

**JOIN HANDS FOR CHILDREN**  
**MINUTES FROM CHILD WELFARE TRANSFORMATION DESIGN COMMITTEE MEETING**  
**DECEMBER 14 AND 15, 2009**

---

**Members Present:** Judge Leonard Costello; Denise Revels Robinson; Charlotte McCullough; Mary Armstrong; Marian Harris; Rebecca Peck; Jeanine Livingston; Judge Chris Wickham; Nancy Foll; Mark Courtney; Maureen McGrath; Carol Holland; Darcy Hancock; Ken Nichols; Nancy Sutton; Steve Hasset; Mary Meinig; Catherine Lanham; Brenda Lopez; Jerry Meninick; Sharon Osborne; Gwendolyn Lawson Townsend; Gwen Gua for Honorable Carleen Anderson

**Staff Present:** Julie Dunnington, POC; Jennifer Strus, Senate Human Services & Corrections Committee; Sydney Forrester, House Early Learning and Children's Services Committee; Benjamin Berres, POC

**Others:** Rep. Ruth Kagi; Ian Grant, former foster youth; John Howell and Tom Byers, Ceder River Group; Jann Hoppler and Dana Phelps, DSHS Children's Administration

---

The first day of the meeting was devoted to presentations by various persons on the following topics:

- Introduction to DSHS Assistant Secretary Denise Revels Robinson;
- Procurement and Contracting in WA State;
- Children's Administration Plans for Performance-Based Contracting (PBC) and Overall Project Timeline;
- Breakout into Groups to Discuss Performance-Based Contract Model;
- Groups Report Back to Full Committee for Discussion

On the second day, the Site Selection Advisory Committee and the Outcomes Advisory Committee presented progress reports and the larger committee discussed recommendations to be included in the quarterly report to the legislature.

After Honorable Judge Leonard Costello welcomed the larger committee, he introduced the new Department of Social and Health Services Assistant Secretary Denise Revels Robinson. The Asst. Secretary said a few words of welcome and voiced her enthusiasm for the process and upcoming work of the CWTDC. After the Asst. Secretary was finished, members of the full committee introduced themselves and said what stakeholder or organization they represent.

Before the planned presentations began, the Asst. Secretary took a moment to tell the committee that the name "Join Hands for Children" will take the place of the "Accountability in Child Welfare." The reasons for name change include: the name is more descriptive of the process; the new name has a very strong focus on children; and the new name better describes what the process represents. This name is now featured on all committee documents as well as the URL of the main webpage.

Judge Leonard Costello discussed the agenda and the flow of both days and then introduced the two facilitators, Tom Byers and John Howell of the Cedar River Group. There was a question from committee member J. Livingston whether it would be acceptable to move the public comment section to after the recommendation discussion so members of the public could share their opinions before committee's deliberation and vote. The facilitators claimed that this comment reflected how they interpreted the process.

Facilitator John Howell reviewed the ground rules and strongly emphasized the importance of timeliness and punctuality to assure smooth committee operation. He also mentioned it was decided that the committee would make judgments based on consensus, which is defined as two-thirds of committee members. He then mentioned that alternates may be allowed to represent committee members, but may not be allowed to vote. To vote, absent members may inform the committee chairs of their opinion before an upcoming vote or they may notify committee chairs within 24 hours of a committee vote. The committee is composed of stakeholders with varied interests, perspectives and points of view and every opinion will be respected. All disagreements of opinion will be noted on the committee report. He finished by saying the committee desires to foster open, honest conversation and hopes to hear public comment at the appropriate times.

The first item on the agenda is the Attorney General's Office Discussion of Contracting. The presenters, Linda Sullivan-Colglazier, Asst. Attorney General, Government Operations Division, Anne Shaw, Asst. Attorney General, Government Operations Division, and Mark Tyler, Interim Contracts Administrator for DSHS Central Contract Services, introduced themselves and then offered their aims for their presentation: to provide a broad overview of contracting, performance-based contracting, and client-services contracting information.

The first topic was on procurement. The presenters expressed their concern that it is important to think about question of procurement early on so that the courts, at a later date, do not find any potential discrepancies. They mentioned that a critical step in procurement is identifying what types of services will be provided and understanding how their classifications have different implications for procurement.

The presenters outlined the different categories of contracted services. The first type is personal services, which are consultation services. Client services are direct services intended for clients of Washington State. Purchase Services are goods and the services related to those goods. After an agency decides the type of service they are procuring, then they have to investigate whether they have the authority to pay for those services because each type of service is paid through different channels. There are three primary agencies in the State of Washington with purchasing authority: The Office of Fiscal Management (OFM) retains the authority to purchase both personal and client services; The Department of General Administration (GA) is the major provider of services to the state; the Department of Information Services (DIS) purchases the vast majority of high-technology services. Some of the services we want to purchase have overlapping boundaries, in which case, procurement can become more complicated. There was a question whether DSHS is allowed to contract out services. The presenters deferred the question and recommended that it be directed to someone at OFM.

Once Washington State decides to purchase services, then they must decide whether they will use a process of competitive bidding. If they employ a competitive bidding process, the presenters recommend that Washington State use an open process to increase transparency. This may reduce the likelihood of vendor protest by showing that the process is equal and fair. This will also show the vendors that decisions were made based on the values driving the transition.

