

# DCF LEGISLATIVE TESTIMONY



2/3/2021

**TESTIMONY OF**

Tanya Keys, Deputy Secretary  
Kansas Department for Children and Families

**TESTIMONY ON**

SB 12

**Chair**

Hilderbrand

**Vice Chair**

Gossage

**Ranking Member**

Petty

**and**

**Members of the Committee**

## SUMMARY OF ISSUE & DCF POSITION

Senate Bill 12 addresses DCF contracts. The bill would require that DCF collaborate with community partners and stakeholders to develop a plan for implementation of performance-based contracts to provide prevention and early intervention services.

DCF is neutral on SB 12. DCF currently includes performance outcomes in its contracts and engages in robust collaboration with stakeholders and community partners.

## CONTEXT & HISTORY

SB 12 would require DCF to collaborate with stakeholders to jointly develop a plan to implement performance-based contracts to provide “an array of evidence-based and prevention and early intervention services” for families who are at risk for “out of home placement or have a child in out-of-home placement and for children who are awaiting adoption”. This implementation plan would include information on services delivered, outcome measures, the referral process for families, and a description of how the contracts will share responsibility for child protection between the contractor and DCF.

Currently, DCF includes performance outcomes in its contracts and grants for child welfare services, and monitors for performance using case reviews, aggregate data analysis, and regular monthly or quarterly reporting mechanisms.

For example, DCF’s Family First grants have 2 major performance measures and there are general clauses that allow DCF to terminate the contract. DCF’s Family Preservation grants have 5 performance measures and penalties noted for not meeting outcomes. They also have a structure in place for performance improvement plans and corrective action plans. DCF Foster Care contracts also include robust performance measures, outcomes, and require quality assurance processes and performance improvement in addition to penalty clauses for not meeting outcomes. These grants also have a provision where DCF would provide an incentive payment structure for grantees who meet all the performance outcomes.

DCF also regularly engages with stakeholders in developing policy and state plans. Standing workgroups/committees consisting of both internal and external stakeholders regularly meet to solicit input, address case review results, review outcomes, develop Program Improvement Plan (PIP) goals and activities, and to review policy. These groups include:

- ***Family Preservation Services Advisory Workgroup*** meetings are held quarterly and facilitated by DCF Administration staff. Includes DCF and grantee staff. The purpose of this workgroup is to serve as a forum for data review and analysis, identifying trends, monitoring outcomes, understanding root causes of identified issues, and collaborating on policy development and revisions.
- ***Permanency Advisory Committee*** is facilitated by DCF and meets approximately six times a year to promote coordination between DCF and child welfare stakeholders. Membership in the Permanency Advisory Committee includes DCF staff, Case Management Provider staff, Tribal representatives, Kansas Family Advisory Network (KFAN), Kansas Foster and Adoptive Parent Association (KFAPA) and Wichita State University (WSU) Caregivers Support Association and foster and adoptive parents. This membership allows for policy and program input from caseworkers, supervisors, birth parents,

foster parents and relative caregivers. The Case Management Providers also continue to ensure family involvement at a policy-making level by holding stakeholder-feedback meetings and foster parent advisory board meetings to solicit input from youth and families about agency policy and practice.

- ***Adoption Policy and Adoption Assistance Advisory Workgroup*** meets quarterly to review, discuss and develop adoption and adoption assistance policies to reflect best practice. The goal of the workgroup is to improve the effectiveness, efficiency and permanency outcomes for children with a goal of adoption. Statewide standardization and adherence to determining initial and ongoing IV-E and State eligibility, and negotiations and renegotiations of adoption assistance, will result from this workgroup. Members of the workgroup include DCF Administration, regional administrators, supervisors, adoption assistance specialists, eligibility staff and Case Management Providers.
- ***Family First Prevention Services Act (FFPSA) Regional and Statewide Advisory Workgroups*** are cross-system interagency advisory groups dedicated to Family First. FFPSA Advisory Workgroups aid the state by maintaining the new Family First Prevention Services Act, identifying service needs, and assisting in process changes.

These workgroups consider many of the same issues that SB 12 seeks to address, including monitoring and improving outcomes for families through collaborative policy development, and increasing communication and engagement among child welfare stakeholders.

## EFFECT OF LEGISLATION

As discussed above, DCF already includes performance outcomes in its contracts and grant agreements.

DCF notes that SB 12 would require DCF agreements related to certain child welfare services be contracts. Currently, DCF's Family First and Foster Care agreements are grants. If adopted, SB 12 would require those grants become contracts, meaning the Department of Administration would be involved in the procurement process moving forward.

Additionally, regarding the bill's requirement to include community partners and stakeholders in the contract development process, it would be important to ensure that if any existing contractors/grantees are defined as a community partner or stakeholder that they be included in a way that does not present a conflict of interests. For example, an existing organization DCF contracts with could be considered a stakeholder/community partner and then be involved in developing the performance measures they would then be held accountable for in a future contract or grant.

SB 12 would also require that DCF submit to the legislature and governor a proposal for the reinvestment of savings from reduced foster care caseloads into additional prevention programs. It is important to note that foster care is a part of the Consensus Caseload Estimating (CCE) Process. This is an agreement with the Legislature, the Governor's Office, and state agencies which adjusts the budget semi-annually based on projected caseloads and expenditures. This process as it currently exists does not allow the agency to retain any un-needed funds in a CCE caseload for other programs.

## FISCAL IMPACT OF LEGISLATION

DCF assumes no fiscal impact due to SB 12, although some additional administrative work may be required by DCF staff to organize additional stakeholder engagement and develop the required reports to the legislature and Governor. Any savings due to SB 12 would be realized during the CCE process. Again, DCF would note that there is no existing process to reallocate funds from the CCE caseload to other programs.

It is also assumed that any outcomes established specifically for this bill would be consistent with federal outcome requirements to ensure that agency would not be at risk of federal penalties through partial withholding of Title IV-E and Title IV-B federal funds.

## DCF POSITION

DCF is neutral on Senate Bill 12. DCF already does much of what is required of SB 12, including performance-based outcomes in contracts and stakeholder engagement in policy development. DCF appreciates the opportunity to weigh in on this legislation and stands ready to engage in further conversation if needed.