

Public Private Partnership Meeting

January 13, 2017

Attendees

- **PPP members:** Zophelia Conley (Youth Representative), Judge F. Scott McCown (UT Law CRC), Jean Shaw (CCL Associate Commissioner), Christine Gendron (TNOYS), Camille Gilliam (CPS Director of Permanency), Kristene Blackstone, (CPS Associate Commissioner/Co-Chair), Scott Lundy (Arrow), Tina Amberboy (SCCC), Hank Whitman (DFPS Commissioner), Wayne Carson (ACH Child & Family Services), Trevor Woodruff (DFPS Deputy Commissioner), Dr. Kurt Senske (Upbring), Katie Olse (TX Alliance), Michael Redden (New Horizons/Co-Chair), Judge DeGerolami (CPC of South Central TX), Andy Homer (TX CASA), Glenn Scruggs (Giocosa)
- **Other Attendees:** Gretchen Fehrm (CPS), Shawn Wilson (CK Family Services), Cyndi Reed (CPS), Frianita Wilson (CPS), Renee Price (DePelchin), Ellen Letts (CPS), Claire Hall (CPS), Leonard Krugel (CPS), Linda Garcia (Our Community. Our Kids), Marni Morgan (AWFOSTER CARE), Brandon Logan (TX Policy), Alisa De Luna (CASA of Travis County), Alyssa Jones (TX Senate), Nancy Holman (TX Alliance), Jim Hine (PPS), Jordan McGee (DFPS), Jessica Follett (MWC), Kim Wittenstrom (CPS)
- **PPP Members Not in Attendance:** Tim Brown (Methodist Children's Home), Robert Ellis (Pegasus), Luanne Southern (Casey Family Programs), Judge Rob Hofman, Adrian Gaspar (Youth Representative), Roy Block (Texas Foster Family Association), Jenifer Jarriel (DePelchin), Sharayah Stiggers (Parent Advocate)

Welcome & Introductions

Announcements:

- Camille Gilliam (CPS Director of Permanency) will be retiring from DFPS.
- Some members are absent today due to conflicts, illness or injury.
- Al Velarde has accepted a new position as the new Executive Director for El Paso Del Norte Children's Development Center, and has resigned as a PPP member.
- Pat Devin and Sarah Webster (Foster Care Redesign Consultants) have both retired after 40 years of service.
- Celebrating 7 years of Foster Care Redesign (FCR) work.
- Next PPP falls on Good Friday in April. Group consensus is April 7th will be next PPP meeting.

PPP By-laws Update:

- TAC rules state that Advisory Committees can only have 1 presiding officer, which is not consistent with the PPP model (currently have 2 co-chairs of PPP). Seeking additional guidance from DFPS and HHSC legal related to this issue.
- Will present and adopt by-laws at next PPP meeting in April.

Senate Bill 11 – Case Management:

- FCR model (as currently laid out) explained to members, including what services DFPS purchases from SSCC
 - Case management currently encompasses a great amount of tasks/responsibilities (*handout* passed out at meeting to what tasks are included in current FCR model and what tasks are not)

- Case management is not defined in SB 11
 - o If “full case management” is given to SSCC:
 - DFPS will lose authority over establishing permanency for the child; especially when the court names DFPS conservator over the child
 - How do you balance giving the SSCC more influence over permanency (with all financial liability) if CPS still has ultimate authority
 - Is there a conflict of interest of a SSCC when it comes to establishing permanency?
 - Does there need to be a public CPS caseworker to oversee permanency for the child? – this may look differently than what a caseworker looks like now
 - May want to move some additional work that a CPS caseworker does now to SSCC
 - This approach may cost more
 - Will the SSCC be the final authority when making decisions on behalf of the child?
 - Who will providers get emergency notices from?
 - Conflicts of interest exist now – may be able to build in performance measures to combat conflicts of interest
 - How does this coincide with Children’s Rights lawsuit?
 - How do you hold a SSCC accountable at the same level as DFPS?
 - Will more conflicts arise between SSCC and DFPS? Who will mediate these conflicts? Judges?
 - Currently providers have influence over short term outcomes for children, but don’t have any significance influence over long term outcomes for children.
 - Who is ultimately responsible for the permanency for children? How does this play out in court?
 - Potentially could get into constitutional issues if “full case management” is given to SSCC
 - Can terminations be carved out of SSCC contract to be a state responsibility?
 - Can there be a legal case manager (DFPS) & a foster care manager (SSCC)?
 - If SSCC takes “full case management” responsibility, who represents the SSCC in court? Couldn’t the county attorneys represent the SSCC?
 - Attorney representation for kids and parents is fairly weak across the state
 - o What are the key activities that the PPP can’t agree on related to moving case management activities to SSCC?
 - Is there any public control over placement decisions, permanency plans and treatment plans? How much & how do you manifest public control over these activities?
 - Does private provider (SSCC) take over all placement decisions, permanency and treatment plans, with representation in court by community attorneys?
 - Or does public provider (CPS) have some role/control in these areas? Possibly a logistical role related to legal activities?
 - Whoever serves the child and works with the family should be who represents the case in court.
 - Is it possible that case management related to court duties may look different in different catchment areas? Core elements of court duties should be the same in each FCR catchment area.

