

Department of Health and Human Services

**OFFICE OF
INSPECTOR GENERAL**

**OHIO DID NOT ALWAYS COMPLY
WITH REQUIREMENTS RELATED
TO THE CASE MANAGEMENT OF
CHILDREN IN FOSTER CARE**

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**May 2018
A-05-16-00022**

Office of Inspector General

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Report in Brief

Date: May 2018

Report No. A-05-16-00022

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE OF INSPECTOR GENERAL



Why OIG Did This Review

Congress has expressed concerns about the safety and well-being of children in foster care. These issues were highlighted in a media report that provided several examples of children who died while in foster care. Additionally, for a recent audit, we conducted unannounced site visits at various children's group homes throughout Ohio. We found that some Ohio group homes did not always comply with foster care health and safety requirements.

Our objective was to determine whether Ohio ensured that children residing in foster care group homes received case management services designed to protect their health and safety under Title IV-E of the Social Security Act (the Act) and that caseworkers were qualified to provide care.

How OIG Did This Review

Of the 1,206 children residing in group homes that received Title IV-E foster care funding during 2015, we reviewed a random sample of 75 children. We reviewed the children's case files and the associated caseworker personnel files at 30 county agencies in Ohio from March 27 through May 25, 2017.

Ohio Did Not Always Comply With Requirements Related to the Case Management of Children in Foster Care

What OIG Found

Ohio did not always comply with State requirements for maintaining documentation that Title IV-E-eligible children residing in group homes received required case management services and that case workers were qualified to provide those services. As a result, Ohio did not always have assurance that (1) caseworkers provided all the required case management services appropriate for each child, (2) caseworkers were qualified to provide those services, and (3) caseworkers received the required criminal records checks.

Specifically, we found that 37 of the 75 children in our sample were associated with 1 or more case management documentation deficiencies. Additionally, we found that 3 of the 75 children in our sample received services from caseworkers who had not received the required criminal records checks.

Without adequate documentation in the case files and caseworker personnel files, Ohio could not be assured that children received necessary case management services from qualified caseworkers. On the basis of our sample results, we estimated that 611 of the 1,206 Title IV-E-eligible children residing in group homes may not have received necessary case management services or that they may have received services from caseworkers who did not meet the requirements to provide care.

What OIG Recommends and Ohio's Comments

We recommend that Ohio (1) ensure that the appropriate internal controls are in place for maintaining the required documentation in the case files to substantiate that children in foster care are receiving the necessary services, (2) improve controls to ensure that critical incidents involving children in foster care residing in group homes are reported timely to the county agencies, (3) ensure that the county agencies maintain the required documentation in the caseworkers' personnel files, and (4) implement controls to ensure that the appropriate criminal record checks are completed for the caseworkers upon hire and that the minimum training requirements are met and documented.

In written comments on our draft report, Ohio concurred with all of our recommendations and provided information on actions that it had taken or plans to take to address our recommendations.

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INTRODUCTION

WHY WE DID THIS REVIEW

The Children's Bureau within the Administration for Children and Families (ACF) awards grants to States to fund the Federal Foster Care Program, which provides safe foster care placements for eligible children and youth who cannot remain in their homes. Congress has expressed concerns about the safety and well-being of children in foster care. These issues were highlighted in a media report¹ that provided several examples of children who died while in foster care. Additionally, for a recent audit, we conducted unannounced site visits at various children's group homes throughout Ohio. We found that some Ohio group homes did not always comply with foster care health and safety requirements.² To determine whether children in foster care received required case management services, we performed reviews of the children's case files and caseworkers' personnel records.³ In Ohio, the Ohio Department of Job and Family Services (State agency) administers the Title IV-E program.

OBJECTIVE

Our objective was to determine whether the State agency ensured that children residing in foster care group homes received case management services designed to protect their health and safety under Title IV-E of the Social Security Act (the Act) and that caseworkers were qualified to provide care.

BACKGROUND

Federal Foster Care Program

Title IV-E of the Act established the Federal Foster Care Program, which helps States to provide safe and stable out-of-home care for children who meet certain eligibility requirements until they are safely returned home, placed permanently with adoptive families, or placed in other planned arrangements. At the Federal level, ACF administers the program. The State agency is responsible for administering the program at the State level.