The presenters then discussed the competitive bidding process. Before describing the process, the presenters mentioned that Washington State does not necessitate a competitive bidding process unless it is constitutionally, statutorily, or charter provision required. There is a strong public policy toward competitive bidding especially if there are large dollar amounts, long duration or complex services involved in the procurement. There are two primary reasons to use this process: to protect taxpayers and to give a fair forum for all competing vendors.

One potential hazard in procurement is *when* an agency enters into a contract outside the scope of their authority, If this happens, the contract could be contested in court. Solicitation development is a period of the timeline that can help to reduce the likelihood of future hazards. One useful tool is the Request For Information (RFI) survey, an information gathering, fact-finding survey that allows the department to help understand the existing service provider landscape. Another important part of this process is making sure that the solicitation describes exactly what the department wants. If, for example, an agency requests for specific vendor qualifications, then the end result must correspond with the qualifications required; otherwise the solicitor inadvertently limits the number and type of potential vendors.

The presenters then discussed the positive and negative features of performance based contracting (PBC): a type of contract that deliberately contracts for outcomes. They went into greater specificity by describing different types of mechanisms that may be included in PBC. The potential benefits of PBC include: greater flexibility for contractors to meet the outcomes; better prices; greater risk is transferred to providers; and increased incentives to meet outcomes. The downsides to PBC include: there must be a good system of data measurement; there may be factors outside the contractors' control that limit their ability to achieve positive outcomes; limited initial resources; and contractors might not ethically distribute services in search of the shortest distance to achieve outcomes.

Once an agency reaches a decision to procure services, there are four types of solicitation documents: Invitation for Bids; Requests for Proposals; Requests for Qualifications; and Requests for Qualifications and Quotes. The first and third examples are the same types of documents because they describe something that someone wants to buy and a bidder responds with how much it will cost. The other two documents don't just ask for a quote, they ask the manner in which the quote will be achieved. The Request for Qualifications is a middle route.

The presenters emphasize that an important part of the competitive bidding process is publicizing the availability of the contracts to vendors. Three common methods to this process include: posting on websites; posting in industry publications; and posting on the GA business solutions site.

After an agency begins to receive bids, they need to create a method for evaluating them. There are three important things to look for in an application: the bidder is responsive to the needs of the contracting agency; the bidder is responsible enough to perform the contract; and which bidder has the lowest price. The presenters accentuate the importance of using these criteria otherwise bidders lose faith in the transparency of the process.

After the presentation by the Attorney General's Office, Asst. Secretary Revels Robinson presented the Children's Administration's plans for PBC and the overall project timeline. She explicitly stated that she will not address how CA plans to pay for PBC and, instead, focused primarily on program design. She explained that the money should follow the program. She believes that until there is some clarity on program design specifics, it is hard to talk about the method of payment.

She began her presentation by outlining the values that will drive the implementation of PBC. First, she said, it is important to examine how the department is deriving its conclusions and whether those determinations are based on all the available information, e.g. substance abuse services. Other explicit values in this process are: building capacity; increasing access to services; and ensuring that all services are culturally competent. The Asst. Secretary wants the transition to PBC to build strengths and enhance outcomes. Part of achieving these goals hinge on the manner in which the department participates with the vendor community. This means

providing as many opportunities and avenues for communication as possible and not just in Seattle or Olympia. Lastly, she underscored that she wants this process to be consistent with the departmental goal of achieving a “one department” value.

Asst. Secretary Revels Robinson then reviewed the guiding principles for the transformation. These were adopted from this committee. Phase I is what we are doing now and Phase II is what we are doing later. So she is viewing these phases as a “now and later” discussions.

Moving ahead, some of the things that CA is doing will require a culture shift, not just within the department, but also around the state. She said that this culture shift offers an opportunity to further refine and clarify our expectations and what we hope to accomplish.

Asst. Secretary Revels Robinson explained that the next phase of the PBC discussion will need a change of language. In regards the term “lead agency,” she recommends that we begin using the term “master contractors.” This term refers to a “coordinated-care” model rather than “wrap-around” services. She explained that a master contractor could be a direct service provider but that they would also have to ensure the availability of all of the required core services in their network. The master contractor would be required to monitor and enforce service quality levels for all the subcontractors under their umbrella. They would be required to have an internal mechanism for quality assurance as well as sound fiscal management and budgeting practices. They would be responsible for building a system to increase capacity and improving access. They would also be responsible for resolving issues and deescalating problems and conflicts.

The Asst. Secretary took a break from the presentation to answer questions from the committee. S. Osborne commented that she is concerned that the family voice should include both birth parents and children’s voice. Ian Grant was interested in how the internal mechanisms for quality assurance relates to the contracts themselves. The Asst. Sec. responded by talking about how it is important that inside each master contractor, that there are methods to ensure continuous quality improvement. This could be accomplished by asking for a plan from the master contractor. Catherine Lanham was concerned if subcontractors will follow the same quality standards as master contractors. To clarify, the Asst. Sec. says that everyone will be held to the same quality standards as master contractors. Jeanine Livingston was concerned that the lead agency will create an additional level of administration and was curious whether CA has considered performing the administration of contracts in-house and letting contracting administration be limited to the demonstration sites. The Asst. Sec responded by saying it may be a little early to be able to address this question. Jerry Meninick explained that in his personal experience with PBC, the vendor performance frequently relied on using quotas. He claimed that when quotas are reached, portions of populations could fall through the cracks. The Asst. Sec. responded by saying that this process is not about quotas—because each family is important—so it is about how to capture the progress of all families. Charlotte McCullough added that the agency and vendors could employ specific outcome measures linked to disproportionality initiatives to protect all subsets of the Washington State population. Jerry Meninick also asked whether ongoing contracts would be intermingled with future contracts and if that presents a problem for evaluation. The Asst. Sec deferred to Mark Courtney to address this question. Mark Courtney said that there will be data available “before, after, and during the transformation,” but added that it is another question entirely to collect data on outcomes upon which Washington State has not traditionally collected.

