORTING, INVESTIGATING, AND RESOLVING REPORTS OF SUSPECTED MALTREATMENT INCIDENTS FOR CHILDREN IN THE CUSTODY OF CFSA.

TO ACCOMPLISH OUR OBJECTIVES, WE REVIEWED OVER 200 CRITICAL EVENT SUMMARY/UPDATE FORMS (CES FORMS), UNUSUAL INCIDENT REPORTS, INFORMATION EXTRACTED FROM CFSA'S COMPUTERIZED MANAGEMENT INFORMATION SYSTEM (FACES), AND OTHER RELATED

DOCUMENTS. WE CONDUCTED INTERVIEWS WITH CFSA'S MANAGEMENT AND KEY PERSONNEL AND COORDINATED OUR EFFORTS WITH THE COURT MONITOR, THE PRESIDING JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FAMILY COURT, AND THE GOVERNMENT ACCOUNTABILITY OFFICE.

BELOW, I HAVE SUMMARIZED THE REPORT FINDINGS AND RECOMMENDATIONS. IF YOU WOULD LIKE, AFTER MY TESTIMONY I WILL BE HAPPY TO DISCUSS IN MORE DETAIL SPECIFIC INCIDENTS OR CASES DETAILED IN THE AUDIT REPORT OR ADDRESS ANY SPECIFIC QUESTIONS THAT YOU MAY HAVE.

SUMMARY OF FINDINGS

OVERALL, CFSA NEEDS TO IMPROVE THE MANAGEMENT AND OVERSIGHT OF SUSPECTED CHILD MALTREATMENT OR ABUSE INCIDENTS AT FOSTER CARE FACILITIES/HOMES. OUR REVIEW SHOWED THAT CFSA DID NOT DO A THOROUGH JOB OF INVESTIGATING, DOCUMENTING, AND REPORTING SUSPECTED CHILD MALTREATMENT INCIDENTS AND WAS NOT EFFECTIVELY MONITORING THE CONDITIONS UNDER WHICH CARE IS PROVIDED AT FOSTER CARE FACILITIES/HOMES. FOR EXAMPLE:

- FOSTER CARE PROVIDERS DID NOT ALWAYS REPORT SUSPECTED MALTREATMENT INCIDENTS TO CFSA IN THE REQUIRED TIMEFRAME.
- OFFICIAL DOCUMENTATION HAD NOT BEEN OBTAINED TO DETERMINE THE CAUSE OF DEATH FOR CHILD FATALITIES OR TO REVIEW AND EVALUATE THE INCIDENTS FOR QUALITY ASSURANCE PURPOSES.
- REPORTS OF SUSPECTED MALTREATMENT INCIDENTS ACCEPTED FOR INVESTIGATION WERE NOT ALWAYS COMPLETED BY THE REQUIRED COMPLETION DATE.
- INVESTIGATIONS OF SUSPECTED MALTREATMENT INCIDENTS FOR CHILDREN IN CFSA'S CUSTODY, PHYSICALLY LOCATED IN A JURISDICTION OTHER THAN THE DISTRICT OF COLUMBIA, HAD NOT BEEN MONITORED FOR COMPLETION, RESULTS, AND RECOMMENDATIONS.
- ABSCONDENCE INCIDENTS WERE NOT ALWAYS REPORTED TO THE CFSA HOTLINE FOR EVALUATION AND TRACKING PURPOSES IN FACES.
- REPORTS OF SUSPECTED CHILD MALTREATMENT INCIDENTS PREPARED BY CFSA PERSONNEL HAD NOT BEEN REPORTED TO AND MAINTAINED BY CFSA AT A CENTRAL LOCATION.

