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OFCO TESTIMONY ON HB 2289

HOUSE COMMITTEE ON EARLY LEARNING AND HUMAN SERVICES
Tuesday, January 17, 2012
House Hearing Room D, John L. O'Brien Building, 1:30 p.m.

Good afternoon Madame Chair and Members of the Committee. Thank you for this opportunity to provide testimony on House Bill 2289. My name is Mary Meinig and I am the Director of the Office of the Family & Children's Ombudsman ("OFCO").

While OFCO remains neutral on specific proposed legislation, I support the intent of this legislation to provide greater flexibility to our state child welfare system to engage families and effectively address concerns regarding child maltreatment.

Specifically, in two pilot sites, the department would implement a procedure to respond to accepted CPS referrals either by conducting a traditional CPS investigation, or by conducting a "family assessment" and offering services. Strengths of this legislation include:

- A family assessment still includes a comprehensive evaluation of child safety and risk of subsequent maltreatment.
- Parents have a right to refuse a family assessment and opt instead for a CPS investigation if they choose.
- Based on new information CPS may change its response from a family assessment to an investigation.
- A family assessment does not result in a determination that allegations of abuse or neglect are either "founded" or "unfounded."¹
- A family assessment provides an avenue to engage the family and provide appropriate voluntary services to prevent future maltreatment.
- The family assessment response process would undergo a rigorous independent progress report addressing child safety measures.

¹ OFCO frequently receives complaints disputing CPS findings and the adverse impact such findings have on a parent's ability to maintain or seek employment in certain fields. The CAPTA process to contest administrative findings also places additional demands on agency resources.

OFCO's areas of concern do not involve specific language in this bill, but rather focus on the implementation of this response strategy by the department. For example:

- Procedures should assure that cases selected for a family assessment are consistent in both sites.
- Law enforcement, along with other stakeholders should be involved in the planning, site selection and implementation process.
- The department should monitor cases referred for a family assessment to identify and address any unintended consequences that might increase the risk of child maltreatment.

Thank you for the opportunity to provide you with our testimony on this legislation.