Asst. Sec. Revels Robinson then addressed the question of what is a “care-coordinator?” Essentially, she said, a care coordinator ensures that the families and all of their services—“the things that they need”—are integrated and coordinated between multiple providers. Care-

coordinators would be the point of contact with the CA social worker and would be responsible for convening meetings with service providers to talk about client progress and goals. This is just a “sketch-point” to begin the discussion.

Carole Holland was curious where the accountability rests between the roles of the CA worker and the care-coordinator. The Asst. Sec added that the CA worker would be responsible for ensuring that the child receives the services necessary to ensure child safety. The care-coordinator would be responsible for implementing the service plan identified by the CA worker. S. Osborne added that there needs to be some delineation of the distinction between the two roles and that there needs to be a feedback loop to ensure quality. Roberta Peck was unclear whether all the casework is fully separated from the work of CA under the plan described in the PowerPoint presentation. The Asst. Sec. answered that the separation of responsibilities that she is describing pertains only to Phase I. Rep. Ruth Kagi added that the point of using PBC is to identify outcomes we desire and hold contractors accountable for achieving those outcomes. She continued by saying that there is a potential incongruence when the care-coordinator who is held responsible for the outcomes is not in control of the case plan. Asst. Sec. Revels Robinson said this shouldn't be an issue because the care-coordinator will be working with the case from the very beginning.

The Asst. Secretary then shifted the presentation to the four types (although there could be more or less) of service categories that most cases commonly fall under: family support services; services to support children in placement; services for children needing treatment; and services to youth who are preparing to be self-sufficient. Family support services can be broadly defined as services to prevent placements with a primary goal of child safety. Mary Armstrong commented that “family support” should be thought of very broadly. Services to support children in placement include services that help children to become reunified or to achieve a safe and timely permanency plan. Charlotte McCullough added that it might be worthwhile to change the first category to “family-centered services” because that better captures the point of those services. The Asst. Secretary explained that the last group of services would be focused foremost on preparing youth for independent living. She hopes that the breakout groups can offer some feedback on all of these issues.

To foster broad collaboration among stakeholders, the Asst. Sec. addressed some communication strategies that will be employed by CA: in-person visits to management teams, posting a list of Frequently Asked Questions (FAQ) on the website, and use of key communicators—people that sign up to receive information from CA.

When the floor was opened up to questions, Roberta Peck asked why there were case-management functions itemized under the care-coordinator role even though Phase I does not transfer the case management functions to private agencies. She asked a second question whether this role adds a second layer of administration. The Asst. Sec. answered her by saying that there are different areas of the state the need more services that directly relate to safety and permanency to children. Essentially, this is an opportunity to build capacity and to help coordinate between CA and the master contractors. John Howell interjected into this conversation to say that this conversation will continue later in the breakout groups.

John Howell then opened up the floor to public comments.

Betty Haims, Director of the Community Resource Group, a small non-profit, said that she is fearful of the master-contractor model if that agency can also provide direct services. She would prefer this function to stay within CA.

Roberta Nestas, President and CEO of Lutheran Community Services Northwest, had several thoughts regarding the first presentation today. She wanted to know whether the RFP process would be a “blind process.” She also had concerns about the type of child who is unready to leave their placement and hopes that there will be a process in place to address this type of scenario. Next, she added that a “deal-breaker” for an agency is always around administrative costs, and when going through the process of getting federal indirect cost rates, then not being allowed to use them. Lastly, she was concerned that the work from handling many contracts would be shifted to the non-profit level.

Joanne Moore, Director of the Office of Public Defense, had a couple thoughts about managing contracts. First, her office employs a few lawyers and a social worker to manage the contracts and that works well. Second, she supports a competitive solicitation process and that OPD solicitations are based on qualifications, past performance, and services plan, not on the basis of lowest bid. She suggests that CA consider the merits of using those qualifications first. Lastly, she believes that this process will make available all of the “remedial” services required by law in all the areas of the state. She added that after implementing PBC for one of OPD’s internal programs, a Joint Legislative Audit and Review Committee (JLARC) evaluation showed they increased performance from 35 percent to 91 percent effective.

Charles Chelan, Executive Director of the Community Youth Services in Olympia, had a couple comments. He wants to be certain that if some state-provided services, such as legal representation, are not being transferred over to the master contractors, that master contractors will be given the resources to offer those services as well. In regards to capturing the data, he wants to tout the importance of collecting quality data. He also disagreed with an earlier public comment that this process will only add an additional layer of bureaucracy; rather, he sees it as a lateral transfer. He hopes that CA will spend more time on making a greater distinction between the roles of a care-coordinator and a CA worker. Given the steep learning curve of this process, he wants to make sure that there will be resources available for organizations that need to improve their capabilities.