CAUSES FOR THESE CONDITIONS

FACTORS CAUSING THE CONDITIONS INCLUDED: A LACK OF MANAGEMENT OVERSIGHT AND INTERNAL CONTROLS OVER CES FORMS; UNDER-REPORTING OF SUSPECTED MALTREATMENT INCIDENTS BY FOSTER CARE PROVIDERS; AND FAILURE TO IMPLEMENT STATUTORY AND REGULATORY REQUIREMENTS AND CFSA INTERNAL POLICIES FOR THE INTAKE, INVESTIGATION, AND REPORTING OF SUSPECTED CHILD MALTREATMENT INCIDENTS.

EFFECT OF THESE CONDITIONS

AS A RESULT OF CFSA'S INABILITY TO EFFECTIVELY MANAGE REPORTS OF MALTREATMENT INCIDENTS, THESE CHILDREN WERE PLACED AT AN INCREASED RISK OF HARM. FURTHER, THERE WAS NO ASSURANCE THAT ALL CHILD MALTREATMENT INCIDENTS WERE REPORTED IN A TIMELY MANNER, PROPERLY DOCUMENTED AND/OR INVESTIGATED BY CFSA; AND THAT THE MOST EFFECTIVE HEALTH AND SAFETY SERVICES WERE BEING PROVIDED TO THE CHILDREN INVOLVED IN SUCH INCIDENTS.

SUMMARY OF RECOMMENDATIONS

WE ADDRESSED RECOMMENDATIONS TO CFSA THAT WE BELIEVE ARE NECESSARY TO ADDRESS THE CONCERNS DESCRIBED ABOVE.

SPECIFICALLY, CFSA SHOULD:

- REEMPHASIZE TO ALL FOSTER CARE PROVIDERS THE REQUIREMENT TO REPORT SUSPECTED INCIDENTS OF CHILD MALTREATMENT TO CFSA NO LATER THAN 24 HOURS AFTER IDENTIFYING A SUSPECTED INCIDENT;
- REPORT CHILD CARE PROVIDERS INVOLVED IN REPEATED CASES OF CHILD FATALITIES OR NEGLIGENT CARE TO THE APPROPRIATE LICENSING AUTHORITY;
- SCREEN ALL CHILD CARE PROVIDERS TO ASSURE THAT THEY ARE ADHERING TO CHILDCARE STANDARDS AND TAKING ACTION TO SUSPEND LICENSURES OF THOSE FACILITIES INVOLVED IN REPETITIVE CHILD FATALITIES OR NEGLIGENT CARE;
- ENSURE THAT REPORTS OF SUSPECTED MALTREATMENT INCIDENTS THAT ARE ACCEPTED BY THE CFSA HOTLINE FOR INVESTIGATION BE COMPLETED WITHIN 30 DAYS AFTER THE INITIAL CONTACT WITH THE ALLEGED MALTREATED CHILD;
- ENSURE THAT INVESTIGATIONS OF SUSPECTED INCIDENTS OF MALTREATMENT OF CHILDREN IN CFSA'S CARE WHO ARE PLACED IN ANOTHER JURISDICTION AND ARE REFERRED TO THAT JURISDICTION FOR INVESTIGATION, ARE ACTIVELY MONITORED TO OBTAIN RESULTS AND RECOMMENDATIONS FOR CORRECTIVE ACTION PURPOSES;

- REQUIRE THAT OFFICIAL DOCUMENTATION TO DETERMINE THE CAUSE OF DEATH BE OBTAINED FOR THE FATALITY OF A CHILD IN CFSA'S CUSTODY; AND
- REQUIRE THAT THE COLLECTION AND CONTROL OF CRITICAL EVENT SUMMARY/UPDATE FORMS BE IN A CENTRAL LOCATION FOR ALL SUSPECTED INCIDENTS OF CHILD MALTREATMENT REPORTED TO CFSA.

CFSA RESPONDED POSITIVELY TO OUR REPORT AND HAS TAKEN ACTION TO ADDRESS THE IMPROVEMENTS NEEDED CONCERNING MANAGEMENT OF SUSPECTED INCIDENTS OF MALTREATMENT.

THIS CONCLUDES MY STATEMENT. WE ARE PREPARED TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.