¹ Mother Jones. "The Brief Life and Private Death of Alexandria Hill." Available online at <http://www.motherjones.com/politics/2015/02/privatized-foster-care-mentor>. Accessed on August 3, 2017.

² *Some Ohio Group Homes Did Not Always Comply With Foster Care Health and Safety Requirements* (A-05-16-00049, issued September 2017).

³ Case management services are activities performed by the relevant agency for the purpose of providing, recording, and supervising services to a child and his parent, guardian, custodian, caretaker, or substitute caregiver (Ohio Administrative Code (OAC) chapter 5101:2-1-01(B)(41). For the purposes of this report, we refer to these services as "case management" and include required activities to be performed by a group home caring for a child in foster care.

The Act requires a State agency to submit a State plan that designates a State agency that will administer the program (the Act § 471(a)(2)). The State plan provides for the establishment or designation of a State authority or authorities responsible for establishing and maintaining standards for foster family homes and childcare institutions, including standards related to safety, and requires the State to apply the standards to any foster family home or childcare institution receiving funds under Titles IV-E or IV-B of the Act (the Act § 471(a)(10)). The State plan also provides that the State must develop and implement standards to ensure that children in foster care placements in public or private agencies are provided quality services that protect their health and safety (the Act § 471(a)(22)). To be eligible for foster care maintenance payments under Title IV-E, a child must be placed in a foster family home, a private childcare institution, or a public childcare institution accommodating no more than 25 children that is licensed or approved as meeting the standards established for licensing by the State licensing authority (the Act §§ 472(b) and (c)).

Ohio Department of Job and Family Services

The State agency's Office of Families and Children oversees Ohio's foster care providers and agencies and is responsible for State-level administration and oversight of the Foster Care Program. The State agency certifies agencies that provide foster care, adoption, and residential services for children and ensures that the agencies adequately provide care and recommend or approve other agencies to provide care. In Ohio, child welfare services are provided directly by 88 county agencies.

State Requirements for Public Children Services Agencies

The Ohio Revised Code (ORC) states that each county in Ohio must have a public children services agency (county agency). A county agency may be a county children services board, county Department of Job and Family Services, private entity, or government entity that has assumed the powers and duties of the children services functions.⁴ The Ohio Administrative Code (OAC) defines a county agency caseworker as a staff person who is responsible for providing protective services to a child and support services to a parent, guardian, custodian, or substitute caregiver.⁵

When the county agency has temporary custody of a child, it must select a substitute care setting that is consistent with the best interests and special needs of the child.⁶ A group home is a substitute care setting and is defined as a public or private residential facility that provides

⁴ ORC chapter 5153.02.

⁵ OAC chapter 5101:2-1-01(B)(46).

⁶ OAC chapter 5101:2-42-05(E).

nonsecure care and supervision 24 hours a day by a person unrelated to the children for 2 or more consecutive weeks.⁷

The county agency must coordinate comprehensive health care for each child in its care or custody who is placed into a group home.⁸ A service plan must be developed within 30 days of placement into a group home, and it should include health care or specialized services to be provided and behavioral management techniques to be used with the child.⁹ A group home must notify the county agency within 24 hours if a critical incident occurs to a child, such as being absent without leave, a serious injury, a suspension from school, a suicide attempt, or an incident involving law enforcement.¹⁰ When a child is discharged from a group home, the county agency must prepare a written discharge summary that includes the reason for discharge, a summary of health services provided, and recommendations for ongoing treatment.¹¹

The county agency must record the child's case information in the Statewide Automated Child Welfare Information System (SACWIS). Case information that cannot be recorded in the SACWIS must be maintained as hard copy files, electronic files, or both.¹² The county agency must maintain case records that cannot be maintained in the SACWIS in a consistent and organized manner so that the required information can be readily located.¹³

For a caseworker to be employed by the county agency, a criminal records check must be conducted for the caseworker before employment, or the caseworker may be employed conditionally until the criminal records check is complete.¹⁴ The caseworker must complete 102 hours of inservice training within the first year of employment, domestic violence and human trafficking training within 2 years of employment, and 36 hours of annual training after the first year of employment. The county agency staff supervising the caseworker must work with the caseworker to determine the training needs and to ensure compliance with the training

⁷ OAC chapter 5101:2-1-01(B)(125).

⁸ OAC chapter 5101:2-42-66.1(A).

⁹ OAC chapter 5101:2-9-12.

