



**STATE OF WASHINGTON**  
**DEPARTMENT OF SOCIAL AND HEALTH SERVICES**  
PO Box 45040 Olympia WA 98504-5040

January 19, 2011

Mary Meinig, Director  
Office of the Family and Children's Ombudsman  
6720 Fort Dent Way, Suite 240  
Tukwila, WA 98188

Dear Ms. Meinig:

I am writing to provide an initial response to the Office of the Family and Children's Ombudsman's (OFCO) 2010 annual report detailing the child welfare practice and systemic issues you and your staff have addressed this past year on behalf of the citizens of Washington State. We value OFCO's partnership in our ongoing commitment to continue to improve the quality of child welfare practice in our state.

I am pleased to know that complaints to OFCO have been the lowest in five years. The death of even one child is never acceptable. I am encouraged to learn that child fatalities attributed to physical abuse or neglect have declined significantly. It is my hope that the increased focus within the Children's Administration on child safety has contributed to the decline in complaints.

We are completing a very comprehensive review of OFCO's report and will provide you with a detailed work plan in response to the report's recommendations based on our initial review. I am sending the following response to the key findings and recommendations in the report:

1. **Require that CPS intake accept for investigation reports of child abuse or neglect alleging bruises to a non-mobile infant.** *The Department agrees that reports of non-mobile infants with bruises, with or without any explanation, should be investigated to rule out non-accidental causes. We understand that some of these intakes have been screened out because a parent offers a plausible explanation for the bruise, but an investigation to assess the mechanics of the injury*

*and consultation with a medical consultant is critical when assessing child safety in these cases. The Department is finalizing interim policies that will require a CPS investigation on these intakes as well as any intake from a physician or other medical professional reporting concerns about a child of any age. The Department will complete training for these interim policies for all staff in the next six months.*

2. **Improve cross-system collaboration between various departments within DSHS to better serve families.** *Last year the Department launched its Integrated Case Management (ICM) work to create and embed a multi-system infrastructure that guides the process of coordinating services for vulnerable and complex youth and their families who are served in the Child Welfare and Juvenile Justice systems at the state and local level. The purpose of the Integrated Case Management work is to ensure cross system collaboration to promote statewide efficiencies by leveraging resources, offering a broader array of services and eliminating duplication of services. This ongoing work of ICM utilizes a Wraparound approach and seeks to provide coordinated services that safely support children in their own homes.*
3. **Identify common causes of delays and take steps to ensure that CPS Investigative Assessments are completed in a timely fashion.** *The Department is taking steps to obtain data on this practice issue to determine if it is a statewide trend. If this is a statewide trend, we will work with the regions to determine the cause for these delays and monitor staff compliance with policy. We know that workload or a law enforcement investigation can impact a worker's ability to close their cases in a timely manner, but we agree that this is critical practice issue that can impact child safety.*
4. **Strengthen efforts such as public education campaigns to promote infant "safe sleep."** *The Department has also been concerned about the number of co-sleeping child fatalities that appear to be the result of an unsafe sleeping situation and has been providing the information about safe sleep and the "Back to Sleep" campaign to our foster care providers since 2005. Social workers are also being trained on this topic in academy and in many offices they are sharing this information with parents during CPS investigations. The department is supportive of taking this public educational campaign to scale statewide and strengthening our partnership in this effort with the Department of Health, service and health care providers.*
5. **Preventing Abusive Head Trauma.** *The Department also supports and agrees to partner with other child welfare and healthcare providers and the Department of Health in the PURPLE Crying public education program. The Department currently*

*has information on the DSHS website on Tips to Prevent Shaken Baby Syndrome and Intervention Tips to help parents and professionals. In 2005, the Department supported the "Have a Plan" campaign which was developed by Seattle Children's Hospital, Parent Trust for Washington Children and Council for Children & Families about Shaken Baby Syndrome. These resources are also available on the DSHS website.*

6. **Amend "Sirita's Law" (RCW 13.34.138) clarifying that the department's duties and responsibilities in this statute apply both when a child is returned home to a custodial parent as well as when the child is placed in the home of a non-custodial parent.** *The Department does not believe that RCW 13.34.138 needs an amendment. "Sirita's Law" requires a background check and assessment for all adults living in the home when a child is placed with a parent. We believe the statute is clear and applies when a child is returned or placed with either a custodial or non-custodial parent or caregiver. We believe this is a training issue for a few staff who may be misinterpreting this statute. The department will clarify this policy with all staff and conduct training as needed to ensure full understanding and compliance with RCW 13.34.138.*
7. **Policymakers should consider the risk-benefit of finalizing adoptions when an order terminating parental rights is under appeal and whether state law, court rules or department policy should prohibit or limit this practice.** *The Department has considered the benefits and risks of finalizing adoptions when an order terminating parental rights is under appeal and, with its legal counsel, has developed a procedure that includes the prospective adoptive parents in deciding whether to move forward with an adoption. Both the statute and court rule provide an avenue for parents and their counsel to ask for a stay of the termination order (and this could be specifically as to the adoption). The Office of Public Defense is proposing an amendment to the Rules of Appellate Procedure that would require notice to the court of appeals when the Department plans to move forward with an adoption.*
8. **Improve oversight of the use of psychotropic medications for foster children.** *The Department agrees to improve the oversight of the use of psychotropic medications for children in foster care. The Department will work with OFCO on assessing if this is a regional or statewide issue and will reinforce the Children's Administration's psychotropic medication policy, Medicaid's Purchasing Administration's protocols and the utilization of the Regional Medical Consultants in this effort.*

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*The Department's Medicaid Purchasing Administration has very specific protocols in place around the prescribing of psychotropic medications for Medicaid eligible children under the age of 17. The following link describes in detail the steps the Department has taken to promote the safe prescribing*

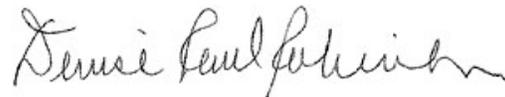
I believe we are making progress but also acknowledge there is still work to do to strengthen and improve our day-to-day practice, and the quality of our work. Recommendations included in your report are helpful in informing our future work priorities.

I also appreciate and value our professional relationship and the quality of our monthly meetings to discuss progress, identify and solve issues, and to share information.

We appreciate the opportunity to provide this initial response to your 2010 report. I anticipate having the more detailed work plan to you within 60 days. We look forward to our continued partnership with OFCO on behalf of the families and children involved with Washington State's child welfare system.

Thank you for your kind consideration.

Sincerely,



Denise Revels Robinson  
Assistant Secretary

cc: Susan Dreyfus, Secretary, DSHS  
Becky Smith, Director, Field Operations, CA  
Sharon Gilbert, Deputy Director, Field Operations, CA