Jim Theofelis, Executive Director of The Mockingbird Society, comments that one of the most dynamic and exciting facets of this process is the incentivizing of outcomes. He believes that adding incentives for positive outcomes will shift the child welfare system away from the current tactic of embellishing pathologies and symptomatology.

Laurie Lippold, Legislative Advocate of the Children’s Home Society of Washington, made a short announcement that the Governor’s Budget creates barriers to HB2106’s successful implementation. She also has a couple questions around the number of master contractors that CA is contemplating and how the work of the department with community organizations will mesh with the work of the Outcomes Advisory Committee.

At this point, the committee took a break for lunch.

For the next portion of the meeting, the larger committee separated into two breakout groups to respond to four primary questions. The breakout groups met for around an hour and a half and compiled their suggestions and ideas into a report, which was given later in the day. The following paragraphs summarize the ideas and answers contained in each breakout group presentation.

Question 1: What do you like most about the approach outline by Denise? What are you most worried about?

Group 1 presented first. They began by saying that they appreciated how CA has put some of the transition process on paper and that it appeared that there was a lot of thought in the work. Some people mentioned that they thought it was intuitive to organize services around populations rather than types of services. Others added that they appreciated the increased effort to involve the community in this process. Group 1 also liked that organizing this process around two phases is helpful in managing the workload. They like the possibility of greater customization of services for families. Some concerns around the approach included: the belief that CA would opt for the lowest bidder rather than on quality; the master contractors may not have the capacity to perform the varying levels of work they are being asked to accomplish; the timeline for Phase I may be too short; there was not enough focus on educational support; and that both CA and master contractors should be held accountable for achieving outcomes.

Group 2 had many ideas similar to group one but had several comments to add to the list. They believe that parent involvement and collaboration are important. They think that the adoption of the term master contractor is a positive development and provides additional clarity in Phase I and II. Regarding some of their concerns, they wanted to know what exactly is a master contract and how many would there be. They were unclear whether master contractors would be confined to a discreet location, or would multiple master contractors offer services to individual populations within the same land area. They had a concern that if there were only one master contractor in a single area, that might reduce innovation in the delivery of services. Group 2 also wanted to know what would the relationship be between master contractor and sub contractor as well as what would be the balance between competition and capacity. Another question they had is whether the master-contractor approach is at the scale approaching Phase II. They also wanted to get more information regarding states that have engaged in this type of transformation before. Another unintended consequence of reducing the number of contracts is the possibility that this may drive up the costs of services. They want to make sure that the master contractors do not duplicate the problems that exist in the current RSN model.

Question 2: How well do the four service categories support the work we do together with children and families in the child welfare system? What works well? Where are the gaps, if any? Are there needs not being met?

Group 1 altered the question slightly to read: "what should be the core services?" The list of services included: educational services; life skills for a broader age range, not just transitioning youth; basic concrete needs; health, mental health, physical and dental services; family engagement and connection; strengths-based opportunities for normative and developmental experiences; parenting skills. When responding to the original question, though, Group 1 said that treatment services should move away from something that is traditionally geared toward older youth. There was also a suggestion that CA should pay greater attention to more areas of well being, particularly educational well being. Group 1 also thought that CA's third and fourth category might be subsets of services to achieve permanency rather than categories unto themselves.

Group 2 felt that there was not enough specificity in the four groups and that the groups didn't make complete sense. Instead, it might make more sense to break the groups down by the types of services. This concern, they said, may be rooted in the lack of clarity around how the master contractor will be organized. They felt that services for adolescents might best be included in a separate category altogether because these youth often require a disproportionate

portion of the resources. With regard to the core services, Group 2 wanted to first look at what is required by federal law, then look at nursing, housing, and culturally responsive services. Defining some of these types of services as core services is problematic because many of the services have never been provided by DSHS. Group 2 broke down the core services by the four categories, some of which overlap. The core services that apply to children in out-of-home care include: family support; chemical dependency; mental health; nursing; housing; food; transportation; domestic violence; parent and foster parent training; child care; respite care; educational support; and cultural response to services. Group two's ideas for services for children in care include: sibling visitation; recruiting and licensing foster homes; support services for kinship care; support services for children; extracurricular activities; clothing vouchers; and after care. Ideas for services for children in need of treatment include: treatment placement; mental health; dual-diagnosis services; family counseling; substance abuse services, i.e. ALANON; more training for service providers; and more secure group facilities. For youth aging out of the system, core services might include: independent living; educational support; mentoring; financial supports; housing; and resource identification.

Question 3: What could we do to ensure continuity in services provided to children and families during the transition?

Group one talked about the need to do a shared planning meetings as well as a phased-in transfer period to more comfortably meet the challenges arising from such a large transition. There was a similar idea to allow for a delayed start time so that providers have an opportunity to establish agency procedures and baselines. Group 1 also thought that it would be good to give contractors a voice in the preparation of the service plan. They also hope that there will be some stopgap measures or a back-up plan to prevent gaps in services during the transition. They also wanted to make sure that children nearing the end of their stint in care would not have to go through the transition. Lastly, the group felt social workers need to have ample support and resources over the whole process.

Group 2 is concerned about the administrative rate for providers, particularly if rates are cut. They question whether there will be problems in attracting providers related to the reduced availability of resources. Until there is more concrete information around master contractors, they believe that is too difficult to specify how continuity may be maintained. Some of group two's suggestions include: there needs to be clear expectations what are the core services; the phase in period may need to thought about a little more; and regular meetings need to be convened between parents, service providers, and CA social workers.

