STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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REASON FOR THIS TRANSMITTAL

[ ] State Law Change
[X] Federal Law or Regulation Change
[ ] Court Order
[ ] Clarification Requested by One or More Counties
[ ] Initiated by CDSS

May 15, 2013

ALL COUNTY LETTER NO. 13-13

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD WELFARE PROGRAM MANAGERS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL FOSTER FAMILY AGENCY DIRECTORS
ALL CDSS ADOPTION DISTRICT OFFICES

SUBJECT: MONTHLY CASEWORKER VISITS WITH CHILDREN

REFERENCE: WELFARE AND INSTITUTIONS CODE SECTION 16501.1(k); SENATE BILL 703 (CHAPTER 583, STATUTES OF 2007); PUBLIC LAW (PL) 112-34 AND 109-288; ALL COUNTY INFORMATION NOTICES (ACIN) I-43-11 AND I-34-07; ALL COUNTY LETTERS 09-11, 10-19, AND 11-18; COUNTY FISCAL LETTERS 08/09-37, 10/11-04, AND 10/11-46

The purpose of this ACL is to convey changes made to the Caseworker Visit mandate with the passing of the federal Child and Family Services Improvement and Innovation Act (PL 112-34) of 2011 (provided in Attachment A). This ACL will also: 1) provide counties with updated information on the progress of the state's performance in meeting the federal caseworker visit mandate contained in the federal Child and Family Services Act (the Act) of 2006 (PL 109-288) and associated penalties; and 2) inform counties that due to the implementation of revised Division 31 regulations, Measure 2C in the California Child and Family Services Review is being replaced by Measure 2F, which is the federally mandated Monthly Caseworker Visit measure.

Background

The Act of 2006 (PL 109-288) was enacted on September 28, 2006, to require that children placed in foster care under the responsibility of the state be visited by their caseworkers each and every month and that a majority of those visits occur in the child's residence.

Since the passing of PL 109-288, some of the activities that have been completed in order to become compliant with the federal mandate include: creation of a foster family

agency placement agreement; implementation of data reporting procedures for probation officers and foster family agency social workers; and regulation changes to the Manual of Policies and Procedures (MPP) Division 31 section 31-320. These changes were made to eliminate monthly visit exceptions for applicable children and to align the purpose, frequency and location of caseworker visits with the federal requirements. The revised regulations were adopted by the California Department of Social Services (CDSS) on July 2, 2011, as notified in ACIN No. I-43-11.

State Performance Progress

The following chart shows California's performance progress since the implementation of the caseworker visits mandate, which is based on the original methodology applied in the Act of 2006 (PL 109-288).

Figure A

Description of Goals	FFY 2007	FFY 2008		FFY 2009		FFY 2010		FFY 2011	
	Baseline	Target	Performance	Target	Performance	Target	Performance	Target	Performance
Children in foster care who were visited on a monthly basis	56.7%	63%	63.2%	65%	67.4%	75%	70.7%	90%	73.8%
Visits that took place in the residence of the foster child	69.9%	51%	70.7%	51%	72%	51%	73.4%	51%	74.9%

As shown in the chart above, California has consistently met the requirement that "a majority" of visits occur in the residence of the child.

Although California has made significant progress in its goal to meet the federal monthly caseworker visit requirements of "each and every month," the state remains well below the 90 percent target. Under the Act, the state was required to ensure, by October 1, 2011, that at least 90 percent of the children in foster care were visited by their caseworkers each and every month. California met the yearly benchmarks for FFY 2008 and FFY 2009, but did not meet the FFY 2010 and FFY 2011 benchmarks.

Penalties

California received a one percent penalty for FFY 2010 and a three percent penalty for FFY 2011 that reduced the Federal Title IV-B, Subpart 1 share with a corresponding increase in the non-federal share in the subsequent FFY's. The fiscal penalties for failing to meet the minimum standards, as described above, are shown below; however, the penalties will also be applied for not meeting the standard of "at least 50%" of visits occurring in the residence of the child (see Attachment A). States failing to meet the performance requirements in any FFY will be subject to a reduction in the rate of

Federal Financial Participation (FFP) for Title IV-B, Subpart 1 with a corresponding increase in the non-federal share in the subsequent FFY. With the Child Welfare Services Realignment of 2011, these penalties may directly impact counties. Please see County Fiscal Letter No. 11/12-18 for further information on the possible fiscal impact to counties.

