



STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH

Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(615) 741-2633 (FAX) 741-5956
1-800-264-0904

CHILDREN'S SERVICES COMMITTEE

Andrew Jackson Building, 9th Floor Conference Room
Thursday, February 11, 2016
1:00 p.m.

MINUTES

Members Present

Wendy Shea, Chair
Kelly Drummond
Genesis Hardin
Jennie Harlan
Amy Lawrence
Rob Mortensen
Steve Neely 1:18 PM
Destiny Sweeney
Steve Petty

Audrey Taylor Gonzalez
Glenda Terry

Staff Present

Craig Hargrow
Sumita Keller
Richard Kennedy 1:05 PM
Melissa McGee
Gerald Papica

I. Welcome and Introductions – Wendy Shea, Children's Services Committee Chair

Shea called the Children's Services Committee meeting to order at 12:57 p.m. Papica was asked to call the roll. All commission members were present. There was a quorum for the meeting.

II. Approval of Minutes

Shea reviewed the minutes. There was no discussion, comment or correction.

IT WAS MOVED (HARLAN) AND SECONDED (DRUMMOND) TO APPROVE THE OCTOBER 2015 CHILDREN'S SERVICES COMMITTEE MEETING MINUTES. UNANIMOUSLY CARRIED.

III. Council on Children's Mental Health – Melissa McGee

McGee discussed the Council on Children's Mental Health recent progress and reported that CCMH has not met since October 22, 2015 meeting, focused on finalizing the strategic direction work of the Council and other updates from supported projects. McGee also reported the details of the upcoming meeting of the Council on February 25, 2016, at the Midtown Hills Police Precinct in Nashville. Topics will include statewide updates on the Adverse Childhood Experiences initiatives, including the Governor's emphasis on improving childhood experiences throughout Tennessee. The meeting will also continue to provide updates on current projects with a system of care focus and a legislative update.

McGee provided an update on the status of the CCMH's report to the General Assembly. She is awaiting feedback and approval from the Tennessee Department of Mental Health and Substance Abuse Services. The Report was created through a collaboration of membership to reflect the progress made in furthering statewide implementation of the values and principles of a system of care. Among other accomplishments, the Report reflected a level of commitment that has increased since the July 2013 Report, from an average of 50 to an average of 72 attendees per meeting. CCMH's ad hoc workgroup addressing the request for data relating to implementation of system of care values and principles will resume meeting in 2016 to identify methods to most appropriately gather and disseminate requested information for use statewide.

The CCMH Steering Committee continues to discuss and identify 2016 meeting topics, including behavioral health homes, episodes of care, integrated care, furthering of SOC values and principles into systems, legislative information, ACEs and trauma-informed care, infant and early childhood mental health, and grant updates.

In other updates, McGee reported on recent presentations given, including providing quarterly training to DCS' Child Abuse Hotline Orientation, presenting on early development in childhood and Adverse Childhood Experiences for the Administrative Office of the Courts Fall Training course for juvenile court staff, the Southeast Council on Children and Youth's Children's Rights Conference, and the Santa Fe Unit School in Maury County. McGee also participated in the Intra-State Departmental Group of the Tennessee Suicide Prevention Network, the Governor's ACEs Summit, Tennessee Young Child Wellness Council meeting and Action Teams, CCMH Advisory Group meetings, the Tennessee Infant and Early Childhood Mental Health Initiative, the Children's Justice Task Force, BSF2TIES Advisory Committee, TRANS/form Advisory Board, TDMHSAS' Planning and Policy Council, and the Tennessee Integrated Court Screening and Referral Project. McGee serves as an alternate for the DHS Child Care Board of

Review and participated in a hearing in this role. In November and December, McGee attended the Connecting for Children's Justice Conference in Nashville and the Tennessee Association of Mental Health Organizations in Murfreesboro. McGee continues to take part in TDMHSAS' Certified Family Support Specialist Advisory Council and Screening Committee for application review.

In related news, McGee was invited to join the Quality Improvement Center for Adoption & Guardianship Stakeholder Advisory Team and the 2016 Conference Planning Committee of the North American Council on Adoptable Children. McGee was also appointed as a Founding Board Member of the developing Infant Mental Health Association of Tennessee.

Discussion:

Mortensen wanted to know where we are with ACEs. McGee indicated that we are in a collaboration phase. Keller added she will know more information in the coming days. Harlan commented that McGee does a great job with promoting and talking about ACEs. Shea remarked the strategic plan needs to be acknowledged.

IV. Ombudsman Program – Gerald Papica

The Ombudsman Program received a total of 48 referrals from October 1, 2015 to January 31, 2016. The distribution of the new referrals for this period is as follows: 31 Open/Active Cases, 9 Information-only Cases, 4 Re-opened Cases and 4 Tracking Cases (foster home-related complaints). This figure is similar to the number of new referrals received for the same reporting period last year. Dr. Papica briefly discussed highlights and trends found in the handouts.