Question 4: What could we be doing to promote clear communication with our partners throughout this transition (i.e. courts, district attorneys, existing providers, etc.)?

Group 1 had three primary ideas to address question 1: Draft a letter that will be widely distributed; establish clear definitions for key terms in communication; and provide a list of frequently asked questions.

Group 2 believes that communication must be robust and very participatory and should take place on a number of levels. Other suggestions included: web site use; add additional contact info on the monthly foster parent newsletter and the equivalent for kinship families; use of the mainstream media including translation into Spanish and other languages. Group 2 also thinks that there must be more refinement and greater definition to the message, as well as better dissemination of what has been decided and what decisions still require input.

The facilitators then welcomed discussion from the full committee on the content of both breakout group presentations. Some common themes from the presentation included partnership and collaboration as well as concerns around the timeline and a possible phase-in approach.

Judge Chris Wickham appreciates the comment wanting greater specificity around what master contractors will look like. Ian Grant believes that many of the services that might be considered desired services should really be considered core services. With regard to the governors budget, he was also concerned about how will these plans move forward given that many of the core services are not being funded. Judge Chris Wickham asked a follow up question whether the legislature is resolved to continue in this path. Jeanine Livingston hopes that the group can retain both desired and core services. She also wants to know what was the legislative intent in reducing the number of legislative contracts. Charlotte McCullough responds by saying that we should be able to look across other states to see what they did. She says that for many states, it was about getting an equitable distribution of services across the state. Many states were also hoping to improve the quality of contracts. She says there has been some success in achieving both of those goals. Mary Armstrong added that Washington State wanted to move to PBC and that many of the states that move to this type of contracting model provide more resources because contractors are able to advocate for resources in ways that the public agency cannot.

Asst. Sec. Revels Robinson feels that the feedback from both groups is fantastic and welcomed. She believes that this exercise was productive and hears that there is a need for greater specificity as the department moves forward. She reacted first to Group One's concern around using the low-bid to choose master contractors. She says that it is important to be prudent with existing resources, but that would not be the sole determinant. She also agrees with some of the comments around the four categories of services. Regarding the issue with the timeframes, the Asst. Secretary thinks that private agencies should be preparing for the upcoming transition. CA is not going to wait either. In terms of the transition, she also believes that families moving toward permanency should not be disrupted with this transition, but that it is important to carefully monitor this subset of the population. She also responded to the suggestion of having a back-up plan with including a risk management plan into the transition. CA is working on compiling a service provider list and will make that available as soon as it is ready. Responding to Ian Grant's comment around the distinction between desired and core services, the Asst. Secretary adds that the core services CA is devising should be in reference to the question of how best to keep children safe. She says that CA does not have a specific idea around the number of master contractors and that they will do more work around the roles and responsibilities of the master contractor. Lastly, she will take note of the suggestions regarding clear and effective communication strategies.

Nancy Foll was curious how many CA offices there are in the state. Sharon Osborne responded with the number 43. Ian Grant added that it is important to inform foster youth and is interested in what the strategy will be to inform them. The Asst. Secretary said that she would take recommendations for how to best inform them.

Asst. Sec. Revels Robinson wanted to respond to the comment from breakout group 2 around whether this shift toward master contracts was also a shift toward Phase II. She says that she wants to make the distinction between case management and providing services.

Mark Courtney added that although there may have been political alignment at the time the law was passed, the fiscal environment today is not similarly aligned. He also added that there is only recently a greater degree of stability in DSHS management, which in the past has been a

barrier to moving forward. Nancy Foll had a question around where we should start in our preparation for the next meeting with respect to focusing on two separate phases.

The facilitators then opened up the floor for public comment.

Dee Wilson of the University of Washington School of Social Work wanted to say that in regards to child safety, we always get back to the question of how well we are currently performing. He says that it is still very difficult to answer the question of whether the child welfare system is keeping children safe, or even if the system is safer than a decade ago. He believes that there is still a huge piece of conceptual work that needs to be accomplished in the coming year, not just as a matter of labor or time intensity, but bringing “best-thinking to bear on a very difficult subject.” He also says that from the standpoint of the promise of what 2106 is poised to achieve, incentives are a cornerstone. He was curious how savings would be reinvested.

Betty Haims, Director of the Community Resource Group, added that she has a problem with incentives. She believes that when it comes to very difficult children, incentives can lead to the issue of cherry picking.

At this point there were no more comments from the public. Julie Dunnington then gave directions for how the next day’s meeting will proceed. The facilitators also tasked the legislative staff to address the question of legislative intent regarding the reduction of the number of contracts for tomorrow’s meeting.

Since there were no changes to the agenda, Day Two began with the progress report from the Site Selection Advisory Committee from chairs Nancy Sutton and Jeanine Livingston.

The committee chairs began the presentation by describing the first action of the committee, which was to add stakeholders that represent different constituencies than were currently on the committee. The committee added a foster parent, social workers, and a former foster youth. The goal was to gather as much stakeholder input as possible. This committee has already met five times in total.

