

# crb network news

august 2015

newsletter of the citizen review board



## Bill ensures most beneficial living situations for youth are considered in Oregon adoption cases

*Senate Bill 741 – A bill developed to ensure that decisions regarding adoption are in the best interest of the child.*

*Senate Bill 741 Directs the Department of Human Services to adopt administrative rules for home studies and placement reports in adoption proceedings that require that equal consideration be given to relatives and current caretakers as prospective adoptive parents, and that greater consideration be given to relatives and current caretakers as compared to other persons who*

*are not relatives or current caretakers.*

*Senate Measure Committee*

SB 741 passed – with unanimous votes – by the Oregon Senate and House during the 2015 legislative session. It became law on July 28.

The bill was spearheaded by Sen. Chip Shields and State Rep. Duane Stark; both have had personal experiences as foster parents. An “adoption decision should be based on what’s best for the child,” Shields said.

*See “SB 741,” p. 3*

## Flexible foster care funding the goal of federal proposal

[STORY FROM YOUTHTODAY.ORG](http://YOUTHTODAY.ORG)

WASHINGTON — When states spend federal child welfare money, the funding rules mean most of the money goes to foster care services.

But many government officials and children’s advocates say the money could be better spent on services that help a family stay together without the need for a foster placement.

Sen. Ron Wyden of Oregon, the top Democrat on the Senate Finance Committee, [introduced legislation](#) earlier in August that would give states flexibility in how they use child welfare funding.

The Family Stability and Kinship Care Act would change how states can use money provided under Title IV-E of the Social Security Act. States would be able to pay for services such as family skills training or counseling, or concrete goods and services such as a washer or dryer that could help a child stay at home, return home or live with

*See “proposal,” p. 6*

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# Many lessons from first year of state foster care ombudsman program

*Oregon's Foster Care Ombudsman, Darin Mancuso, reflects on the successes and challenges from the program's inaugural year — as well as his hopes for those to come.*

Oh, what a year it has been!

I last talked to my Citizen Review Board community partners on July 29, 2014 at a meeting in West Salem. At that time, I had a sliver of child welfare-system knowledge – and even less awareness of what was to come. After 62 presentations across the state, more than 130 complaints received, and multitudes of interactions with foster children, DHS staff and community partners, some important lessons have been learned.

## **Lesson 1: A successful roll-out of the Bill of Rights requires strategy.**

During trainings, DHS staff were routinely asked if they were aware of the “Rights of Children” policy that has been in existence for years. Consistently, less than 5% of staff raised their hand all over Oregon.

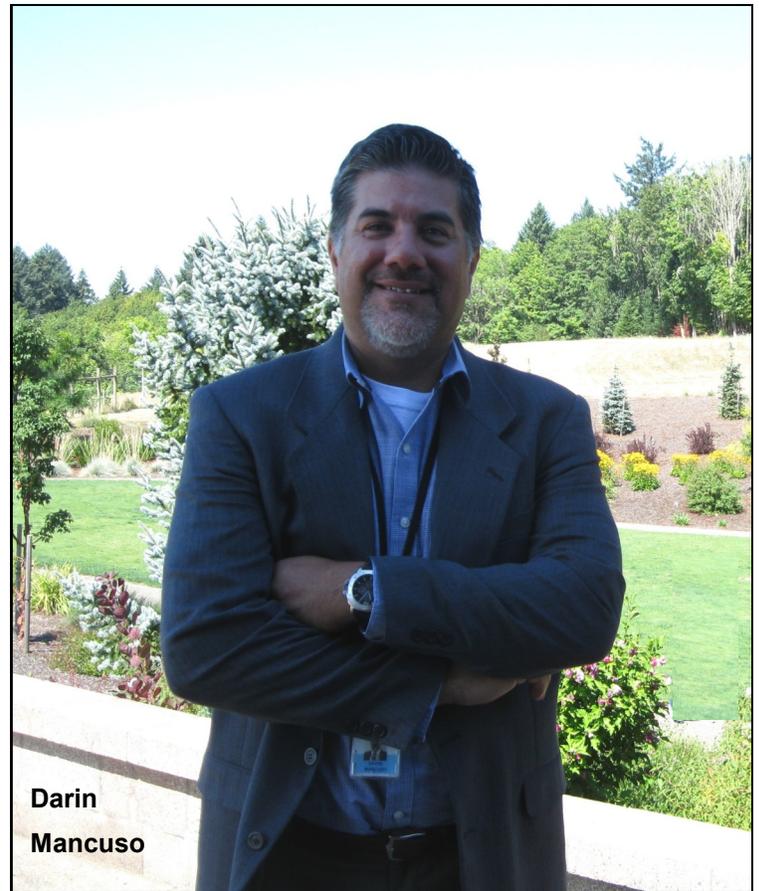
If rights are not known, it is the same as if you have no rights at all, per a former foster child. ORS 418.200-202 is the statute that pertains to the Bill of Rights. As a community partner, I am hoping that all of you are aware that *“all foster children are to receive a copy of the Bill of Rights and have it explained to them by DHS in an age and developmentally appropriate manner within 60 days of the date of their placement or any change in placement.”*

In addition, the Bill of Rights is required to be posted in every foster home and facility. You can help ensure children are aware of these rights by asking caseworkers, children and foster parents whether these requirements have been met.