Performance Measures for Residential Child Care Contracts - Update (Frianita Wilson):

- *Handout* provided (draft performance measures)
- FY 18 moving to performance based contracts
- Measure based on each individual contract

- Self-reported measures may not be reliable vs data driven measures, but how do you measure items like Normalcy?
- Some STAR Health providers may not be TX Health Steps providers as the certification for each type of provider is different
 - o Measure needs to ensure TX Health Steps providers are geographically close to children across the state (if no TX Health Steps providers available within a certain mile radius, than can a caveat be worked in performance measure to say that STAR Health provider medical assessment is acceptable?)
 - o What if foster family already has a medical home (PCP) but PCP is not a TX Health Steps provider, can the child see the family's PCP opposed to TX Health Steps provider?
- May be worth looking at a map of TX Health Steps providers vs STAR Health providers?
- Measure related to positive discharge should be defined as a "placement stability" vs permanency measure
- "placement" in the performance measure means actual foster home/bed
- Should DFPS explore excluding specific high needs kids from performance measures?
- Siblings placed together is measured on a point in time data – looking at new ways to pull this data to be more reflective
- Would like to see a measure on education stability; as well as the utilization of Trauma Informed Care practices to increase placement stability

Foster Care Rates (Shaniqua Johnson):

- *Handout* provided
- LAR submitted related to capacity and foster care (foster care) rates
- Can PPP (on behalf of private members) draft a letter to the DFPS Commissioner that makes a recommendation that foster care rates need to be fully funded from Legislators in order to fund services in the legacy system as well as FCR catchment areas? Need to include in the letter that foster care rate do not include all the costs of services for children. Michael Redden will draft the letter.
- What should be taken into consideration when developing foster care rates?
 - o Fund raising for specific services for children (this may not be a good message to Legislators)
 - o Have we looked at what other states pay for foster care & what's included in their foster care rates?
 - o Shift in child needs over the years
 - o Child specific contracts
 - o Travel (beyond standard)
 - o TBRI services at all levels
 - o Providers are welcome to share cost reports with details of what is included in costs with Ms. Johnson
- How do you make up the difference when foster care rates are not fully funded?
 - o Fund raising for specific services for children
 - o Need a message to Legislators that foster care rates need to be fully funded.
- Foster care rates proposal – would like to request foster care rates to be fully funded, but need to know what is expected from fully funded rate
- Use the Fiscal Matters workgroup to add to foster care rate LAR in order to help retain and recruit foster home (increase capacity)? What's missing from foster care rates, even if foster care rates are fully funded?

Foster Care Redesign Updates:

- Region 3b

- Serving 1445 kids as of Monday
- Capacity is holding steady
 - Do not have an RTC yet, but are in discussions with some providers to build an RTC
 - Mix of high needs kids is larger than expected – between 4-6%
- Region 2 RFP Status
 - RFP closed on 11/3 (after being reposted for a short time) & has been in evaluations since that time
 - If significant changes to the FCR model occur through Legislature, then would a contract amendment or re-procurement be required for Region 2? DFPS is looking into this.

Suggestions for Next Meeting:

- RFP evaluations (need HHSC at next PPP meeting)
- SSCC evaluation (waiting on 2 year data from Chapin Hall)
- Future roll-out ramifications:
 - IT platforms
 - Court Case management (depending on how defined) encompasses a great amount of tasks/responsibilities (handout passed out at meeting)
- Update on interim charges
- Future of Licensing
- Fiscal Matters Workgroup Update

Wrap Up and Adjourn

- Next PPP Meeting:
 - Date - April 7, 2017
 - Time - 9:00 am
 - Location - Center for Child Protection, 8509 FM 969, Austin TX, Lexus Room