



## **PERFORMANCE AUDIT REPORT**

**Verifying Information Provided by the  
Department of Social and Rehabilitation Services  
On Its Compliance with the Terms of the  
Foster Care Lawsuit Settlement Agreement**

**Monitoring Report #10  
Covering July 1 to December 31, 1998**

***Executive Summary***  
*with Conclusions and Recommendations*

**A Report to the Legislative Post Audit Committee  
By the Legislative Division of Post Audit  
State of Kansas  
October 1999**

# **Legislative Post Audit Committee**

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## **Legislative Division of Post Audit**

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LEGISLATURE OF KANSAS  
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October 4, 1999

To: Members of the Kansas Legislature

This executive summary contains the findings, conclusions, and recommendations from our completed performance audit, *Verifying Information Provided by the Department of Social and Rehabilitation Services on its Compliance with the Terms of the Foster Care Lawsuit Settlement Agreement, Monitoring Report #10*.

The report includes a number of recommendations for improving the Department's compliance in future monitoring periods. We would be happy to discuss these recommendations or any other items in the report with you at your convenience.

If you would like a copy of the full audit report, please call our office and we will send you one right away.

Sincerely,

A handwritten signature in black ink that reads "Barbara J. Hinton". The signature is written in a cursive, flowing style.

Barbara J. Hinton  
Legislative Post Auditor



**Verifying Information Provided by the Department of  
Social and Rehabilitation Services On its Compliance  
With the Terms of the Foster Care Lawsuit  
Settlement Agreement-Monitoring Report #10  
EXECUTIVE SUMMARY  
LEGISLATIVE DIVISION OF POST AUDIT**

**Is the Department of Social and Rehabilitation Services  
Complying With the Terms of the Foster Care Settlement Agreement?**

**This 10th monitoring period generally covers requirements the Department was supposed to comply with from July 1 to December 30, 1998. During this period, 67 requirements stipulated in the settlement agreement were due for an assessment. Of these, only 49 actually were monitored. For the 49 requirements, the Department was in compliance with 17 (35%), and wasn't in compliance with 32 (65%).** .....page 4

*The parties to the settlement agreement delayed monitoring of 16 other requirements—2 case management and 14 foster care data and computer system requirements. They also agreed to remove two training requirements for satellite foster homes because such homes were eliminated by privatization.*

*Our findings are summarized below. The matrix beginning on page 14 shows the Department's compliance over time with each requirement that's been monitored to-date.*

**This period, the Department was in compliance with 5 of the 12 requirements related to investigating reports of child abuse or neglect (Case Review #1). Formal monitoring of those five requirements will stop because the Department has met compliance with them for one full year. The Department wasn't in compliance with seven requirements related to such things as investigating complaints by the assigned deadline, taking action to obtain medical services for the child, and having an uninvolved supervisor review prior reports of abuse or neglect looking for patterns of "unconfirmed" reports. We'll report on these seven requirements again next period.** ..... page 4-5

**The Department was in compliance with 11 of the 29 requirements we assessed related to Case Review #2, which covers the management of foster care cases. For the period we reviewed, the Department wasn't in compliance with 18 requirements related to placements, services, visitation, and certain administrative tasks like scheduling and notification of case planning reviews. We'll review all these requirements again next period. Also, two requirements were removed from the settlement agreement, and reporting for two others was delayed.** ..... page 5

**The Department was in compliance with 2 of 3 adoption requirements—two Case Review #3 requirements and one additional adoption requirement. The Case Review #3 requirements related to sending information to support motions to terminate parental rights to the county of** ..... page 5-6

*district attorney. The Department was in compliance with one of these requirements, and formal monitoring of it will stop. It wasn't in compliance, however, with the second requirement, so we'll monitor it again next period.*

*This period, the Department was also required to follow the procedures it established to track final orders terminating parental rights. The Department reported it wasn't in compliance with this requirement and will revise its existing corrective action plan to come into compliance in the future.*