After some discussion around what the demonstration sites might look like, the Site Selection Advisory Committee chairs said that it became clear that they would also have to examine and discuss how the evaluation would drive the size and location of the demonstration sites. The committee examined three different types of evaluations, the first of which was the geographic model. This model most closely approximates what was described in the language of 2SHB 2106, yet has some significant drawbacks. The committee then raised the question whether there were other potential models that might offer a greater ability to control for confounding variables in the evaluation. The next model is based on a randomized experiment and would take place in two sites on either side of the state. Each child in the sites would be randomly assigned to either a treatment or control condition. The committee felt that this model would help to control for differences between jurisdictions. The last model the committee examined was the “historical” model, which compares the outcomes from a demonstration site with the historical baseline for Washington. The committee discarded this model primarily because of the lack of available and reliable data through CAMIS and FAMLINK. Also, CA would have a new contracting model, which may alter current baselines.

The next discussion the advisory committee tackled related to the overall number of children that would be included in the demonstration sites. The committee has seen a couple size estimates and is generally concerned. The committee has begun to explore ways to potentially reduce the

size of the experiment while maintaining standard levels of statistical confidence. The advisory committee is going to draw on the experience on the experts in this continuing discussion.

The Site Selection Advisory Committee has spent very little time discussing the actual site placement because they want to know more about what evaluation model will be employed. The committee also feels that they are not in a place to be able to recommend an action step to the larger committee. The researchers briefly caucused on December 14 and the committee will discuss these options at the next meeting. The committee wants to convene over a conference call to discuss these details more fully. The chairs do believe that the committee has a voting consensus to move forward with the randomized experiment model. The committee has begun to address the need to create an automated system to randomize children to each condition. WSIPP believes that it would be possible to build this system into FAMLINK.

The committee chairs then opened up the floor for questions. Judge Chris Wickham asked whether this random assignment would be statewide or in only the demonstration sites. The chairs responded by saying that a family within a demonstration site would have a random chance at receiving case management through CA or through a private vendor. One possible advantage of this model is that it allows CA to continue operation inside the pilot site, which would make for an easier transition if the state's final determination at the end of the evaluation were toward CA case management. Judge Chris Wickham asks whether this will have a bearing on the actual location. The chairs answered yes, but with the caveat that the committee needs to work through this question a little more.

Ian Grant asked whether there would be adequate funding to resource both private vendors and CA within a single land area. The committee chairs responded by saying that this is a current issue for everyone right now, but that there is not an answer to this question. There was another question whether it would be a problem that courts would know what condition a child was placed into by virtue of who is the case manager. The committee chairs said they didn't have a full answer and that there are many details that need fleshing out. Asst. Secretary Revels Robinson asked whether there is an idea of how many families would need to be included in the sample. The chairs answered by saying that this is the next discussion to tackle. The chairs mentioned WSIPP's estimate of 1,600 children per demonstration site. The researchers that caucused the day before may have a proposal of a much smaller scale, but the Outcomes Advisory Committee has not yet heard this proposal. The Asst. Secretary asked how long it would take to arrive at that sample size. The chairs responded by saying that some existing cases would be transferred into the experiment and the rest would be new cases and this would help to arrive at the desired sample size more quickly. The chairs reiterated their concerns about making progress, which is why the committee is meeting so frequently. Asst. Secretary asked whether there were criteria developed for which families would be transferred. Mark Courtney added that gearing up toward achieving this sample size is also a function of building capacity. He added that the size of the sample size depends greatly on the degree of specificity the committee desires for examining small subsets of the child welfare population.

The Site Selection Advisory Committee passed out maps of Washington with overlays of the RSNs, removals by office, and removals by RSN. The next map the committee will create will add an overlay of the tribes. Lastly, the advisory committee will make some additional recommendations regarding exceptions such as not dividing sibling groups. The committee says they will explore examples of these options in other states.

Roberta Peck asked whether the demonstration sites would arbitrarily transfer children from CA case management to private case management. The chairs responded that the paramount

concern is the well being of the family, but that they can't fully answer this question. Ian Grant asked whether the committee could create an option for families that do not feel they are receiving an optimal level of services to switch back and forth from CA to private vendors. He suggested that the evaluation could then monitor those switches. The committee chairs said that they would have to confer with the Legal and Practice Issues Committee before they can make a decision.

The committee then took a brief break to introduce everyone on the committee before continuing on to the progress report from the Outcomes Advisory Committee.

The two representatives of the Outcomes Advisory Committee, Marian Harris and Mark Courtney gave a brief overview of the presentation. The committee has had four meetings to date and has meetings scheduled through April 2010. The first task for the committee was to complete the membership, which they did by adding a foster parent and a foster youth. The major agenda items include: prioritization of tasks; discussion of outcomes, domains and indicators; and discussion of process and quality of care measures. Marian Harris briefly described each of these. The Outcomes Advisory Committee sees itself outlining each of the outcome domains and the indicators. For two of the outcomes, Safety and Permanency/Stability, the committee has identified outcome indicators for presentation.

Mark Courtney then read the proposed definitions for each of the broad outcome domains. He also described each of the indicators for the safety and the permanency/stability outcome domains.

The full committee then made some recommendations for revisions and additions. One suggestion from Roberta Peck is to include a safety indicator that deals with child fatalities. Ian Grant was interested in including a measure that captures disparities in resources devoted to different subsets of child welfare populations. Marian and Mark said that they have not reached that point yet. Mark Courtney believes that some of the well-being indicators will address some of Ian Grant's concerns, but the committee is still working on those indicators. Steve Hassett was curious whether the indicators will extend beyond 24 months. Mark responded by saying that those numbers are just examples and are simply placeholders. Judge Chris Wickham asked if there is currently data available to capture this information. Mark believes this data should be available, although it may not be true for indicators of well-being. Charlotte McCullough is enthusiastic about the creation of indicators that can be used state wide to monitor overall performance.

