

## Meeting Summary

Following is a summary of issues discussed at the DHR Stat on October 7, 2011. Analysis is provided by StateStat and the Governor's Delivery Unit (GDU).

### Follow-Up

- **Howard County DSS/Elijah LaJeuness.** A recent article from Columbia Patch news services (excerpt below) discusses the death of Elijah LaJeuness; a child under the care of Howard County DSS, who had contact with his "alleged maltreater" a month before his death. No charges have been filed in reference to the homicide but investigations by Patch indicate that several individuals identified various injuries to the child in the year leading up to his death.

In their follow-up, DHR reports that the finding of indicated child abuse was overruled; hence limiting its authority in mandating or limiting visitation. There was not a discussion outside of the court hearing on this specific case; however as part of DHR's practice in reviewing fatalities, the department recognizes that it could have appealed the administrative law judge's decision but according to their attorney, would have been unfruitful.

### Child Support Enforcement Administration Audit

- On September 1, 2011, an OLA audit of DHR's Child Support Enforcement Agency (CSEA) was released and it encompasses the period beginning September 1, 2007 and ending October 20, 2010. The audit contains eleven findings with five being repeated findings. Listed below are the OLAs findings:

Finding 1:	CSEA did not utilize wage withholding orders to the fullest extent possible
Finding 2:	Occupational license suspensions were not effectively used as an enforcement tool (Repeat)
Finding 3:	Bank account seizures were not effectively used as a collection tool
Finding 4:	CSEA did not ensure two large local offices investigated and resolved inaccurate Social Security numbers of noncustodial parents in the automated child support system
Finding 5:	Driver's license suspension referrals rejected by the Motor Vehicle Administration were not adequately reviewed and processed (Repeat)
Finding 6:	CSEA did not establish procedures to intercept payments from the Comptroller of Maryland to state vendors who were child support obligors, as allowed by state law
Finding 7:	CSEA did not take sufficient actions to ensure that the Baltimore City contractor was in compliance with contract requirements (Repeat)
Finding 8:	CSEA did not ensure that a local office performed adequate and timely reviews of delinquent accounts (Repeat)
Finding 9:	Sufficient procedures were not established to identify payments issued to deceased custodial parents
Finding 10:	CSEA did not adequately verify billings for services provided by local government agencies
Finding 11:	CSEA did not establish adequate access controls in the automated child support enforcement system (Repeat)

It should be noted that potential federal sanctions totaling approximately \$2 million are under consideration against CSEA by the US Department of Health and Human Services (HHS) for CSEA's failure to achieve desired results for FY09. CSEA is required to establish paternity for 90 percent of their caseload but for FY09, they established 87 percent. By law, however, HHS cannot assess this penalty if CSEA was able to increase their performance by 2 percentage points over their previous year's performance. As of the release of the audit, the OLA was not sure if a finalized FY10 total had been released by CSEA.

Overall DHR reported that there has been a reduction in problems compared to previous audits, the economy is affecting the achievement of results, and that wage withholding and license suspensions are difficult to implement. At the meeting, DHR was asked to provide a timeline for fixes to all 11 findings.

StateStat data indicated that, as of July 2011, there were 247,175 active enforcement cases in Maryland, with \$52 million owed in current support and over \$33 million collected towards current support owed. Furthermore, over \$1.7 billion is owed in arrears, of which only \$9 million (0.5 percent) was collected (as indicated in the chart below). The audit findings are as follows:

