

Child Fatality and Near Fatality External Review Panel
Kentucky Coalition Against Domestic Violence
111 Darby Shire Circle
Frankfort, KY 40601

Monday, April 22, 2019

MINUTES

Members Present: Judge Roger Crittenden, Chair; Dr. Jaime Pittenger, Prevent Child Abuse Kentucky; Deputy Commissioner Elizabeth Caywood, Department for Community Based Services, Cabinet for Health and Family Services (CHFS); Dr. Christina Howard, University of Kentucky, Department of Pediatrics; Betty Pennington, Family Resource and Youth Service Centers, CHFS; Dr. William Ralston, State Medical Examiner; Sharon Currens, Kentucky Coalition Against Domestic Violence; Lieutenant Scott Lenge, Kentucky State Police; Linnea Caldon, Citizen Foster Care Review Board; Dr. Henrietta Bada, Department of Public Health, CHFS; Angela Brown, State Child Fatality Review Team, CHFS; Hon. Dawn Blair, Assistant Hardin County Attorney; Dr. Melissa Currie, University of Louisville, Pediatric Forensic Medicine; Elizabeth Cronney, Board of Social Work; Steve Shannon, KARP; Judge Paula Sherlock, retired Family Court Judge; and Elizabeth Epperson, Association of Addiction Professionals

Welcome:

Judge Roger Crittenden

Judge Crittenden welcomed panel members and staff to the meeting. The Panel welcomed new member, Elizabeth Epperson, who represents the Kentucky Association of Addiction Professionals. Ms. Epperson is currently with the Kentucky Coalition Against Domestic Violence. The Minutes and Case Review Summaries from the February meeting stand approved.

Legislative Update

Elizabeth Caywood, Deputy Commissioner, DCBS, CHFS

Deputy Commissioner Caywood updated the panel regarding House Bill 158, which was enacted at the end of March. DCBS sought this legislation in order to align with the requirements set out in the Family First Prevention Services Act. Effective October 1st, Kentucky will be the first state to implement the fingerprint based background checks through the Kentucky State Police and FBI for employees of childcare institutions.

In order to qualify for the HANDS federally funded flexibility services, states must limit their use of congregate care. Children who necessitate congregate care must be reviewed by the courts within 60 days of the child's placement in the residential program. KRS 620.180 will now mandate the case reviews to ensure the child's needs require that level of care.

House Bill 158 also included the foster child bill of rights which grants sixteen rights for children in out-of-home care. DCBS has historically had a foster child bill of rights within their Standards of Practice but those were subject to change at the agency's discretion. Now the foster child bill of rights will be statutorily enacted similar to the foster parent bill of rights.

House Bill 2 was enacted to create a caregiver assistance program for relatives and fictive kin caregivers. The Department filed administrative regulations in December to enact a new service array for these caregivers. The regulations will be modified to align with the new legislation. No appropriations were added to the bill but federal funding will be utilized where applicable.

On April 1st, the Department filed an emergency administrative regulation for a new child-specific foster home type. These regulations are part of the second phase of building service arrays for relative and fictive kin caregivers. The new child specific foster home will have less strenuous training requirements, expedited approval process, and will allow the agency to waive certain safety standards. The new foster home type will provide a monetary per diem for relative and fictive kin caregivers. The regulations also incorporate the new federal model foster home standards and are currently available for public comment. By the fall, the Department plans to implement the service array around post permanency support for relative and fictive kin caregivers if they seek permanent custody.

Panel comments: Judge Crittenden inquired about the current number of children in out-of-home care. The Cabinet informed the panel there are about 9,700 kids in OOHC and the number has slightly decreased.

Dr. Currie requested some examples of the environmental standards that could possibly be waived for these new child-specific foster homes. For example, bedroom arrangements could be waived on a case by case basis. In traditional homes, each child would be required to have their own bed, a child-specific home would allow siblings to share a bed. All waivers must be approved. Dr. Currie further inquired about the specifics around the “less strenuous training requirements”. Traditional foster homes are required fifteen hours of face to face training, child-specific homes would be required five hours of face to face training. The new homes will still require the online training to be completed and additional training is available at their discretion.

