

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

SECOND SPECIAL SESSION-2018

Legislative Document

No. 1923

S.P. 758

In Senate, August 23, 2018

An Act To Improve the Child Welfare System

(EMERGENCY)

Received by the Secretary of the Senate on August 22, 2018. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator HAMPER of Oxford. (GOVERNOR'S BILL)

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** maintaining a sufficient number of qualified foster homes provides a
4 critical safety net for vulnerable children; and

5 **Whereas,** recruitment and retention of highly qualified child welfare staff will allow
6 for more timely and thorough investigations of allegations of abuse and neglect; and

7 **Whereas,** a new comprehensive child welfare information system will make more
8 information available in a timely manner, which will allow for better outcomes for
9 children; and

10 **Whereas,** this legislation provides funding necessary to enhance the child welfare
11 system and services available to children in the care of the State; and

12 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
13 the meaning of the Constitution of Maine and require the following legislation as
14 immediately necessary for the preservation of the public peace, health and safety; now,
15 therefore,

16 **Be it enacted by the People of the State of Maine as follows:**

17 **Sec. 1. Rate increase for foster homes.** The daily rates for foster homes must
18 be increased as follows: Unlicensed Homes must be increased from \$10.00 to \$18.50,
19 Level A Licensed Homes must be increased from \$16.50 to \$25.00, Level B Licensed
20 Homes must be increased from \$26.25 to \$35.00, Level C Licensed Homes must be
21 increased from \$39.38 to \$45.00, Level D Licensed Homes must be increased from
22 \$52.50 to \$60.00, Level E Licensed Homes must be increased from \$65.62 to \$75.00 and
23 Medical Licensed Homes must be increased from \$60.00 to \$70.00.

24 **Sec. 2. New job classification.** The Department of Administrative and Financial
25 Services, Bureau of Human Resources and the Department of Health and Human
26 Services shall work together to develop a new job classification for the Child Welfare
27 Investigator position. This classification must consider relevant education and training in
28 investigative practice in lieu of the possession of a license in social work. This education
29 and training must be obtained from service and experience in law enforcement or other
30 similar fields.

31 **Sec. 3. Development of a new comprehensive child welfare information**
32 **system.** The Department of Health and Human Services shall conduct a needs analysis
33 for its comprehensive child welfare information system and review possible solutions to
34 meet those needs. The Department of Health and Human Services shall purchase or
35 develop a new comprehensive child welfare information system.

36 **Sec. 4. Appropriations and allocations.** The following appropriations and
37 allocations are made.

38 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

1 **IV-E Foster Care/Adoption Assistance 0137**

2 Initiative: Provides funding for increased foster home reimbursement rates to increase
3 recruitment and retention of foster families in this State.

4

5	GENERAL FUND	2017-18	2018-19
6	All Other	\$0	\$463,791
7			
8	GENERAL FUND TOTAL	\$0	\$463,791

9

10	FEDERAL EXPENDITURES FUND	2017-18	2018-19
11	All Other	\$0	\$695,686
12			
13	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$695,686

14 **Office of Child and Family Services - District 0452**

15 Initiative: Provides increased funding for the creation of 16 Human Services Casework
16 Supervisor positions within the Office of Child and Family Services, child protective
17 services to increase coaching and oversight of child protective staff.

18

19	GENERAL FUND	2017-18	2018-19
20	POSITIONS - LEGISLATIVE COUNT	0.000	16.000
21	Personal Services	\$0	\$922,441
22	All Other	\$0	\$82,472
23			
24	GENERAL FUND TOTAL	\$0	\$1,004,913

25

26	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
27	Personal Services	\$0	\$202,488
28	All Other	\$0	\$25,418
29			
30	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$227,906

31 **Office of Child and Family Services - District 0452**

32 Initiative: Provides funding for the creation of 2 Regional Associate Director for Child
33 Welfare positions.

34

35	GENERAL FUND	2017-18	2018-19
36	POSITIONS - LEGISLATIVE COUNT	0.000	2.000
37	Personal Services	\$0	\$193,334

1	All Other	\$0	\$10,296
2			
3	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$203,630</u>

4			
5	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
6	Personal Services	\$0	\$42,439
7	All Other	\$0	\$2,260
8			
9	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$44,699</u>

10 **Office of Child and Family Services - District 0452**

11 Initiative: Notwithstanding the Maine Revised Statutes, Title 5, section 7065, provides
 12 funding for the recruitment and retention of employees in Child Protective Services
 13 Caseworker positions, Child Protective Services Caseworker Supervisor positions, Child
 14 Protective Services Assistant Program Administrator positions and Child Protective
 15 Services Program Administrator positions via a \$5 per wage-hour stipend payment.