## **Lesson 2: Change is hard.**

While you and I have likely witnessed many changes over the years in the social service arena, you know that large organizational changes present a greater struggle. Some people embrace and see value in change; others see an opportunity to explore new modalities, re-tool, or streamline practices. Still, others fear or reject any kind of change. It is said that if we are asking the children and families we work with to change, we should be open to the concept, as well.

But change can be hard when it challenges our current



Darin  
Mancuso

perspectives or seems too difficult, impractical or cumbersome to an already weighted process. As adults, we must look at our own perception of change and assess our motivation for resistance utilizing intrapersonal critical thinking.

## **Lesson 3: Critical thinking is a necessity.**

“Critical thinking is the identification and evaluation of evidence to guide decision making. A critical thinker uses broad, in-depth analysis of evidence to make decisions and communicate his/her beliefs clearly and accurately,” according to The Critical Thinking Co. After receiving 130 complaints during the past year, I must say that my critical thinking skills have been challenged.

However, I continually find myself using them to decipher and triage complaints from all aspects. Many complaints that come to my attention are complex and involve situations where the complainant may have an ulterior motive, personal agenda, or malicious intent.

Often there is a multitude of rabbit trails that may or may not lead to the rabbit, but all take time to explore. Sometimes it would be easy to excuse the trail or dismiss the need to explore it thoroughly, but the role of an Ombudsman regarding child safety is not supposed to be

See “Ombudsman,” p. 4

# SB 741: Allows DHS to determine all possible options to meet child's needs

*Continued from p. 1*

Under current DHS policy, relatives are given preference over a foster family for a child – even if a child has been placed with the foster family most of their lives.

"Current caretaker," as defined in DHS policy, means a foster parent who: is currently caring for a child in the legal custody of the department who has a permanency plan or concurrent permanent plan of adoption; has cared for the child or at least one sibling in a sibling group under consideration for at least the past 12 consecutive months; and has been identified by the department as a potential adoptive resource for the child and, when appropriate, the siblings in a sibling group under consideration for adoption in the same adoptive family.

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The passage of SB 741 ensures that permanency decisions are based on the needs of each child, and not under the presumption that, in all cases, children are best placed with a relative. Children placed in foster care often develop vital attachments to their foster families. In these cases, decisions to remove children from who are often the only "parents" they have ever known in order to place with relatives whom the child may not have an attachment to should involve careful consideration by DHS. This bill allows DHS to determine all of the possible options to meet a child's need for permanency and then choose the best one.

CRB volunteers and field managers have reviewed cases that fit into the scope of this new law. I recently had a case involving a child who was placed with a foster family at the time of their birth. The child remained in the care of the foster family for more than 18 months before a relative was identified by the per-

manency caseworker as a permanent placement. The relatives resided out of state and did not have a relationship at all with the child. DHS was going to place the child with this relative pending an Interstate Compact on the Placement of Children (ICPC) home study. The ICPC home study has since been delayed, and this child still remains in the care of the foster parents after 24 months with no resolution. The foster parents are the only parents this child knows; a disruption from this home could be devastating to this child. Fortunately, SB 741 now allows DHS to consider the relatives and the foster parents to determine who would be the best permanent resource for the child.



**Tina  
Qualls**

**CRB  
Field Manager**

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"I am not saying a foster parent should have preference over relatives, just get equal consideration as a viable option," Stark said.

As a CRB volunteer, you can ensure during each review that you are determining what efforts DHS is making toward relative identification and placement. It is important that DHS is identifying relatives early in a case and engaging them as soon as possible. The CRB makes finding number 2 in every review for a child: "DHS has made diligent efforts to place the child with a relative or a person who has a caregiver relationship."

What to consider when you are making the finding:

- \* Is the child placed with a relative? If so, when?
- \* Determine the status and extent of the relative (maternal and paternal) search?
- \* Did the agency try to place the child with a sibling(s)?
- \* Did the agency try to place the child(ren) with a person who has a caregiver relationship?
- \* Clarify reasons why a child is not placed with a relative or a caregiver.
- \* What efforts has DHS made to identify and locate relatives, including those living out of state?
- \* What efforts has DHS made to identify cultural and tribal leaders to assist in the search for relatives, including persons with a caregiver relationship?

