



DEPARTMENT OF HEALTH & HUMAN SERVICES

MAY - 4 2011

ADMINISTRATION FOR CHILDREN AND FAMILIES
Administration on Children, Youth and Families
1250 Maryland Avenue, S.W.
Washington, D.C. 20024

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Susan N. Dreyfus
Secretary
Department of Social and Health Services
P.O. Box 45010
Olympia, Washington 98504-5010

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DSHS - ASST. SECRETARY
CHILDREN'S ADMINISTRATION

Dear Secretary Dreyfus:

The Children's Bureau (CB), Administration for Children and Families (ACF), in collaboration with the Children's Administration, completed a review of key areas of Washington's child welfare policy and practice to ensure substantial conformity with the State Plan requirements found in titles IV-B and IV-E of the Social Security Act. The Child and Family Services Review (CFSR) process was initiated with an analysis of Washington's child welfare data and the development of a Statewide Assessment of areas seen as critical to the effective functioning of Washington's child welfare system. During the week of September 13, 2010 an on-site review of 65 cases as well as interviews with stakeholder groups at both the State and county levels was completed.

As you know, the CFSR process is a large undertaking. Therefore, CB appreciates the amount of time and effort that you, your staff, and others committed to the development of the Statewide Assessment and the planning and implementation of the on-site review. While this is a joint Federal/State team effort, we would especially like to thank Denise Revels Robinson, Greg Dootson, Deborah Purce, Jann Hoppler, Cindy Ellingson and Scott Steuby for taking primary responsibility for this review. Their work was invaluable and essential to ensuring a well-organized and successful review.

Washington should take great pride in those areas found to be strengths in its child welfare system, not only in ensuring that children's physical health and educational needs are met, but also in making significant strides in improving child safety and in promoting meaningful collaboration with community stakeholders. In addition, Washington has a very strong commitment to maintaining family connections by placing children and their siblings together with relatives whenever possible and striving for placement in close proximity to their families. Washington has also worked hard to improve the child welfare system by speeding up the investigative response times to referrals of possible child abuse, and increasing the frequency of visits to dependent children in out-of-home care, as well as to those who are in their own homes. The State has also built strong relationships with Tribes in Washington, as well as community agencies, the courts and service providers.

Using data available at the time of the CFSR onsite review, Washington did not meet any of the six national data standards. However, using the most recent data available for Federal fiscal years 2009 and 2010, Washington now exceeds the following five out of six national data standards: absence of maltreatment of children in foster care by foster parents or facility staff; timeliness and permanency of reunification; timeliness of adoptions; permanency for children in foster care for extended time periods; and placement stability. In addition, Washington has met the agreed upon amount of improvement for the national standard pertaining to the absence of maltreatment recurrence. As a result of this performance, Washington will not be required to measure any of the national standards in the Program Improvement Plan (PIP).

As indicated in the report, we have determined that Washington is not operating in substantial conformity in the areas of safety, permanency or well-being. There are also two systemic factors not in substantial conformity: case review and service array. Therefore, a PIP is required to address each outcome and systemic factor determined not to be in substantial conformity. The PIP must be submitted to CB's Regional Office by July 5, 2011 which is 90 calendar days after the date Washington received a courtesy copy of the CFSR Final Report, which was April 6, 2011. In accordance with 45 CFR 1355.36, an estimated minimum penalty of \$1,546,798 for fiscal year 2010 is applicable to this level of non-conformity. However, we are suspending the withholding of funds associated with this penalty during the PIP implementation period and the subsequent year of non-overlapping data. If it is determined that Washington is successful in rectifying any of the areas that are in non-conformity, either through successful completion of the PIP or through a subsequent review, we will rescind the withholding of Federal funds associated with those respective areas at that time.

The Regional Office (RO) will assist you in developing the PIP to ensure that Washington establishes effective action strategies for achieving the level of improvement agreed upon for each of the identified areas in accordance with 45 CFR 1355.35. To the extent possible, those involved with the CFSR planning process and onsite review, including the Department's external partners, should be actively involved in the development, implementation and evaluation of the PIP. CB's training and technical assistance network of National Resource Centers is also available to assist Washington in the development of the PIP. Please work with your RO to access the network's support as needed.

Major elements of the PIP include the priorities assigned to Washington's work on each area of non-conformity, the necessary action steps associated with improving each of these areas, identification of the individuals responsible for carrying out the various steps, and establishment of timeframes for completing the required improvements. CB staff will work with your designated staff to jointly determine the timeframes, the specific content, and the processes for evaluating progress and achievements with respect to the PIP.

Most importantly, the PIP must address particularly egregious areas of non-conformity impacting child safety (45 CFR 1355.35(d)(2)). To do this, Washington should establish both short-term goals that will immediately minimize the negative effects on children and families, and long-term goals that establish plans for lasting reforms. The priority assigned to these issues should be reflected in the timeframes and content of the PIP rather than in the order in which they are identified in the document.

In addition, the PIP must include benchmarks of progress toward achieving the broader goals of the plan (45 CFR 1355.35(a)(1)(v)), as well as specific percentages of improvement that will be achieved through each applicable data indicator that does not meet the national standard (45 CFR 1355.35(a)(1)(iv)). The plan also must describe how Washington will evaluate and report progress, including a schedule for submitting regular quarterly reports to the RO, and must address how the benchmarks will be evaluated to determine whether PIP goals have been met.

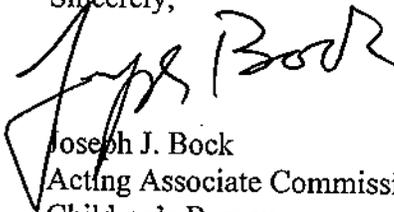
The PIP also must describe Washington's plan for using Federal and/or non-Federal sources of technical assistance to support program improvements for each outcome and systemic factor found not to be in substantial conformity (45 CFR 1355.35(a)(1)(vii)). Elements of the PIP must be incorporated into the goals and objectives of your existing Child and Family Services Plan. In addition, progress in the implementation of the plan must be incorporated into your Annual Progress and Services Reports (45 CFR 1355.35(f)), due June 30 yearly.

We wish to remind you that Federal regulations at 45 CFR 1355.37 require that each State make available for public review and inspection the Statewide Assessment, the Final Report, and the PIP developed as a result of the CFSR. Therefore, we urge you to consider how you will respond to inquiries concerning these documents and how you will make the information available as required. CB is also obliged to respond to public inquiries regarding this information.

Enclosed please find Washington's CFSR Executive Summary and Final Report which will be posted on CB's website. The State's PIP is due on July 5, 2011. Lois Ward, Children and Families Program Specialist in the Region X office, will assist your staff in the development of the PIP and in identifying Federal and other resources to best address your needs.

We look forward to continuing to work collaboratively with you in your efforts to ensure the safety, permanency and well-being of children and families in Washington. If you have questions or concerns, please contact Tina Minor, Child Welfare Regional Program Manager in Region X, at (206) 615-3657 or by e-mail at tina.minor@acf.hhs.gov.

Sincerely,



Joseph J. Bock
Acting Associate Commissioner
Children's Bureau

Enclosures

cc: Tina Minor, Child Welfare Regional Program Manager, CB, Region X, Seattle, WA
Denise Revels Robinson, Assistant Secretary; Children's Administration, Olympia, WA
Esther Sherrard, CFSR Program Specialist; CB, Washington, DC