If the State falls short of the target percentage by:	The FFP rate reduction of title IV-B, subpart 1 will be reduced by:
Less than 10%	1%
10% or more but less than 20%	3%
20% or more	5%

Federal Reporting

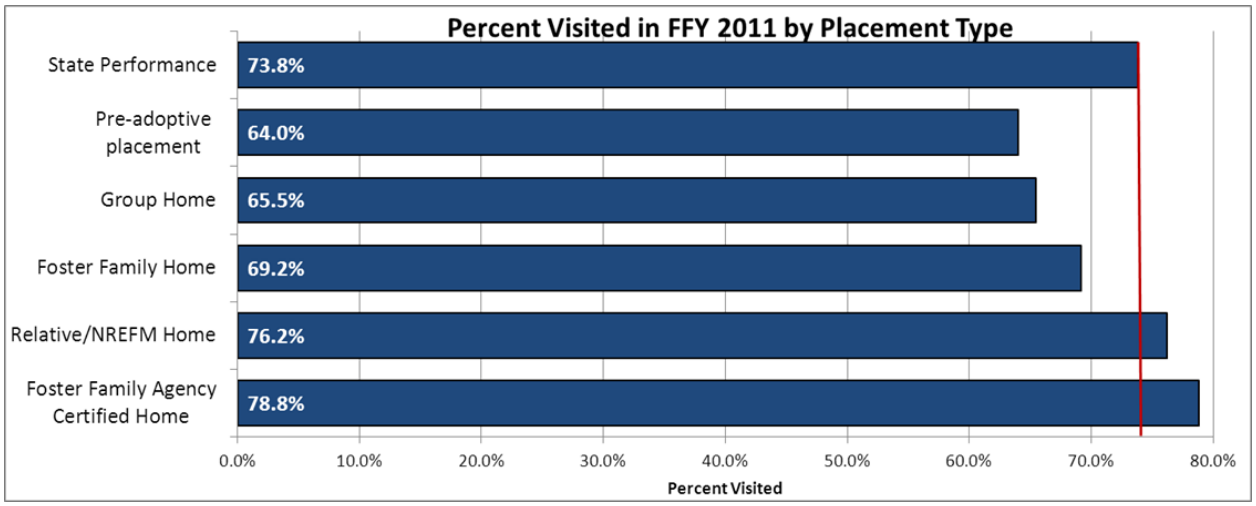
One of California's 2011 Annual Progress and Services Report goals is to have continued improvement of the state's overall performance in visiting children, including quality and frequency. Two strategies to achieve this goal include:

- Strategy One: Improve the quality of caseworker visits through improved training. The CDSS collaborated with the California Social Work Education Center as well as the Resource Center for Family-Focused Practice at the University of California, Davis to develop curriculum to train caseworkers, and probation officers on quality visits with a child in terms of observations, assessments, case planning, and caseworker decision making. Currently available is an on-line training course that can be completed at the convenience of the participant's schedule and includes a Certificate of Completion. To register for this free online course, visit: https://www.centerforhs.net/rcffp/qhv.

- Strategy Two: Examine the caseworker visits data to identify characteristics that may be associated with missed visits. The CDSS will continue to collaborate within the department and with counties through various workgroups and committees to analyze and understand the implications of the data on visits with children.

The chart on page five shows California's monthly visit performance by placement type for FFY 2011. This data shows that children in pre-adoptive homes are the least likely to be visited each and every month. To provide clarification to counties; children in trial home visits, runaways and pre-adoptive homes with open placement episodes in Child Welfare Services/Case Management System are included in the population covered under the revised MPP Division 31, section 31-320 regulations. For federal purposes, a child in placement under the supervision of the county and the jurisdiction of the court is subject to the monthly visit requirement in section 31-320. Therefore, dependent children in pre-adoptive placements must be visited on a monthly basis until the

adoption is finalized. The Adoptions Program Regulation section 35203 provides a minimum visitation requirement which is less than the monthly visitation requirement provided in MPP section 31-320 for adoption purposes only. For dependent children in pre-adoptive placements, MPP Division 31, section 31-320 takes precedence over the Adoption Program Regulations section 35203, and counties are to comply with the monthly visitation requirement.



County specific data, using the new methodology enacted in PL 112-34 (Attachment B), will be accessible in April 2013 on the Child Welfare Dynamic Report System's website at: http://cssr.berkeley.edu/ucb_childwelfare/. All counties will be notified when this data becomes available and are encouraged to review their individual caseworker visit data in order to analyze where specific improvements can be made to meet this mandate.

Data entry instructions for case worker visits can be accessed at:
http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl/2010/10-19.pdf

Phasing out Measure 2C

California's Measure 2C for visitation is often confused with Caseworker Visits with Children (PL 109-288); however, they are substantially different. Measure 2C was part of the state's quality assurance system, which was a client level analysis with a reporting period of a single month. The PL 109-288 is a federal measure with an annual calculation of monthly visits at the case level.

With regulation changes effective July 2, 2011, to the MPP Division 31 sections 31-320, it is important to note that Measure 2C is being phased out as a valid measure of performance. The new regulations eliminate previous exceptions to monthly visit requirements, which were included in the 2C outcome measure. After two quarters of test data review, as of April 2013, CDSS/University of California, Berkeley Child Welfare

Dynamic Report System website will replace Measure 2C data with a measure that conforms to federal requirements, which are now identified as Measure 2F (federal) – Timely Monthly Caseworker Out-of-Home Visits. Measure 2C will also be replaced by 2F on the Quarterly Outcome report used by each county for their California Child and Family Services Review process.