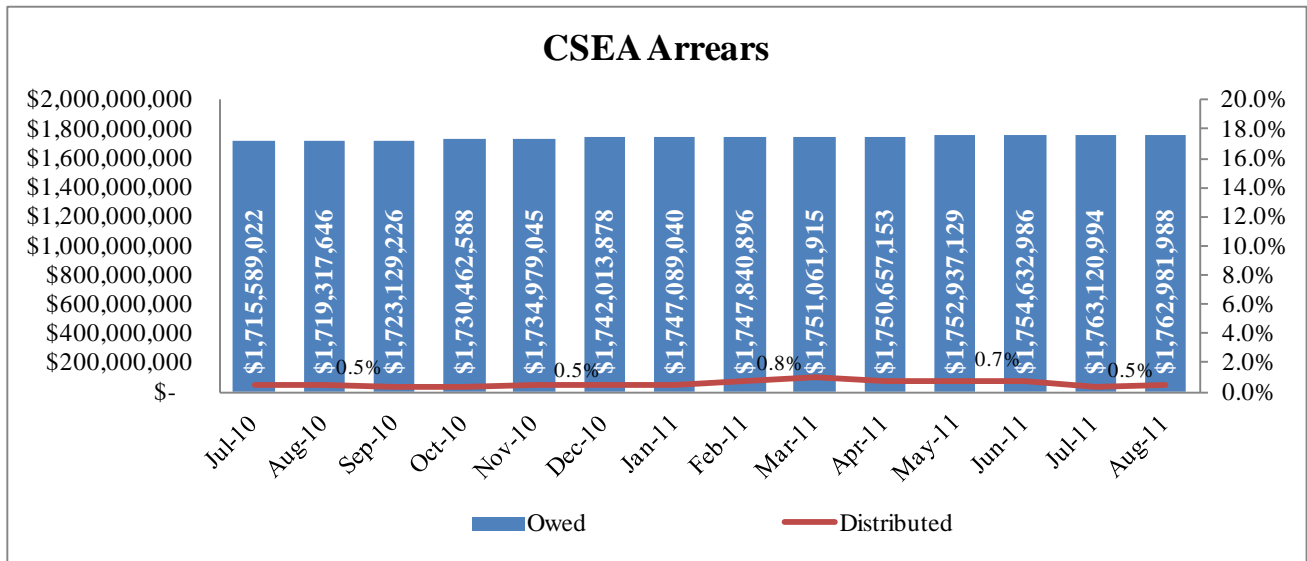
- **Finding 1:** The OLA claims that CSEA did not utilize wage withholding to the fullest extent possible. The OLA matched CSEA files with DLLR files to test whether or not wages were being garnished properly and in a sample where 22 cases were pulled from 8,763 cases, 12 of the cases did not have proper wage withholding efforts. **OLA Recommendations:** CSEA was recommended to monitor office efforts more closely as well as working with a vendor and DLLR to identify non-compliant employers. **DHR Response:** CSEA agrees with the OLA recommendations and they have begun to work with management teams to take immediate corrective actions. DHR reports that case sorting and prioritizing is currently underway.
  
- **Finding 2:** State law calls for CSEA to suspend occupational licenses for non-custodial parents who are more than 120 days delinquent on child support payments. The OLA reports that CSEA reported only five individuals whose licenses were referred for suspension as well as not obtaining licensing data from eight of the fifteen licensing authorities in the state. **OLA Recommendation:** That CSEA obtain complete licensing data, match licensee and obligor data more thoroughly, prioritize matches, and properly document the whole matching process. **DHR Response:** CSEA has agreed to continue working closely with other state agencies to exchange data and they are currently working on an automated system that should be complete by May of 2012. Unresponsive agencies will be reported to the Governor's Office. In addition, the University Of Maryland School Of Social Work is helping DHR to gather data which will be shared at the next Stat meeting along with DLLR and DNR.
  
- **Finding 3:** The OLA reports that CSEA did not properly use the seizure of bank account funds as a method of collection. The OLA highlights that CSEA uses bank account garnishment on savings accounts although State law allows for checking account garnishment. **OLA Recommendations:** The OLA recommended that CSEA enhance its

seizing process and modify their procedures to include accounts that are delinquent for \$500 or more as well as including checking accounts as a collection option. **DHR Response:** CSEA agreed with this finding and they will be lowering the garnishment threshold as well as including checking accounts as a garnishment option starting in December. DHR has stated that they will be cautious in implementing this practice as to not completely wipe checking accounts.

