

July 17, 2024

TO: Dana Blackwell and Roger De Leon, Co-Chairs
MRCS Task Force and CWC Members

Kathy Icenhower & David Swanson Hollinger, Chairs
Prevention and Early Intervention Committee, CWC, and CWC Members

From: Diana Boyer, Director of Policy, CWS & Older Adult Services, CWDA

RE: Title IV-E County Advisory Group Feedback on the MRCS Task Force
Recommendations.

Thank you for the opportunity to provide further feedback regarding the Mandated Reporting to Community Supporting (MRCS) Task Force recommendations¹ that are currently under consideration by the Child Welfare Council (CWC). As you know, CWDA convened a working group of county child welfare representatives to review and provide guidance and feedback on the recommendations (Title IV-E County Advisory Group). We are submitting the Advisory Group's feedback for consideration by the CWC as it reviews and considers its next steps.

The establishment of the MRCS Task Force is one of a broader set of recommendations adopted by the Prevention and Early Intervention Subcommittee (PEI) of the CWC to achieve a vision of Child, Family and Community Well-Being to enable parents and families to access services and supports and help reduce unnecessary child welfare system involvement.² Counties understand that the MRCS Task Force was focused with developing recommendations to meet two very specific goals: reform the state's mandated reporting system so that children and families are safely supported in their communities, and to build strong and connected community supports that understand, connect to, and enhance the natural strengths of every family.

The Title IV-E County Advisory Group supports the MRCS Task Force recommendations but has concerns and recommendations with respect to implementation. Counties acknowledge the disproportionality and disparities in the child welfare system, and the trauma and harm that can result from unnecessary involvement in the child welfare and foster care system. Counties have also worked diligently to address systemic issues, including racism, in the child welfare program through a number of initiatives and efforts, including partnerships with local community-based agencies to offer supports and services to prevent entries and facilitate timely permanency for children. In part due to these efforts, the number of children in foster care has been dropping precipitously year-after-year. As of April 1, 2024, there were 42,321 children and youth in foster care, compared to 56,468 in April 2014.

The MRCS Task Force Recommendations are comprised of five Strategic Priorities and fourteen individual recommendations. The Title IV-E County Advisory Group appreciates and agrees that a comprehensive approach will be needed to achieve the MRCS Task Force's vision of "communities keeping children safe and families together." Following are the Advisory Group's specific recommendations for achieving this vision:

¹ https://www.caltrn.org/wp-content/uploads/2024/05/MRCS-TF-Recommendations_June_2024_CWC_Final-.pdf

² https://www.chhs.ca.gov/wp-content/uploads/2023/02/PEI_Community-Pathway-Recommendations.pdf