# Ombudsman: “Leave no stone unturned, verify information.”

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easy. If you were to come to my office, you would find newspaper articles about where the system failed foster children in one way or another.

I have them front and center as a reminder – to ask questions, leave no stone unturned, verify information received, seek corroborative information, question multiple parties who do not have a vested interest, and when pushed away, lean in. My most recent quarterly report indicates that 23% of my complaints come from family members, 42% from foster parents, 20% by foster children, and 15% from various community advocates.

## **Lesson 4: It takes a village to raise a child.**

With more than 8,000 children in foster care on any given day in Oregon, it is imperative that we, as a village, take the time to make sure our children have a venue and are listened to.

By law, foster children must be provided with written contact information for specific individuals who the child may contact regarding complaints. They must also be provided with contact information for the caseworker; caseworker’s supervisor; attorney; foster youth advocates and supporters; CASA; CRB and employees at DHS who provide certification of foster parents; child-caring agencies; and independent resident facilities.

DHS- Central Office has created an “Important Contact Information” form that is being distributed to foster children all over the State with this critical information listed. Are you also aware that foster children are to be notified and transported to court hearings and reviews by local CRBs, taking into account the age and developmental stage of the child?

- \* **What is an appropriate age or developmental stage in order to attend?**
- \* **Who makes that decision?**
- \* **What is the nature of the hearing or review? Can the child be excused for portions?**
- \* **Who decides if it is appropriate?**
- \* **Who makes that decision currently in your area?**
- \* **Is that working appropriately? How do you know? You only see what you are shown.**

What age would you allow your child to attend a meeting where people are reviewing his/her case and may have questions about his/her safety and well-being?

Let’s keep an eye on this and see if there are any changes in the next year or so.

## **Lesson 5: Aging out of foster care can be a challenge; Aging out of foster care ill-prepared for adulthood, with minimal resources is a travesty.**

We have all seen the statistics of foster children who age out of the system, and how one in four experience homeless, early teenage pregnancy, high rates of criminal justice involvement, substance abuse and mental health issues. Many of us had struggled when we left the nest as a young person. Some of us may have lost a job, made purchases on credit with no way to pay for them, suffered a medical emergency with no means to pay for care, or came up short for rent.

Most of us had a safety net to rely on, whether it was mom or dad, or perhaps even another relative or friend of the family.

Many aged-out foster youth have no one, and no safety net to catch them when they are in need.

It is critical that we make sure that they have all of the tools and resources available when they leave their home. Because this need is so prevalent, it is included in ORS 418.200 and became effective January 1, 2014.

***When a foster child is age 14 years of age or older, they are to be provided with written information within 60 days of the date of placement or any change in placement regarding:***

- \* ***How to establish a bank account.***
- \* ***How to acquire a driver’s license.***
- \* ***How to remain in foster care after the age of 18.***
- \* ***The availability of tuition and fee waiver under ORS 351.293.***
- \* ***How to obtain a copy of the credit report.***
- \* ***How to obtain medical, dental, vision and mental health services or other treatment services available without parental consent.***
- \* ***A transition toolkit, including a comprehensive transition plan.***

What does the next year have in store? At this point, the focus has been on building the infrastructure and mechanism for a foster child’s voice to be heard. In the coming year, the focus will be letting the foster children know that they have a voice. This summer, training will be happening all over the state with foster children about their Bill of Rights. I never know how many complaints may come my way, but I do know that each complaint is an opportunity for new lessons to be learned.

# In the news

## THE NORTHWEST

◆ That adage is it takes a village to raise a child. Two organizations in Portland are practicing that philosophy in the form of multigenerational foster care. That's the focus of a story recently published in *The Oregonian* newspaper.

Amanda Midland and her fiancé, Sal Rico-Martin, are certified foster parents. So is Amanda's mother, Susan Midland, who lives in the same home with the couple in Southeast Portland.

The trio has been experimenting since last fall with multigenerational foster care, taking in teenage boys who are either in state custody or in the juvenile justice system on behalf of Boys & Girls Aid, a Portland-based foster care and adoption agency.

Across town, Bridge Meadows, a community of nine families and 30 elders in North Portland is taking a similar foster care approach. Each family adopts at least three children, while elders lead

everyday activities for the youth, walk them to school, and listen to their cares and concerns.

The two efforts aim to provide foster children with the same benefits: broadening their access to adult mentors and role models, and making it easier for them to achieve stability and normalcy.

According to state figures, Oregon had 4,006 certified foster homes as of 9/30/14. Most were two-person households, though the state doesn't record the relationship between foster parents.

To read the entire story, click [HERE](#).

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◆ The late Louise Jones-McKinney was well known in the Seattle area as an educator, philanthropist, businesswoman and civil rights advocate.

Though she passed away in 2012, she's still serving as "a grandmother of sorts to countless foster children," according to a story recently aired by **KING 5 news** in Seattle.