- **Finding 5:** The OLA report states that CSEA did not properly review and process driver's license suspension referrals that were rejected by the Motor Vehicle Administration (MVA). The OLA did a test of 20 rejected referrals and they stated that 18 were not properly reviewed. A proper review could call for the suspension and/or reinstatement of a license depending if the obligor was on time with child support payments. **OLA Recommendations:** That CSEA conduct proper follow-ups with the MVA on rejected cases. **DHR Response:** CSEA agreed and they will try to ensure follow-ups as well as provide statewide instruction to staff on license suspension criteria which will require significant retraining.
- **Finding 6:** The OLA reports that CSEA did not establish procedures to intercept child support payments from the Comptroller's office to State vendors who were child support obligors. State law permits CSEA to refer child support obligors with payment balances over \$150 or more to the Comptroller for intercept of these payments. CSEA stated that they would have to hire one employee to oversee this project. **OLA Recommendations:** That CSEA establish procedures so the payments can be intercepted. **DHR Response:** CSEA stated that they agree with this finding and that since technology has improved, they hope to implement a Vendor Offset program with the Comptroller's Office (set to be completed by May 2012). Until the completion date, not much can be done to correct this issue.
- **Finding 7:** The OLA reports that CSEA did not take sufficient actions to make sure that the contractor that handled child support activities in Baltimore city complied with contract requirements. The contractor was required to create a corrective action plan for noncompliant cases and CSEA did not ensure that a plan was created. **OLA Recommendations:** That CSEA determine the reasons for the contractor's noncompliance with contract performance requirements and to ensure that cases deemed non-compliant are corrected by CSEA. **DHR Response:** CSEA will meet with the contractor to discuss a corrective action plan and they will be more urgent with case corrections. DHR will report the outcome of the meeting at the next stat meeting.
- **Finding 8:** The OLA reports that CSEA did not ensure that a specific child support office performed sufficient and timely reviews of delinquent accounts. The OLA performed case reviews and their findings showed that in 2009, the office in question had only reviewed 27 percent of their cases properly. Delays in performance checks accounted for severe delays in processing. Also, the OLA indicates that this office was not doing supervisory performance evaluations of employees' follow-up activities as often as needed. **OLA Recommendations:** That the caseworkers review the cases identified in the OLA report on a monthly basis and

perform follow-ups every 30 days. The OLA also recommended that supervisors review 5 percent of each caseworker's total cases in a timely manner. **DHR Response:** CSEA agreed with these findings and agreed to modify their delinquency reports to make sure timeframes are identified and also performance evaluations will take place regularly beginning in January 2012.

- **Finding 9:** The OLA reports that sufficient procedures were not established by CSEA to identify payments made to deceased custodial parents. According to the audit, CSEA matches death records with DHMH but this procedure does not take into account if someone has changed their name and matches do not indicate those who have passed outside of Maryland. **OLA Recommendations:** That CSEA match records based on Social Security numbers, investigate previous payments already made to deceased individuals, and confer with the OAG to determine actions that can be taken against those who have cashed checks on behalf of the deceased. **DHR Response:** CSEA agreed with this finding and indicated that they will do monthly matches. They will also investigate actions to take in order to recoup lost monies as well as any other actions needed that are recommended by the OAG.
- **Finding 10:** The OLA reports that CSEA did not properly verify billings for services provided by local government agencies. OLA tests showed that CSEA contract monitors did not verify that the rates charged by local government agencies were consistent with the agreed upon rates. However, it does not seem that CSEA overpaid in any circumstances. **OLA Recommendations:** That CSEA verify charged rates and obtain invoices for review. **DHR Response:** CSEA agreed to verify all of the proper documentation.
- **Finding 11:** The OLA reports that CSEA did not establish controls on CSES to prevent or detect unauthorized data changes in their system. As of July 2011, 1,048 employees have access to the CSEA database and according to a review by the OLA; at least 44 employees had unnecessary access. Also, five employees had access to cash receipts which can allow for misappropriations. **OLA Recommendations:** That CSEA use available security features to ensure that certain employees do not have unauthorized access to critical data. **DHR Response:** Employees with unauthorized access will no longer have access and CSEA will develop a more comprehensive policy to ensure compliance. Internal audit findings will be shared at next meeting.