Participation in Child and Family Team Meetings, in-person or by phone, has increased between October and January. This trend is noticeable with cases belonging to the DCS Davidson County region. After meeting with the CASA management team in Nashville a few months ago, referrals from CASA volunteers have risen. Due to a number of complex cases, the usual amount of time Ombudsman Program cases remain open has lengthened.

Since the DCS Juvenile Justice Division has moved away from a corrections model to a therapeutic model, Dr. Papica has taught classes on-site at the Youth Development Centers. He provided the Program Introduction Class as follows: The Park Inn at Henry Horton State Park once; Mountain View YDC four times, Wilder YDC twice; and Woodland Hills once. A total of 148 new juvenile justice employees or CSOs (Children's Services Officers) have attended the classes. The contact persons in these

sites have expressed appreciation for his enthusiasm, flexibility and willingness to travel to their facilities.

Dr. Papica continues to represent TCCY in the Department of Human Services Childcare Licensing Board of Review hearings. By state law, TCCY has a mandate to participate in DHS childcare hearings.

As the newly elected chair of the USOA's (United States Ombudsman Association) Conferences and Training Committee, Dr. Papica has begun planning for the 2016 USOA annual conference. The first teleconference call is scheduled on February 18th. There are 14 individuals from various states who agreed to donate their time and expressed their commitment to this year's conference planning sub-committee. The event will take place in Arlington, Virginia on October 17-21, 2016 at Westin Arlington Gateway hotel.

V. Youth Transitions Advisory Council – Steve Petty

The Youth Transitions Advisory Council did not meet in November due to one of the presenters not being available. Meetings for 2016 have all been scheduled for the year. The next meeting will be April 28 from 12:30 to 3:30 at the Midtown Hills Police Precinct in Nashville. The meetings for the remainder of 2016 are June 23, in conjunction with the Council on Children's Mental Health, also meeting at Midtown Hills, August 4 and October 6.

VI. Home Visiting Leadership Alliance – Sumita Keller

Keller introduced herself to the members as it was her first Commission meeting since returning to TCCY. She shared the Home Visiting Leadership Alliance met for the first time on Wednesday, January 13, 2016 in Nashville. The meeting was co-chaired by TCCY (O'Neal) and Health (Loraine Lucinski), and 42 people attended. In addition to staff from TCCY and Health, home visiting service providers from across the state, representing multiple home visiting program models, attended the meeting. The group showed enthusiasm and expressed the need for the Alliance to help provide an opportunity to network, learn and share.

The next meeting of the Home Visiting Leadership Alliance is scheduled for April 20, 2016 from 10:00 a.m. – 2:00 p.m. at the Metro Public Health Department in Nashville. The agenda will tentatively include a presentation by Sandra Allen (and others from her team) on the work of the Early Success Coalition in Memphis. A review of Pay for Success models, including Social Impact Bonds, will also be presented at a future meeting, and at some point there will be presentations regarding messaging.

Keller shared about a grant opportunity from the Institute for Child Success. In collaboration with the Tennessee Department of Health (TDH), the Tennessee Commission on Children and Youth (TCCY) is interested in applying for Pay for Success Technical Assistance (TA) by the Institute for Child Success (ICS). The South Carolina based ICS is a leader in Pay for Success (PFS) financing for early childhood programs nationally. Pay for Success, also called Social Impact Bonds, is an innovative financing structure using public-private partnerships to fund social service programs. The private sector, for example an investment firm or foundation, will fund a social service like home visiting with agreed upon outcomes that have quantifiable cost benefits. If those outcomes are met, the private sector will receive payments, most typically from a government agency.

Keller explained Tennessee is interested in exploring PFS for evidence-based home visiting programs. The feasibility study is an exploration of PFS financing, and the definitive use of PFS financing to expand home visiting programs is not a foregone conclusion. However, if the study concludes PFS financing is not feasible, Tennessee will still find helpful the analysis of which outcomes need improvement, which programs have been shown to achieve those outcomes, and how Tennessee could expand effective programs to serve children and families in need.

If awarded the TA, Tennessee will benefit from ICS's expertise and leadership in the field of early childhood PFS financing. Over nine to twelve months, ICS staff will work with staff from TCCY and TDH. As part of the TA – Coaching Model, applicants are required to commit at least \$35,000 in non-federally funded staff time to the PFS effort and will be subject to ICS monitoring. This will count as the “match” for the TA. TA award recipients will be notified in the spring of 2016, and TA will begin in spring of 2016 and be completed in spring of 2017. ICS will make their first visit between April and June 2016.

With the Commission approval, TCCY could provide \$35,000 in non-federally funded support for this Technical Assistance. Keller reported virtually all Department of Health dollars are federal or match federal or other dollars, and therefore not allowable match for this technical assistance.