**The Department inappropriately screened out some of the bona fide reports of abuse and neglect it received** .....page 6-8  
*Beginning in July 1995, the Department was required to properly screen 90% of all alleged abuse and neglect reports it received. This period, the Department made the proper screening decision for 88% of the 424 reports the Internal Monitor reviewed. Early this year, the Department revised some of its assessment and screening policies and began training staff Statewide in an effort to meet compliance in the future.*

**Recommendation.** ..... page 8  
*The Department should review the Internal Monitor's preliminary compliance results for screening decisions to identify which Area Offices aren't following the January 1999 policy manual revisions. Then, it should provide additional training to those areas.*

**During this period, Department staff entered only 1 of the 20 foster care providers whose abuse or neglect of a child had been substantiated or validated into its Central Registry database.** .....page 8-9  
*That person's name wasn't entered on time, however, so the Department's compliance rate for this period was 0%. Having these names in the database is a critical step in ensuring that foster children are safe. For example, the Department of Health and Environment checks this database before issuing licenses to foster parents, workers in foster care facilities, day care providers, and the like. The Department hasn't met this standard in any of the past monitoring periods we've reviewed.*

*The Department reported it would improve compliance by automating the process of entering names into the Central Registry. In addition, Department officials said they would track all 20 cases that weren't entered into the Registry as required to make sure those names got entered.*

**Recommendation.** ..... page 8  
*The Department should continue to implement its July 13, 1999 corrective action plan—automating the process of entering names into the Central Registry.*

**The Department wasn't in compliance with one training requirement and delayed monitoring of two other important training requirements for foster parents and adoptive homes.** ..... page 9-10  
*All foster parents must complete annual training before a child in the Department's custody can be placed in their home, and the Department is required to track this training. The Department also must track the initial "MAPP" training completed by foster and adoptive parents. The Department reported it would revise its existing corrective action plan to come into compliance with the annual training requirement. The "MAPP" and foster parent training systems weren't monitored this period because the parties are negotiating issues related to them.*

**Recommendation.** *Although the Department maintains the system to track foster and adoptive parent training, it relies on the foster care and adoption contractors to supply the training data it enters. We recommend the Department review the contractors' data collection and submission procedures and identify which procedures are most efficient. Then, it should implement those procedures in each contract region.* ..... page 10

**The Department hasn't maintained two required computer systems to accurately track information about the children in foster care.** *The settlement agreement requires the Department to develop and maintain a timely and accurate automated computer system to provide all the information it needs to manage the foster care system. The Department implemented this system—called the Family and Child Tracking System (FACTS)—in September 1997. However, until that system is determined to be timely and accurate, the Department is required to maintain two existing systems—an area office data system to track foster home resources and vacancies, and the Family Agenda Monitoring Elements (FAME) system.* ..... page 10-11

*Both systems were shut down in August 1997, and we don't know yet if the new FACTS system that replaced them is reliable (monitoring of that system was delayed this period). As a result, we concluded the Department wasn't in compliance with these requirements.*

**The parties agreed to delay monitoring of the 12 requirements related to its new information system—FACTS.** *This period, the Department was required to maintain accurate and timely information in FACTS. We didn't assess this system, however, because the parties hadn't yet agreed on how it should be monitored. We'll start monitoring these requirements in July 1999 if the parties have agreed on the criteria to measure compliance by then.* ..... page 11

**Recommendation.** *The parties should continue working to reach agreement on the outstanding issues associated with the Department's new information system—the Family and Child Tracking System—so we can assess it next period. If the system can't be validated by then, the Department should develop a plan for gathering the required management information in the interim.* ..... page 11

**APPENDIX A: Compliance and Reliability Definitions** ..... page 22

**APPENDIX B: Agency Responses** ..... page 25

This audit was conducted by Jennifer Wagner. Barbara Hinton was the audit manager. If you need any additional information about the audit's findings, please contact Ms. Wagner at the Division's offices. Our address is: Legislative Division of Post Audit, 800 SW Jackson Street, Suite 1200, Topeka, Kansas 66612. You also may call (785) 296-3792, or contact us via the Internet at: [LPA@lpa.state.ks.us](mailto:LPA@lpa.state.ks.us).