

OVERVIEW

Audit of the Child Protective Services System

Report No. 99-5, January 1999

Summary

Agencies charged with protecting children from abuse and neglect include the Department of Human Services (DHS), the Department of the Attorney General, the Family Court, and the four counties' police departments. The 1998 Legislature, in Senate Concurrent Resolution No. 146, S.D. 2, H.D. 1, C.D. 1 asked the State Auditor to conduct an audit of the child protective services system.

We found that DHS has not ensured that all child abuse and neglect reports are investigated when appropriate. Supervisory review at key decision-making points has been insufficient and staff have failed to follow established procedures to assess the risk of harm when receiving and investigating reports of suspected abuse and neglect.

We reviewed 112 cases statewide that were not referred to investigation and were unable to confirm DHS' supervisory review for 88 percent of these cases. Statewide, supervisory review was documented in only 5 percent of the investigated dispositions we reviewed. In a sample of written reports made by individuals who are legally mandated to report suspected abuse and neglect, we found that 13 percent of these reports were not identified on the DHS intake logs and in the Child Protective Services System (CPSS), DHS' central registry of abuse and neglect reports.

We also found that the DHS' communication within its Child Welfare Services Branch and with the county police and the Family Court is ineffective. As a result, DHS has not ensured that decision makers have access to necessary information, that criminal proceedings begin when warranted, or that Family Court jurisdiction is sought when required.

Nearly half of the child abuse and neglect cases reported statewide during June 1998 were not registered in the CPSS. This limits communication within the department and does not assure that the risk of harm will be considered during key decision making. In a one-month period that we reviewed, DHS failed to refer to the county police about 40 percent of the reports of child sexual assault that it received. Also, the police do not consistently inform DHS of all child abuse and neglect cases reported to the police.

DHS has also been remiss in its obligation to seek Family Court jurisdiction when required. Also, DHS has allowed children to remain in foster custody without proper legal authority.

We also found that DHS and Family Court emphasis on family reunification exceeds federal requirements. The case files contained a number of court-ordered service plans that duplicated previously ordered services to families who were



either unwilling or unable to complete the services. Duplicating service plans detracts from child protection and increases foster care costs unnecessarily.

We also found that DHS' weak management of its contracts with private organizations serving abused and neglected children and their families does not assure that services paid for are received and effective. For example, in a sample of contracts we found that \$180,000 could have been saved if DHS had adjusted its contracts with private providers to correlate with utilization levels.

Together DHS and the Family Court have made significant progress to increase federal reimbursements for foster care under Title IV-E of the Social Security Act. However, we found DHS could make additional improvements through more timely eligibility determinations. DHS could also improve the accuracy of its reimbursement claims. We also found DHS has not established sufficient management controls to ensure that foster care payments end when a child leaves a foster home and to prevent overpayments to families receiving general assistance payments when a child is placed in foster care. Furthermore, DHS has not sufficiently identified and tracked foster care overpayments.

Recommendations and Responses

We recommended that DHS establish sufficient management controls to ensure that all child abuse and neglect reports are investigated as appropriate. We made recommendations for improving communication between DHS' Child Welfare Services Branch, the county police, and the Family Court.

We recommended that both DHS and Family Court move for permanency hearings when families are unwilling or unable to comply with appropriate and available services. We also recommended amendments to Chapter 587, HRS, to clarify that permanency planning begin 12 months after a child's placement in foster care. Also, DHS should improve its management of contracted services; improve its ability to capture all available Title IV-E funds and accurately claim administrative reimbursements; and improve its management of various payments related to child protection.

DHS responded that as a whole, it concurs with our findings and recommendations. The Judiciary responded that it plans to disseminate to all Family Court judges the recommendation that we directed to this court. The Honolulu and Hawaii police departments described some of their child protection activities.

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