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DHHR overhaul collides with crisis

By Amelia Ferrell Knisely for the Daily Telegraph
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This file photo shows the Department of Health and Human Resources.

BDT file photo



West Virginia judges are unable to resolve cases involving vulnerable children due to ongoing child welfare problems at the West Virginia Department of Health and Human Resources.

The state has experienced a 50 percent increase in abuse and neglect filings since 2014. Meanwhile, only 30 percent of child protective services workers positions are filled.

West Virginia Judicial Association President Anita Harold Ashley told lawmakers in a letter Jan. 6 that current workers are overloaded with child welfare cases, and stakeholders aren't prepared for cases. The letter was obtained from the West Virginia Senate Communications Office.

"The resulting delays slow proceedings and cause additional hardships on children and families, and in some cases, cause children and youth to languish in placement," Harold wrote.

"Simply put, the challenges facing (DHHR) are now impacting our judges' ability to resolve child welfare cases in a timely and efficient manner."

Harold said that circuit court judges across the state are interested in helping the Legislature fix the state's child welfare crisis, an effort that lawmakers have said is a priority this session. Lawmakers are aggressively pushing legislation that would reorganize the state health department, in part, because they want more transparency from an agency with a \$7.5 billion budget that is tasked with caring for vulnerable children.

"We're not going to let up. We're not going to turn our backs," Senate President Craig Blair said.

Child welfare advocates have praised the hyper-focus on child welfare and the agency that oversees it, but they caution that major changes from top to bottom could disrupt child welfare reform. They want transparency about what the changes could look like as

the DHHR split bill has already moved forward in the Legislature.

Shanna Gray is a foster parent in Fayette County and is the executive director for West Virginia CASA. The organization is a statewide network of community volunteers who advocate for children who have experienced abuse or neglect.

“Now is the time to invest in direct, tangible and supportive services for children and families, and I think the split, if not efficiently and precisely managed, could exacerbate some of these issues,” Gray said. “We hope to see a clear plan for the shift to help mitigate disruptions.”

West Virginia: highest rate of child abuse and neglect referrals

West Virginia’s child welfare crisis is linked to the state’s poverty rate and drug epidemic, and the state leads the country in the rate of children coming into care.

The state has the country’s highest rate of child abuse and neglect referrals, and analysis from ProPublica and NBC News showed one in 50 children in West Virginia “experienced the severing of their relationships with both of their parents from 2015 to 2019.”

DHHR hasn’t hired enough child protective services workers to keep up with the need. The staffing shortage has been linked to the agency’s failure to investigate child abuse and neglect referrals in a timely manner, potentially leaving children in danger.

In 2022, DHHR gave a 15 percent pay raise for existing CPS workers in an effort to address staffing issues. In December, DHHR Deputy Secretary for Child and Adult Services Cammie Chapman told lawmakers during a legislative meeting that the pay bump hadn’t fixed the vacancy issue.

Ahead of the legislative session, Senate leaders sent a letter to DHHR interim secretary Jeff Coben that outlined more than a dozen child welfare policy options, including increasing pay for some social workers and addressing out-of-state and “inappropriate”

child placements.

Also, lawmakers called for transparency from the agency.

“The number of issues heard by legislators concerning child welfare dramatically underrepresents what is occurring,” the senators wrote. “In recent years, there has been a reluctance to transparently notify policymakers when a child in state custody dies, systemic abuse/neglect occur in a provider setting, or other calamities occur.”

Lawmakers referenced learning in a public meeting in December that DHHR had removed multiple children from out-of-state facilities but details were not provided in that meeting.

DHHR Deputy Secretary for Child and Adult Services Cammie Chapman said in an email to The Register-Herald that last year, the agency removed 28 children from facilities in Florida, Georgia, South Carolina and more after “allegations of abuse and neglect were reported to DHHR.”

Chapman said, “Coben is in the process of developing additional positions to provide oversight of the out-of-state facilities which will include on-site inspections by licensing staff.”

DHHR split bill rapidly advancing

Senate and House members are quickly moving ahead with their plan to split DHHR into three branches in an effort to streamline communication and improve outcomes. Last year, Gov. Jim Justice vetoed lawmakers’ bill that would have split the agency and, instead, called for a top-to-bottom review of DHHR.

The governor’s study, completed by the McChrystal Group for \$1 million, didn’t recommend splitting the agency. Instead, the group said DHHR should improve its leadership and communication. Lawmakers heavily criticized the study for its lack of

substance amid the state's poor health outcomes.

A list of groups and people interviewed by the McChyrstal Group, which was obtained from the House Communications Office, did not include child placement agencies or other child welfare stakeholders.

This year, the Senate suspended rules and passed its version of the DHHR split bill on the first day of the legislative session.

“Time’s a-wastin’, so that’s why we suspended the vote,” Blair, R-Berkeley, said. “As we move forward, the stakeholders will be able to discuss it.”

The House’s version of the bill sailed through the Health Committee Tuesday.

Marissa Sanders, an adoptive parent and founder of the West Virginia Foster, Adoptive and Kinship Parents Network, said a reorganization of DHHR and changes to child welfare must involve accountability improvements. She hopes to be a part of future conversations about a potential split and what it might mean for foster families and children.

“Simply moving people around into new department names is not going to fix the issue,” she said. “This is a massive reorganization of our government, and we should have the utmost transparency and scrutiny of the process to make sure it goes well.”

Foster parents in Legislature push for communication improvement

Delegates Jonathan Pinson and Adam Burkhammer are both foster parents, and they hope that the focus on improving DHHR will be a good time to get their idea for a foster care communication portal approved by their colleagues.

The pair are working on a bill that would create a centralized communication portal for key stakeholders supporting children in foster care, including CPS workers and foster parents. Senate leaders also backed a “foster parent portal to improve communication and drive accountability.”

“(Families) may not see an immediate impact if we divide DHHR into two or three agencies. They will feel immediate relief from their concerns once we surround them with stakeholders who can communicate with them,” Pinson, R-Mason, said.

The measure aims to also bolster DHHR’s foster family retention rate. Chapman said that as of Dec. 1, 2022, the current retention rate of licensed foster homes for at least two years was 47 percent.

“It can be overwhelming as a foster parent when you realize all the things you have to do and keep up with,” Burkhammer, R-Lewis, said. “If we can bring all of that into one communication portal, and everyone can see everyone’s communication ... This will enhance the foster parents’ ability to properly care for that child.”

Pinson said the communication portal is likely to have a \$1 million price tag.

“This is a worthwhile investment,” he said.

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