Elizabeth Croney expressed this is a great option for the kids because so often cases arise where the child could be placed with a family member or close family friend but do not meet the requirements. Placing the child with a stranger further traumatizes that child. This is a movement in the right direction. The Cabinet expressed this new process will fully inform the individuals of their options prior to the child’s placement. The Cabinet warned this process may cause a temporary spike in the Cabinet’s out-of-home numbers because the child must be in the Cabinet’s custody in order to qualify for this new home type.

Police Social Worker Presentation

*Kelly Pompilio, Chief Lucas Cooper and Becky Strouse
Alexandria Police Department
Erlanger Police Department*

A police social worker is a highly specialized field in clinical social worker. Police Social Workers (PSW) have been around since the 1970’s. Chief Ward, the previous Alexandria Police Chief, discovered this concept during a conference he attended in Washington, D.C. Chief Ward collaborated with NKU’s Social Work Program to develop the policies and procedures. The Alexandria Police Department now employs two full-time Police Social Workers. The PSW’s are funded through the city which allows them to assist with various situations. There are several other departments across the state that employ federally funded PSW’s, however, they are limited to the situations in which they can provide services. Employing a PSW is a win-win for the local police departments. It allows the officers more time to handle the various other tasks throughout the community while the PSW handles the social issues. Previously, Alexandria Police Department reviewed their call logs and noted 67% of the calls were not crime related but social services related. PSW’s enhance

community partnerships, reduce recidivism, and recurrent calls. They also assist the department with community relations, such as, Social Media Presentations, Elder Abuse Scam Presentations, Human Trafficking and various other community activities.

The Alexandria PSW's have a great working relationship with their local DCBS office. In situations where a case does not meet criteria, the PSW will follow up with the family and assist them with any services needed. Having a PSW has greatly improved the communication between law enforcement and the Cabinet. Often times the PSW can inform the officer of crucial information that should be included on the JC3 and educate them on various community resources. Several case examples were shared with the Panel demonstrating the value of their work for both the law enforcement agency and DCBS. The PSW reviews the agencies call list daily which allows them to easily identify high risk families and provide services needed in order to potentially prevent any fatal\near fatal incidents.

Panel comments: Police Social Workers are a good resource for the community, less expensive than hiring additional officers, and a tremendous asset to law enforcement. There was some concern around them being available 24\7 and the current struggle in hiring social workers for other agencies.

Pending Case Reviews:

F-16-18-C – Law enforcement issues were noted due to lack of proper documentation and unsafe access to deadly means was included in the family characteristics.

F-036-18-C – Case review moved to June – pending law enforcement records.

NF-003-18-C – Law enforcement records reviewed, no changes to prior determinations.

Case Review:

The following cases were reviewed by the Panel. A case summary of findings and recommendations are attached and made a part of these minutes.

<u>Group</u>	<u>Case #</u>	<u>Analyst</u>
1	F-034-18-PH	Joel Griffith
2	F-035-18-PH	Joel Griffith
3	NF-001-18-C	Joel Griffith
4	F-038-18-PH	Joel Griffith
4	F-033-18-C	Joel Griffith
1	NF-084-18-C	Cindy Curtsinger
2	NF-013-18-C	Joel Griffith
3	NF-036-18-C	Joel Griffith
2	NF-041-18-C	Joel Griffith
3	NF-042-18-C	Joel Griffith
4	NF-046-18-NC	Joel Griffith
3	NF-053-18-C	Joel Griffith
2	NF-059-18-NC	Joel Griffith
2	NF-088-18-C	Joel Griffith

Additional Items of Discussion:

MAT Records Release - DCBS continues to have difficulty obtaining MAT records and this is often attributed to obtaining the correct medical release form. There needs to be continued discussion around a standardized release form in order to alleviate this problem for all agencies. Elizabeth Epperson informed the Panel the Cabinet's Adult Division of Substance Use is piloting a Recovery Oriented Systems of Care. During their regional meeting, Centerstone identified the need to better share information. Centerstone's legal department is addressing this issue and piloting a shared release of information. Ms. Epperson will keep the panel updated on their progress.

Family Court – Dawn Blair informed the Panel of the most recent Family Court Rules Update on proposed revisions. There was a proposal that every order tendered on custody arrangements requires some type of evidentiary hearing, even agreed orders.

Case Reviews – Judge Sherlock inquired about reviewing fatal and near fatal cases no less than a year after the date of the incident. At the next meeting they would like to discuss the Cabinet's barriers in presenting these cases to the Panel in a more timely manner.

Meeting adjourned