There were many suggestions for revision that pertain to the outcome indicators for permanency and stability. Rep. Ruth Kagi asked if there was any possibility to include an avoidance-of-placement indicator. Mark Courtney said that this indicator might best fit under the safety domain. Asst. Secretary Revels Robinson asked whether we would be able to look at all of the indicators by the type of placement and race. Mark said that would not be a problem. She also requested that the indicators include the term "safely reduce" wherever applicable. Ian Grant said that he is concerned about the scope of their indicators and the lack of statewide data. Gwen Gua hopes that there will be an indicator regarding racial disproportionality.

The next step for the committee is to further refine the well-being indicators. One example is to employ the outcomes that are included in the National Youth in Transition Database. The other examples of well being indicators still require some work. There were many suggestions for the well being outcomes section. Those include: the addition of an indicator that pertains to

providing culturally competent services; Townsend requests that we get rid of whether “in-home” care can be added to the bullet pertaining to ICWA.

Future tasks for the Outcomes Advisory subcommittee include: fleshing out process and quality of care indicators; meeting with the Site Selection Advisory Committee to figure out which outcomes are desired.

The conversation moved back toward areas for revision on the outcomes indicators document. Rep. Ruth Kagi asked if there could be an indicator around children that do not enter care because reducing the number of children in care is an explicit goal of 2SHB 2106. Mary Armstrong asked if there could be an indicator that deals with racial disproportionality. Mark Courtney said yes to both of these requests. Mary Armstrong also asked if would be possible to tease out moves that arise for treatment reasons and if the committee could create a logic model to describe this process. Mark Courtney said yes to both of these questions. Another member asked if the committee could include a measure measuring sibling contact. Mark Courtney said that there is a preliminary indicator that is included in the forthcoming well-being section. Steve Hassett added that the committee be careful with the definition of the term “sibling” because there is inconsistent usage across the state. Ian Grant asked if it would be worthwhile to create an index score from a composite of different indicators. Mark Courtney said that is something that could be discussed but that there are both strengths and weaknesses to index scores. There was another member comment that asked if there is an indicator that deals with proximity of placement. Mark Courtney said that there is no current indicator to measure this.

The committee was then presented with the question of whether or not to accept the recommendations from the two committees that just presented. There are two possible levels of action: moving forward committee recommendations or telling the sub-committees to move forward to flesh out the details without a formal report to the legislature. Most people raised their hand when presented the question of whether the committees were moving in the right direction. The CWTDC finds that both advisory committees are moving in the right direction, but that the CWTDC will not report this to the legislature at this time.

Rep. Ruth Kagi then gave a brief summary of the legislature’s intent for 2SHB 2106 and began by outlining the intent to reduce contracts. She says that the CWTDC should provide a plan with recommendations to the legislature, which should include a method to substantially reduce and consolidate the number of contracts because, if it is true that there are 1800 contracts, this is “unmanageable.” She then addressed the concerns about the budget and said that there is no way anyone could’ve foreseen the budget crisis, but that because of 2106, the legislature put money back into CA. She assured the committee that this bill would be part of the discussion regarding budget cuts.

The committee took a short break, which was followed by a brief public comment section.

Betty Haims, Director of the Community Resource Group, mentioned that moving children for the purposes of experiment might be against both Braam and legal statute. She also noted that keeping data on children in the home might be considered “intervening” in their lives. Lastly, she added that 1600 contracts does not necessarily mean 1600 agencies.

Joanne Moore, Director of the Office of Public Defense was surprised that the Outcomes Advisory Committee didn’t include services. She hopes that the committee will not lose sight of the quality and process of care outputs too.

Nancy Roberts Brown, Director for Catalyst for Kids, was curious why there is not a birth parent on either the Outcomes or Legal and Practice Issues Advisory Committees. She is also interested whether it would be possible to track children with TPR proceedings who then reinstitute parental rights. She also wants to know whether it would be possible to include a disaggregation of the data with regard to parental status.

Laurie Lippold, Legislative Advocate for The Children's Home Society of Washington, was interested in the intent of how things would work in the demonstration sites.

Alexia Everett of the College Success Foundation encourages the committee to take a closer look at the elements included in Braam.

The committee then began the final discussion of what to include in the quarterly report to the Children's Legislative Oversight Committee, including any recommendations. Staff clarified that there are two sections of the report: current progress and recommendations. The committee asked if it would be able to review a draft before the report is submitted and staff confirmed that the committee would be able to comment on the draft before submission.

The first question the larger committee addressed was whether the statute should be reopened to add additional voting members to the committee. The committee made many suggestions for potential additions. They arrived at a list of four possible additions: a social worker; a representative from the Office of Public Defense (OPD); a youth; and a Court-Appointed Special Advocate (CASA).

Sharon Osborn recommended that the committee request the legislature expand the membership of TDC to include representatives for social workers, the Office of Public Defense, youth, and the Court-Appointed Special Advocate program. Jeanine Livingston seconded the motion. There were some suggestions for friendly amendments to the motion, such as the inclusion of both a public and private agency social worker and that there is a proper balance of east and west in these new additions. Steve Hasset suggested that the committee recommend that the legislature give the committee the power to appoint additional voting members. An amendment was added to the motion to include a fifth member—a private agency social worker—to the motion on the floor. Another amendment was added to give preference to individuals who are currently members of advisory committees. The motion failed.