**Social Services Administration (SSA)**

- Prince George’s County.** Based upon discussions about PlaceMatters at previous Stat meetings, there has been a concern about low permanency rates in Prince George’s County; as well as concerns, based on low result rates, about the type of work that is being done at the DSS level in Prince George’s County Social Services Administration overall. DHR stated at the stat meeting that they are working on several best practice strategies in Prince George’s County and they will be providing updates as practices are implemented. A few include:

  - Screen shots will be used to document case visitation
  - Leave must be approved by higher level staff.

On the positive side, as of September 30<sup>th</sup>, CPS investigations that are open under 60 days rose to 93 percent statewide, up from 71% in June. Prince George’s County has risen to 91 percent, up from 51 percent in June.

	Apr-11	May-11	Jun-11
<b>Percent Open under 60 Days</b>			
Prince George's	55%	50%	51%
Statewide	73%	69%	71%
<b>Monthly Caseworker Visitation*</b>			
Prince George's	24%	27%	32%
Statewide	74%	78%	82%
<b>Number of Finalized Adoptions</b>			
Prince George's	0	0	0
Statewide	54	52	76
<b>Statewide AVG Caseload Volume (Out-of-Home Placements)</b>			
Prince George's	16.1	16.0	16.0
Statewide	11.6	11.5	11.5
* This rate is being calculated differently at this time so both numbers are actually higher through July			

Due to the fact that Prince George's County has had low permanency rates in comparison to other jurisdictions, DHR was also asked to provide a breakdown of children who have a permanency plan of TPR (Termination of Parental Rights)/Adoption in Prince George's County.

DHR reports that as of June 30, 2011, 44 children had a plan of adoption and TPR had been granted on 20 of those children. As of August 31, 2011, 53 children have a plan of adoption and TPR has been granted on 26 of these children. Five (19 percent) of the 26 cases with TPR are currently under appeal. The age breakdown of the 26 children with TPR is as follows:

<i>Age</i>	<i>#</i>
<i>1-4</i>	<i>7</i>
<i>5-9</i>	<i>5</i>
<i>10-17</i>	<i>13</i>
<i>18</i>	<i>1</i>
	<i>26</i>

Other factors regarding these 26 children:

- TPR granted less than four months: 6 (23 percent)
- Children with Adoptive resources: 14 (54 percent)
- Finalization anticipated in next three months: 7 (this is of the 14 that are currently in adoptive resource homes, 27 percent)
- Anticipated Additional Adoptions Achieved by the end of FY12: 12

As for recruitment strategies for children with a plan of adoption, DHR will do the following:

- Each Adoption case is being staffed by the Assistant Director and Director along with the Bureau Chief, supervisor and worker to determine the strategies to overcome core issues and barriers to adoption (Target date: October 2011).

- Following the staffing, monthly meetings will be held with the adoptive resource family, PGCDSS staff, and the Office of Law to determine progress toward adoption, resource needs, barriers and possible placement change (Target date: October –ongoing).
  - Cases are being discussed at the Model Court level for feedback, intervention and support (Target date: September-ongoing).
  - DHR is exploring what has worked in other jurisdictions, both within and out-of-state to move children towards permanency and looking at adapting those practices (Target date: September-ongoing).
  - DHR is partnering with Wednesday's Child and AdoptUsKids to market children who do not have placement resources to out-of-state resources.
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- **St. Mary's County.** As a follow-up item, DHR was asked about whether the SSA offices in St. Mary's County are understaffed, based on their poor permanency numbers. DHR reports that according to their records, based on the caseload St. Mary's County needs 25 case workers and the current staffing number is 25. At the state meeting, DHR reported that as of September 30<sup>th</sup>, 99 percent of cases are open under 60 days, up from 55 percent in June.