Shea stated that the Pay-for-Success and Home Visiting programs are incredibly exciting. This sentiment was resonated by Taylor Gonzalez and Lawrence. In the Pay-for Success program, Shea stated that Tennessee will become the leader. Kennedy remarked that other states are looking into this program. Drummond commented about the time required to show success.

IT WAS MOVED (DRUMMOND) AND SECONDED (TAYLOR GONZALEZ) TO APPROVE \$35,000 IN-KIND MATCH TO PARTICIPATE IN THE PAY-FOR-SUCCESS TECHNICAL ASSISTANCE. UNANIMOUSLY APPROVED.

VII. Second Look Commission – Craig Hargrow

The Second Look Commission (SLC) met on November 18. During the quarterly meeting, the SLC discussed the possibility of having judicial representation on the SLC. The members determined there may be some value to having judicial representation on the SLC, but the SLC should take steps necessary to ensure there is not a conflict of interest. The SLC discussed the possibility of getting a retired judge to provide expert consultation when needed.

During the investigatory meeting on November 18, 2015, SLC members considered whether DCS has an adequate recourse when DCS disagrees with a juvenile court's ruling at a preliminary hearing. The SLC discussed the possibility of addressing this issue through proposed legislation. The SLC agreed to further investigate a potential recommendation.

In one matter reviewed by the SLC on November 18, members identified potential collateral witnesses not interviewed by CPS investigators. Additionally, SLC members noted CPS Investigators should make additional efforts to interview collateral witnesses when alleged perpetrators are not cooperative.

The members made various other findings and observations during the meeting on November 18. Challenges accessing adequate mental services and medication of caregivers may lead to child abuse and neglect. Parties continue to knowingly and repeatedly violate court order regarding supervised visitation.

On December 3, 2015, Hargrow and O'Neal met with the team conducting the Sunset Performance Audit of the Second Look Commission. The audit team is in the process of gathering information at this point. The audit team stated the Joint Government Operations Committee will hold a public hearing, probably between September and December 2016, to make a recommendation to the House and Senate as to whether the SLC should be continued, restructured or terminated. The General Assembly makes the final decision.

On December 10, 2015, Hargrow met with representatives from the Department of Mental Health and Substance Abuse Services to get their input regarding some of the preliminary findings of the SLC.

The SLC met on December 16, 2015 to make final revisions to the 2015 SLC Report. SLC members went through the report section by section and made final revisions which Hargrow incorporated into the final report.

With the help of Steve Petty and Natasha Smith, Hargrow submitted the 2015 SLC Report to the General Assembly and Governor's Office in a timely manner on December 28, 2015.

The following findings and recommendations are primarily based on the cases reviewed during the 2015 calendar year:

The failure or inability to fully address substance abuse and mental health issues and the lack of adequate treatment resources have an adverse impact on the safety and wellbeing of Tennessee's children. In some cases, child abuse prevention and intervention stakeholders, including law enforcement and schools, failed to contact DCS when a child was potentially in danger. DCS should review and potentially revise its policies and procedures regarding drug exposed child investigations. Child Protective Services Investigators do not always maximize the use of collateral interviews. While there have been improvements, proper supervision of CPS investigators continues to be an issue in some cases.

Appropriate case file documentation continues to be an issue. In a number of cases reviewed by the SLC this year and in previous years, kinship placements have a history of failing to adhere to No Contact orders. There is a continued need to stress the importance of issue-driven investigations as opposed to incident-driven investigations. Tennessee state agencies must continue to collaborate with internal and external stakeholders to educate parents and other caregivers regarding safe sleeping environments for infants. In one of the death cases reviewed by the SLC in 2015, a child died of asphyxia due to being "folded" in a beanbag chair.

Taylor asked and Hargrow confirmed that the SLC acts as an Advisory Board. There is an observation that the DCS CPS has missed opportunities in terms of reaching out to collateral contacts. There is a need to balance removal of the children from home versus keeping them with their family. Mortensen inquired who conducts performance audit of the SLC. Hargrow clarified this was addressed during the Sunset Review and the Office of the Comptroller is conducting the audit.

Taylor Gonzalez mentioned a case of a 14 year old who took care of minors and ended up killing one of the much younger children. Shea inquired about how cases are selected by

the SLC. For 2014-2015, the DCS provided the names of 664 children who meet the criteria (substantiated for severe abuse) for SLC cases. The statute authorizes the SLC to review 10 percent of the cases on the list. However, time only permits the SLC to thoroughly review approximately 10 cases a year. The SLC reviews all the death cases and then uses a modified stratified random sample to choose the remaining cases. Last fiscal year, SLC met six times.

VIII. Other Business

**HARLAN MOVED TO ADJOURN THE MEETING. LAWRENCE SECONDED.
UNANIMOUSLY CARRIED.**

There being no further business, the meeting adjourned at 1:58 PM.

Minutes submitted by:

Minutes approved by:

Gerald R. Papica
Ombudsman

Wendy Shea
Committee Chair