The Amara Emergency Foster Care Shelter, a project Jones-McKinney was involved in, was recently named in her honor. The program's Beacon Hill facility, which provides temporary shelter for children in dangerous circumstances, was named in July Grandese's Place.

"Grandese" -- a combination of Grandma and Louise -- is the nickname given to Jones-McKinney by grandson.

The shelter program was launched in December and has already served more than 100 children entering foster care from the region. Each year, more than 700 youths in King County are removed from their home by Child Protective Services.

"Louise was always pushing us to do more for the children we serve," said John Morse, Amara's executive director. "Grandese's place is a sanctuary for children to feel safe, to be cared for, and to be just kids for a time."

To read the entire story, click [HERE](#). To learn more about Amara, click [HERE](#).

## THE NATION

◆ On July 24, U.S. Senator Bob Casey of Pennsylvania introduced legislation he said would fix a loophole in the current healthcare system that could kick former foster youth off Medicaid if they relocate to a different state.

The Health Insurance for Former Foster Youth Act would extend Medicaid coverage to age 26 for all former foster youth who were in foster care on their 18<sup>th</sup> birthday and were already enrolled in Medicaid – no matter what state they live in.

Congress intended to provide this coverage through the Affordable Care Act, to create parity between these individuals and young adults who can stay on their parent's health insurance until age 26. A provision of the ACA, however, leaves some youth out if they move to another state.

A former foster youth's ability to access healthcare coverage shouldn't depend on their zip code," Casey said in a press release. "This is a common-sense fix so that former foster youth have the same ability to access health coverage as other young Americans." To read more, click [HERE](#).

## THE WORLD

◆ New legislation in Ireland that would give stronger rights to adopted people has been hailed in that country as "historic," according to a story on Ireland's [thejournal.ie](#) website.

Published in July, the bill aims to give adopted people the statutory right to information about their birth, provided they agree not to attempt to contact them. The language was contained in the Adoption Information and Tracing bill and allows those who were adopted to obtain information needed to apply for a birth certificate.

They will also be able to access certain medical history details with the consent of their birth parent, and will be able to apply for a copy of their adoption order.

In announcing the bill, the Irish Minister for Children and Youth Affairs James Reilly said that the government faced a challenge in balancing "an adopted person's request for information about his or her identity with the right to privacy of his or her birth parent."

The law will be delayed for a year for an awareness campaign. To read the whole story, click [HERE](#).

# Proposal: “What this is about is creating many good choices.”

*Continued from p. 1*

relatives.

More than [400,000 children](#) were in foster care in the United States, according to 2013 data from the [Children’s Bureau of the federal Health and Human Services Department](#).

Wyden said the bill is not a condemnation of foster care, which serves many children well.

“What this is all about is creating as many good choices as we possibly can for youngsters to grow up in a safe, healthy environment. That means keeping families together,” he said.

MaryLee Allen, policy director at the Children’s Defense Fund, said advocates have been pushing for years for changes to child welfare funding that would prioritize keeping families together.

“It’s a long-overdue step in making investments in services that can help children stay at home,” she said.

Allen said the bill’s attention to the needs of a child and family before, during or after a foster care placement is important.

“It really looks at the system the whole way through,” she said.

The bill also would increase funding for community-based prevention and intervention services by \$470 million per year through the Promoting Safe and Stable Families program. The bill would provide \$1 billion in mandatory funding through the program.

John Sciamanna, a government affairs specialist for the Child Welfare League of America, said the increased funding is significant.

“We think that’s a critical component. A lot of proposals have talked about shuffling existing money,” he said.

Wyden’s bill was introduced with the support of seven co-sponsors from the committee, all Democrats.

Senate Finance Chairman Orrin Hatch (R-Utah) said that he hopes the committee will consider the bill and any amendments to it in the fall.

Hatch wants to curb the use of foster care group homes. Policies that keep more families together would help do so, he said.

“It is not sound public policy to work to reduce the reliance on group homes without addressing the need to support a family placement for children and youth currently in or at risk of entering one of these facilities,” he said.

More than 60 organizations have said they support Wyden’s bill, including the American Academy of Pediatrics and the National Association of Public Child Welfare Administrators, according to committee staff.

Rep. Lloyd Doggett (D-Texas) is expected to introduce companion legislation in the House soon.

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## New CRB Volunteers!

### CLACKAMAS COUNTY

Kelly Wigmore

### CLATSOP COUNTY

Meghan McKeown

### COOS COUNTY

Jeri Mustain

### JACKSON COUNTY

Joan Rycraft

### LANE COUNTY

Katherine Blaser

Tracey Larson

Donna Nagy

David Scott

### MULTNOMAH COUNTY

Ahoefa Ananouko

### TILLAMOOK COUNTY

Jane Spence

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