The committee's conversation then shifted to concerns around the implementation timeline.

Jeanine Livingston moved that all timelines be suspended until work had been completed toward the progression of a plan and all costs were identified. The motion was seconded. Questions then arose from the committee around what timelines the motion was referring to. It was suggested that only the timeline for the conversion to PBC be altered and, additionally, the committee recommend a phase-in approach. Asst. Secretary Revels Robinson said she was unclear what that meant. She agreed that there were concerns around capacity building, and that the committee and CA should examine those issues.

Jeanine Livingston then moved to leave the section on PBC alone and to leave the June 30<sup>th</sup> report intact, but to suspend the implementation dates of the demonstration sites indefinitely until there is more financial information available. The motion was seconded. The motion did not pass.

Steve Hassett moved to recommend to the legislature that the deadline in the statute to convert all PBC contracts by January 1, 2011 be amended to create a phased-in process to give the department more flexibility. Any issues relative to the timing of Phase II could be addressed in the report that is due in mid-2010 and in subsequent recommendations to the legislature. The motion was seconded. Mark Courtney suggested that it might be worthwhile to let the legislature decide. Asst. Secretary Revels Robinson welcomed representatives from the TDC to help lay out what a phase-in approach would look like. She added that she is enthusiastic about building partnership and collaboration. Brenda Lopez noted that she wanted to participate on the discussion around the phase-in period.

Judge Leonard Costello was concerned that sending a recommendation to the legislature asking for flexibility for the phasing-in of PBC without a timeframe could be interpreted as saying something else entirely. He was concerned that if the committee did not send a clear recommendation, that nothing would be done during this legislative session.

Carole Holland recommended that the end-date be moved to July 1, 2011, which is a six month time period for phasing in the contracts. This was acceptable to both the creator of the motion and the seconder. Charlotte McCullough said that she would have suggested the same time frame.

With the friendly amendment, the motion was made to request the legislature consider an amendment to the section of the bill setting the timeline on Phase I for implementation of PBCs. It currently says that all contracts shall be converted by January 1, 2011. The TDC will ask the legislature to consider adding a phase-in period not to exceed more than six months. The motion carried.

Asst. Secretary Revels Robinson formally extended an offer to all committee members to join a work group to continue work on this phase-in period. Julie Dunnington is to send out a formal request to committee members and forward the names to Asst. Secretary Revels Robinson and CA.

Ian Grant wanted to speak on record regarding the earlier decision to not invite a youth as a formal voting member to the committee. He requested that the committee reconsider adding an foster youth to the committee with full voting rights. Jeanine Livingston mentioned that within the ground rules relative to voting, when a vote fails, voting members can comment on the vote. Jeanine agreed that Ian should become a full voting member.

Steve Hassett moved that the committee recommend to the legislature that a foster youth be added as a voting member. Charlotte McCullough seconded the motion. Brenda Lopez mentioned the letter from the office of the OPD again asking to add a representative from OPD to the committee. Nancy Sutton wanted to take each motion to add a new representative one at a time. Steve Hassett mentioned that the OPD approached the legislature to be included on the committee before the legislation was completed and subsequently were not included. The committee agreed to vote on each issue separately. They then voted to recommend to the legislature that a foster youth be included as a voting member. The motion carried.

Ian Grant thanked the committee for including a youth as part of the decision making process.

Brenda Lopez then moved to add a representative from the Office of Public Defense as a voting member on the TDC. Nancy Sutton seconded the motion. Jeanine Livingston spoke in opposition to the motion because OPD requested to be included on the committee, but the

legislature opted to not include them. Nancy Foll spoke in favor of including a representative of OPD because there is not currently a voice of the attorneys representing the parents. Ian Grant also spoke in favor of adding an OPD representative because they are continually engaged in the process of assisting parents. The motion was voted on and failed.

Jeanine Livingston was curious whether the committee would entertain a recommendation to the legislature that no money be spent on the demonstration sites unless the legislature could allocate specific dollars toward the demonstration sites and their implementation. She believes the resources could be better spent on children, especially at a time that services are being cut. Ian Grant said he was conflicted on the issue also. Steve Hassett stated that it was a little late to bring a motion to the table for consideration. They had already voted to wait until a future time to make recommendations on Phase II.

The facilitators had just a couple of announcements for the full committee: The Legislative Children's Oversight Committee has been moved from January 18, to January 19, 2009 in Senate Hearing Room 1. There is lunch for all committee members in Cascade 13 immediately after the meeting. Also, the committee chairs are to meet at 1:30pm in the main meeting room. The next CWTDC meeting is March 22 and 23, 2009.

Roberta Peck requested, if possible, to receive the handouts prior to the meeting.

Jeanine Livingston voiced her dismay at the end of the meeting at the number of committee members that dispersed before the meeting had officially adjourned. She also brought up the recommendation to convene over a conference call hosted by the Site Selection Advisory Committee. She also wants clarification on Section 8(2)b of 2106. She is concerned that if the CWTDC is required to devise a method to reduce the number of contracts, then it may be important to have an existing committee examine this issue, or maybe even form a new committee.

The facilitators then took a minute to thank everyone participating on the committee.