Michigan's Children

Public policy in the best interest of children

BOARD OF DIRECTORS

Officers

Kristen McDonald, Chair

Greater Midland

Shaun Wilson, Vice Chair

Truscott Rossman

Kurt Strehlke, Treasurer

Bank of America

Terry Murphy, Immediate Past Chair

Retired – Certified Public Accountant

Directors

Yazeed Moore

W.K. Kellogg Foundation

Tony Stamas

Small Business Association of Michigan

Diana Wong, Vice Chair

Eastern Michigan University

John Ziraldo

The Skillman Foundation

Matthew Gillard

President and CEO

Date: October 24, 2017
To: Members of the House Judiciary Committee
From: Matt Gillard, President & CEO, Michigan's Children
matt@michiganschildren.org or (517) 485-3500
Re: House Bills 5121, 5122, 5123 – Children's Assurance of Quality Foster Care

First we applaud the efforts of this committee and bill sponsors, some of whom have been working on this legislation for quite some time. It is a great start to codify support for Michigan's compliance with federal law and to better assess where increased service investments need to be made – to support both the children and youth involved in the state's care, as well as the caregivers in all settings who provide for them.

Many of you have been involved in recent opportunities to hear directly from young people currently and formerly in the foster care system, as well as foster, kinship and adoptive caregivers of some of those young people. Everyone in this room is well aware of the barriers faced by these young people and families, as well as what remain dismal educational and life outcomes for too many of them. Our comments today reflect issues that have been brought to us in those forums from all areas of the state and for some, over many years.

We support HBs 5121, 5122 and 5123 before you today, but have a few specific recommendations for your consideration, and will leave you with some suggestions for moving further in the future.

1. **We ask that the "as soon as practicable" timeliness standard for services be further defined, and that there be annual independent review to identify and address service delays and gaps in services across the state.** A common theme that we have heard from both young people and caregivers is the lack of immediate access to essential services, including basic needs like housing and physical or mental health services. While it is clear that there are existing standards of timeliness of care, and that the bill language is consistent with other policy and procedure, essential services are not always accessible when they are needed, through no fault of the child or caregiver and creating needless gaps in services.
2. **We recommend that the onus of responsibility for complaint monitoring and follow up are with the system, rather than the child in the final grievance procedure negotiated.** Another theme that we hear is that young people in care don't see evidence of recourse for their complaints. While this bill does provide a statutory basis for grievances, the onus for moving issues of concern forward lies solely on the child or youth involved. This seems a needless responsibility for the child, when it is really the system that bears the parental responsibility. We

would recommend that complaints would be allowed from not only the child themselves, but their caregivers and other people serving the child or family. Once a complaint has been made, the Office of the Family Advocate should be immediately notified and should take responsibility for monitoring timely response and working with the children, youth and caregivers to review and evaluate corrective action taken by the agency to determine when further steps are necessary. If reasons for the complaint persist, the Office of the Family Advocate should refer the situation to an independent evaluator like the local Foster Care Review Board.

3. In order to maximize the positive impact of the Children's Assurance of Quality Foster Care requirements, **we would recommend the addition of specific reporting requirements that would include information about complaints and corrective actions taken.** We recommend that this reporting be made available to an independent evaluator like the Foster Care Review Boards who already serve a similar purpose for the Department. When these bills were being discussed last session, the State Court Administrator's Office expressed an interest in supporting this role for the Foster Care Review Boards. The information would allow the Department and the Legislature to clearly pull out recommendations for policy changes and service and training investments necessary to fully adhere to the statute.

Michigan's Children remains committed to ensuring that public policies are made in the best interests of children, from cradle to career. We appreciate your continued work for children, youth and families across the state and look forward to working with you on future issues.