In addition, due to the importance of monthly visitation with children who have open cases and remain in their home; Measure 2S (state) – Timely Monthly Caseworker In-Home Visits is in development to provide supplemental data for the out-of-home population.

To review the Division 31 changes to caseworker visits, the following link is provided: http://www.cdss.ca.gov/ord/entres/getinfo/pdf/cws1102.pdf.

If you have any questions about this ACL, please contact the Permanency Policy Bureau at (916) 657-1858, or me at (916) 657-2614.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

Attachments

Summary of Relevant Changes Contained in the Child and Family Services Improvement and Innovation Act (PL 112-34) of 2011

The PL 112-34 was enacted on September 30, 2011, which reauthorized programs funded under the title IV-B of the Social Security Act through FFY 2016 and made revisions to the federal caseworker visit mandate, as noted below:

- The PL 112-34 changes the requirement regarding the amount of monthly visits that must occur in the residence of the child from a "majority" to "at least 50 percent." It also institutes yearly, fiscal penalties for failing to meet this standard.

- For FFYs 2012-2014, the minimum standard for monthly visits remains at 90 percent; however, for FFY 2015 and each year thereafter, under the new methodology, the caseworker visit performance standard for monthly visits will increase to 95 percent.

- The performance percentage for monthly visits is now based on the total number of visits that would occur during the fiscal year if each foster child were visited once every month while in care. This is in contrast to the previous methodology which counted each and every month, therefore one monthly visit missed resulted in 12 months missed. For further information on the revised methodology delineated in PL 112-34, please see Attachment B.

- The PL 112-34 specifies that state agencies must use monthly caseworker visit funding (which was realigned to counties as a result of Assembly Bill 118 [Chapter 40, Statutes 2011] and is described in CFL No. 11/12-18) to improve the quality of caseworker visits with an emphasis on caseworker decision making and caseworker recruitment and retention. Funding instructions were transmitted via CFL No.12/13-10.

2F METHODOLOGY 2012 01/15/13

Description

With the passage of Public Law (PL) 112-34, states must collect and report information to Children's Bureau on monthly caseworker visits. However, beginning with the submission of data for Federal Fiscal Year (FFY) 2012, states must report their information using a new data reporting methodology, consistent with the changes in the law made by PL 112-34. The Administration for Children and Families (ACF) will assess compliance based on the revised performance requirements outlined in statute (section 424(f) of the Federal Child and Family Services Improvement and Innovation Act).

This report calculates the percentage of visits made by caseworkers on a monthly basis to children in foster care. One visit is required for each eligible month in placement. Visits are not counted during the time a child is in a non-foster care period. Includes visits made by Child Welfare caseworkers and Probation officers.

Visits to be counted includes:

A. The number of children in placement;
B. The number of months of children who required a visit;
C. The number of months that a visit occurred;
D. The number of those visits that occurred in the child's place of residence;
E. The percentage Visit Months of children who required a visit; and
F. The percentage of Visit Months that occurred in the residence.

Percentage of visits made on a monthly basis by caseworkers to children in foster care:

Denominator includes:

- All children under age 18 who have been in foster care for at least one full calendar month during the FFY
- Outgoing interstate compact on the placement of children
- Trial home visits
- Runaways

Denominator excludes:

- Partial placement months
- Non-Dependent Legal Guardians
- Placement Authority not in codes: Welfare and Institutions Code sections 300's, 601 and 602
- Placement Facility Type = 5411 (Guardian Home)
- Waivers

Numerator includes:

- Number of months which required a visit in which the child was visited

Percentage of visits that occurred in the residence of the child:

Denominator includes:

- The same inclusions as the above report
- Child Welfare Services/Case Management System (CWS/CMS) visit requirements includes the following addition:
  - Location – "home" or "in placement"

Denominator excludes:

- The same exclusions as the above report

Numerator includes:

- Number of Visit Months that occurred in the child's place of residence

Visit requirements:

Method – "in person"
Child must be listed as a contact participant
Contact Party Type – "staff person/child"
Status – "completed"

Calculation of Percentages:

The ***percentage of visits made on a monthly basis by caseworkers to children in foster care*** is determined by taking the number of monthly visits made to children in the reporting population and dividing it by the number of such visits that would occur during the FFY if each such child were visited once per month while in care. The quotient is multiplied by 100 and expressed as a percentage, rounded to the nearest whole number.

The ***percentage of visits that occurred in the residence of the child*** is determined by taking the number of monthly visits made to children in the reporting population that occurred in the residence of the child and dividing it by the total number of monthly visits made to children in the reporting population. The quotient is multiplied by 100 and expressed as a percentage, rounded to the nearest whole number.

References:

- ACF Log No: ACYF-CB-PI-12-01, issued January 6,2012, on Monthly Caseworker Visits
- All County Letter (ACL) 11-18 http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl/2011/11-18.pdf
- ACL 10-19 http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl/2010/10-19.pdf

Placement data is obtained from the Adoption and Foster Care Analysis Reporting System population and visit contacts from Child Welfare Services/Case Management System.