16			
17	GENERAL FUND	2017-18	2018-19
18	Personal Services	\$0	\$3,648,877
19			
20	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,648,877</u>

21			
22	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
23	Personal Services	\$0	\$781,523
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$781,523</u>

26 **Office of Child and Family Services - District 0452**

27 Initiative: Notwithstanding the Maine Revised Statutes, Title 5, section 7065, provides
 28 funding for the recruitment and retention of employees in Child Protective Services
 29 Caseworker positions, Child Protective Services Caseworker Supervisor positions, Child
 30 Protective Services Assistant Program Administrator positions and Child Protective
 31 Services Program Administrator positions via a \$1 per wage-hour stipend payment for
 32 employees holding or obtaining a relevant master's degree.

33			
34	GENERAL FUND	2017-18	2018-19
35	Personal Services	\$0	\$112,570
36			
37	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$112,570</u>

38

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	Personal Services	\$0	\$24,710
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$24,710</u>

5 **State-funded Foster Care/Adoption Assistance 0139**

6 Initiative: Provides funding for increased foster home reimbursement rates to increase
7 recruitment and retention of foster families in this State.

8			
9	GENERAL FUND	2017-18	2018-19
10	All Other	\$0	\$3,104,315
11			
12	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,104,315</u>

13 **State-funded Foster Care/Adoption Assistance 0139**

14 Initiative: Provides increased funding for procurement of a pilot program for child
15 welfare services to support children in the State's custody through supportive visitation,
16 which will allow for the supervision of court-ordered visitation with relatives of the
17 children and will provide assessment and evaluation of parental capacity as it relates to
18 the parent's ability to safely care for the child.

19			
20	GENERAL FUND	2017-18	2018-19
21	All Other	\$0	\$2,250,000
22			
23	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,250,000</u>

24 **State-funded Foster Care/Adoption Assistance 0139**

25 Initiative: Provides increased funding for procurement of child welfare services to
26 support children in the State's custody through clinical support and guidance of child
27 welfare casework practice. This funding will allow each district office to procure a
28 clinician to aid the district in clinical consultation within child welfare cases, in training
29 to increase staff knowledge of mental health and behavioral needs of children in the
30 State's custody and in consultation within child welfare cases on parental capacity. In
31 addition, this increase in funding will allow for procurement of clinical services to
32 support each district office to evaluate staff functioning and provide debriefing for critical
33 incidents.

34			
35	GENERAL FUND	2017-18	2018-19
36	All Other	\$0	\$880,000
37			
38	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$880,000</u>

39 **State-funded Foster Care/Adoption Assistance 0139**

1 Initiative: Provides increased funding for the development of a new comprehensive child
2 welfare information system.

3

4	GENERAL FUND	2017-18	2018-19
5	All Other	\$0	\$8,000,000
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$8,000,000</u>

8

9	HEALTH AND HUMAN SERVICES,		
10	DEPARTMENT OF		
11	DEPARTMENT TOTALS	2017-18	2018-19
12			
13	GENERAL FUND	\$0	\$19,668,096
14	FEDERAL EXPENDITURES FUND	\$0	\$695,686
15	OTHER SPECIAL REVENUE FUNDS	\$0	\$1,078,838
16			
17	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$21,442,620</u>

18 **Emergency clause.** In view of the emergency cited in the preamble, this
19 legislation takes effect when approved.

20 **SUMMARY**

21 This bill provides additional funding to enhance the child welfare system and services
22 available to children in the care of the State. This bill also directs the Department of
23 Health and Human Services to conduct a needs analysis for its comprehensive child
24 welfare information system, review possible solutions to meet those needs and purchase
25 or develop a new system. It also provides funding for the development of a new
26 comprehensive child welfare information system.