- 1) **Develop a clear action plan that articulates and builds the infrastructure needed to implement the recommendations:** The Task Force provides fourteen specific recommendations of needed change and/or focus that will take considerable effort, and additional stakeholder involvement - including from county staff - to achieve. The Advisory Committee recommends developing a detailed action plan that sequences implementation of the recommendations in phases with the highest priority given towards investing and building prevention services for the community pathway and developing statewide, standardized training for mandated reporters. Pilot testing of some aspects of the recommendations, including mandated reporter training, community pathway referral processes, and the elimination of liability to mandated reporters (which is noted in the recommendations), should be considered to support implementation and maintain child safety.
- 2) **Align implementation with other related reforms:** Many new and recent initiatives, including CalAIM, BH-CONNECT, Community Schools, and Child and Youth Behavioral Health Initiative (CYBHI), are opportunities to serve children, youth and families through prevention, but those efforts are currently siloed across state and local level agencies and departments. The Advisory Committee recommends the development of guidance for all impacted agencies who are implementing these various initiatives, to promote collaboration and coordination across agencies to build supports and services through community pathways. Taking the time to focus on a coordinated implementation of these related initiatives will strengthen all of them, including mandated reporter reform.
- 3) **Establish a three-year goal to achieve the vision of local community pathways:** The Advisory Group believes that engagement with community stakeholders, including with community-based agencies to deliver services, and with mandated reporters for proper reporting, will be critical but will take time to implement at the local level, even after state-level deliverables to support the changes in reporting are achieved. County staff who regularly engage with mandated reporters note that these mandated reporters are often concerned about liability and often do not have the time nor expertise to delve into the underlying root causes of what is concerning to them regarding a child or youth who may be experiencing abuse or neglect. Services are not easily nor readily accessible and mandated reporters do not have the time or knowledge of those services to create necessary linkages. The Advisory Group believes it will take time to implement the Task Force recommendations for a community pathway, which must include engaging local stakeholders, building capacity in services, and training mandated reporters. A three-year implementation target also aligns with the work currently underway, although limited to a few counties, to develop a Community Response Guide that supports mandated reporters to determine the appropriate referral pathway.
- 4) **Invest in community-based services and supports:** Leveraging existing services and supports is unlikely to be sufficient in meeting families' needs for services. Additionally, families currently can only access some services and supports through the child welfare system, due to funding source and/or laws/regulations governing those services and supports. The Family First Prevention Services Act (FFPSA) Part 1 is intended to build community-based services and supports to prevent entries into foster care. Unfortunately, due to declining revenues in the State's budget, county child welfare, probation and tribal agencies must rely on the current allocation of State Block Grant (SBG) funding for prevention services for another four years, to June 30, 2028, and must await the launch the CARES automation system to claim Title IV-E matching funding. Some large counties, including Los Angeles and San Diego, are projecting that their SBG funds

will be expended prior to June 30, 2028. Without a focused investment into community pathways, particularly in communities with few existing community resources, mandated reporters will simply continue to turn to child welfare for assistance in linking children, youth and families to needed services, which also risks increasing disparities in those communities.

- 5) **Expand the focus to “front end” child welfare services:** The PEI “Community Pathway Recommendations” notes that “this vision for a Child, Family and Community Well-Being will only be fully realized if current practices and policies regarding mandated reporting, *and response to child abuse and neglect allegations*, are dramatically reformed.” (emphasis added) AB 2085 (Statutes of 2022)³ now specifies that general neglect does not include a parent’s economic disadvantage, and that a child must be “at substantial risk of suffering serious physical harm or illness” to fall within the definition of general neglect. County child welfare staff note in implementing AB 2085 that it is difficult for mandated reporters to distinguish between severe and non-severe neglect, and at times a referral for what appears to be less serious neglect exposes severe, life-threatening cases of severe neglect. Relying on mandated reporters to accurately and consistently distinguish between such cases is not always possible. Mandated reporters rely upon the expertise of intensely trained, highly-specialized county social work staff to distinguish such cases and initiate the appropriate response based on the circumstances of each family. However, child welfare is challenged with constant turnover of social work staff, leaving less experienced workers to perform complicated assessments amid rising caseloads.

Additionally, many counties have had to disband or severely curtail promising approaches to responding to maltreatment allegations, such as Differential Response programs that partnered with community-based organizations to engage with families for joint assessments and linkage to community-based services at an early stage, prior to escalation of needs. The Advisory Group recommends revisiting these promising approaches, addressing training and support to the workforce to improve recruitment and retention for Emergency Response workers, and generally increasing concrete supports in the “front end” of child welfare programs. The Advisory Group understands that these issues were out of the scope of the MRCS Task Force yet believes these strategies are needed to realize the PEI’s vision while providing the necessary safeguards to protect children from abuse and neglect. The MRCS Task Force recommendations would ideally be considered alongside recommendations to improve and support responses to allegations of abuse and neglect by child welfare programs.

The Title IV-E Advisory Committee appreciates this opportunity to provide input and offer its assistance to support the successful realization of the PEI Committee’s vision for the Child, Family and Community Well Being System.

³ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2085