



U.S. SENATE COMMITTEE ON

Finance

SENATOR CHUCK GRASSLEY, OF IOWA - CHAIRMAN

<http://finance.senate.gov>

MEMORANDUM

TO: Reporters and Editors
RE: GAO Report on child and family services
DA: April 23, 2004

Sen. Chuck Grassley, chairman of the Senate Committee on Finance, and Rep. Tom Delay, the House Majority Leader, issued the comments below regarding a new report of the General Accounting Office on how better use of data and improved guidance could enhance the Department of Health and Human Service's oversight of states delivery of child and family reviews. The report, GAO-04-333, can be accessed at www.gao.gov.

Last year, Sen. Grassley and Rep. Delay urged the Secretary of Health and Human Services to implement recommendations made by the General Accounting Office to improve the reliability of child welfare data. A copy of that letter follows their comments.

The child welfare system is a partnership between the federal government and states that is intended to monitor children who are the victims of abuse and neglect. In the Adoption and Safe Families Act of 1997, Congress instructed the Administration for Children and Families to closely monitor states' child welfare systems. The Administration for Children and Families has devoted significant resources to the creation of the Child and Family Services Review. No state has passed the review process, but states have created program improvement plans. In its new report, the General Accounting Office describes issues of concern that have emerged as a result of these reviews in many state child welfare programs, including the inability to ensure access to the best available data.

Grassley comment —

"Kids need and deserve permanent, loving families. And, Congress, the administration and the states need to work together to make sure every step necessary is taken on behalf of those who must rely on the child welfare system. Accurate information leads to greater accountability and that can drive the system toward better results. Some improvements are beginning to emerge as a result of the child and family service reviews, but we need to keep up the effort and the scrutiny."

Delay comment —

"There is plenty of blame to go around, but these problems must not merely be identified – they must be solved. The time has come for new ideas and new approaches to protect abused and neglected children, and the grown-ups need to take action. Federal oversight of the plight of foster kids is needed to hold the government accountable for the children they must protect."

Grassley/Delay letter —

For Immediate Release

Monday, August 12, 2003

Grassley, Delay Seek More Reliable Child Welfare Data System

WASHINGTON – A new report has identified deficiencies in the child welfare data systems developed by the states and overseen by the federal government, according to Sen. Chuck Grassley, Chairman of the Senate Committee on Finance.

In a letter sent this week to Secretary of Health and Human Services Tommy Thompson, Grassley and House Majority Leader Tom Delay urged the government to implement recommendations made in the report by the General Accounting Office to improve the reliability of the child welfare data and, in turn, the circumstances facing the 500,000 children in the welfare system. Grassley and Delay requested this GAO report, GAO-03-809. It can be found at www.gao.gov.

"Congress, the administration and the states need to make sure every step necessary is taken on behalf of those who are forced to rely on the child welfare system," Grassley said. "An improved tracking system can be part of helping to prevent child abuse and maltreatment. It can potentially shorten the length of time needed for either adoption or family reunification."

Since 1994, federal matching funds have been available to states to develop and implement comprehensive case management systems to manage their child welfare cases as well as to report child abuse and neglect, foster care and adoption information to the federal government.

The GAO is the investigative arm of Congress. A copy of the Grassley/Delay letter follows here.

August 11, 2003

The Honorable Tommy G. Thompson
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Secretary Thompson:

The purpose of this letter is to request that the Department of Health and Human Services (HHS) take immediate action to address, among other things, the reliability of the systems used to track more than 500,000 vulnerable children in our country.

The General Accounting Office (GAO) recently released a report entitled “Most States are Developing Statewide Information Systems, but the Reliability of Child Welfare Data Could be Improved (report).” This report focuses on the statewide automated child welfare information systems (SACWIS).

Specifically in 1993, Congress authorized enhanced federal funding to assist states in developing SACWIS; a uniform information system. SACWIS is used by state caseworkers to establish electronic case files for children and families served by the state child welfare agencies. It tracks, for both the state and federal government, the often winding and perilous paths that, for example, foster children too often take through the child welfare system. In sum, this system is intended to monitor, the most vulnerable among us – children who are the victims of abuse and neglect.

Unfortunately, the report notes a number of deficiencies and failures with regard to the SACWIS system throughout too many states. Accordingly, the report recommends that HHS enhance the guidance and assistance to states to overcome the challenges of collecting data on the children within child welfare programs.

To date, HHS reports that 47 states are developing or operating a fully functioning SACWIS system to meet their own needs and certain federal requirements. Since 1994, states reported that \$2.4 billion in federal, state and local funds have been spent developing SACWIS, \$1.3 billion of this sum represents federal dollars.

We believe it is critical that states develop and maintain a SACWIS. Almost a decade has passed and yet 31 state agencies lag behind the time frames they set for completion, with 26 states reporting delays ranging from 2 months to 8 years. Surely, we can do better.

These delays are alarming, since an operational SACWIS system can be an integral tool in helping to: prevent child abuse; shorten the time to adoption; decrease recurrences of child maltreatment; and shorten the length of time to achieve reunification among family members.

Coupled with delays in achieving an operational SACWIS, there are concerns with the states’ ability to collect and report reliable data on children served by state child welfare agencies. The report also speaks to why states are experiencing such problems. The excuses articulated by states run the gamut and include a lack of clear and documented guidance from HHS, to inaccurate and incomplete data entry into their respective information systems, to insufficient state funding, to insufficient caseworker training.

At the same time, states report that an operational and reliable child welfare data system can assist in improving the timeliness of child abuse and neglect investigations. Are there many things more important than coming to the rescue of a vulnerable child before another tragedy occurs?

We recognize that SACWIS has not reached its full potential. We also recognize that without federal oversight and enforcement, SACWIS will never reach its full potential. Indeed, in the past, administrative penalties were levied for states that submitted low quality, unreliable data on children in foster care. Despite a belief stated by HHS officials on page 31 of the GAO report that “penalties served as an effective motivation to states to correct their data,” the penalties were rescinded in January 2002.

It is our belief that you may wish to give consideration to, among other things, reviewing the HHS decision with regard to penalties. Although penalties are but one of the many ways that the federal government can motivate states; it is imperative that HHS initiate ways to insure that the states fulfill their responsibilities, insure that they are reporting reliable data, and that taxpayers see the results of their \$1.3 billion dollar investment.

States will continue to face challenges in the years to come; but, permitting these challenges to fall upon the shoulders of maltreated children is unacceptable. Moreover the information contained and maintained in the SACWIS must be complete, accurate, consistent and reliable. After all, reliable data is essential to the health and well-being of children in foster care and the federal government’s role in the oversight of the child welfare system.

In closing, we are requesting that you provide us with a detailed plan by September 30, 2003. In that plan, please address specifically the recommendations contained in the GAO report, as well as, the issues set forth in this letter. We believe it is critical that the SACWIS system, envisioned almost a decade ago is up and running in every state and that it contains reliable data. Only in this way can we better the path on which so many children travel through no fault of their own.

In closing, thank your attention to this important matter. Should you have any questions, please do not hesitate to contact Leah Kegler of Senator Grassley’s Committee on Finance staff at (202-224-4515) or Cassie Statuto Bevan with Majority Leader DeLay at (202)-225-4000.

Sincerely,

Tom Delay
Majority Leader
U.S. House of Representatives

Charles E. Grassley
Chairman