¹⁰ OAC chapter 5101:2-9-23(A).

¹¹ OAC chapter 5101:2-5-17.

¹² OAC chapter 5101:2-33-23(A).

¹³ OAC chapter 5101:2-33-23(G).

¹⁴ ORC chapter 5153.111.

requirements.¹⁵ The county agency is responsible for maintaining all employees' education and inservice training records.¹⁶

HOW WE CONDUCTED THIS REVIEW

Of the 1,206 children residing in group homes that received Title IV-E foster care funding for calendar year (CY) 2015, we reviewed a random sample of 75 children. We reviewed the children's case files and the associated caseworker personnel files at 30 county agencies in Ohio from March 27 through May 25, 2017.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix A contains the details of our audit scope and methodology, Appendix B contains our statistical sampling methodology, and Appendix C contains our sample results and estimates.

FINDINGS

The State agency did not always comply with State requirements for maintaining documentation that Title IV-E-eligible children residing in group homes received required case management services and that case workers were qualified to provide those services. As a result, the State agency did not always have assurance that (1) caseworkers provided all the required case management services appropriate for each child, (2) caseworkers were qualified to provide those services, and (3) caseworkers received the required criminal records checks.

Specifically, we found that 37 of the 75 children in our sample were associated with 1 or more case management documentation deficiencies:

- The case files for 22 children in our sample did not contain documentation that caseworkers provided necessary case management services.
- The caseworker personnel files for 25 children in our sample did not contain documentation to support that the caseworkers were qualified to provide care.

¹⁵ OAC chapter 5101:2-33-55(F,K).

¹⁶ OAC chapter 5101:2-33-55(N)(2).

Additionally, we found that 3 of the 75 children in our sample received services from caseworkers who had not received the required criminal records checks.¹⁷

Appendix D contains the instances of noncompliance related to the children we reviewed.

Without adequate documentation in the case files and caseworker personnel files, the State agency could not be assured that children received necessary case management services from qualified caseworkers. On the basis of our sample results, we estimated that 611 of the 1,206 Title IV-E-eligible children residing in group homes may not have received necessary case management services or may have received services from caseworkers who did not meet the requirements to provide care.

THE STATE AGENCY DID NOT ALWAYS ENSURE THAT CASE FILES CONTAINED DOCUMENTATION THAT CASEWORKERS PROVIDED THE NECESSARY CASE MANAGEMENT SERVICES

The State requires county agencies to record case information in the SACWIS. Case information that cannot be recorded in the SACWIS must be maintained as hard copy files, electronic files, or both.¹⁸

Of the 75 case files we reviewed, 22 case files (29 percent) did not contain the documentation to support that caseworkers provided the proper case management services. Specifically, in these 22 case files, we found 30 instances in which the documentation to support the case management services could not be located in SACWIS, hard copy files, or electronic files (Table 1).¹⁹ In addition, the county agencies did not or could not provide the missing documentation upon request.

Table 1: Case Management Services Not Documented in Case Files

Health care services	10
Service plan and reviews by group homes	9
Reporting of critical incidents	6
Case reviews by caseworkers	4
Discharge summary	1

¹⁷ Of the 3 children who received services from caseworkers without the required criminal records checks, 2 were included with the 37 children in our sample related to the case management documentation deficiencies. As a result, a total of 38 case files related to Title IV-E-eligible children residing in group homes had instances of noncompliance.

¹⁸ OAC chapter 5101:2-33-23(A).

¹⁹ Some case files contained more than one instance of noncompliance. Appendix D lists the number of deficiencies we found per case file.

Required Health Care Services Not Documented

The county agency must coordinate comprehensive health care for each child in its care or custody who is placed into a group home.²⁰ The county agency must secure a medical screening of the child to prevent possible transmission of common childhood communicable diseases and to identify any symptoms of illness, injury, or maltreatment no later than 5 days after a child's placement.²¹ The child must obtain a comprehensive physical exam and an annual comprehensive physical exam no later than 30 days after the anniversary date of the child's last physical exam and no later than 60 days after a child's placement.²² If the child is over 3 years old, he or she must obtain a dental exam and an annual dental reexamination no later than 30 days after the anniversary date of the child's last dental exam and no later than 6 months after the child's placement.²³

We found 10 instances of missing documentation relating to health care services:

- Five case files did not contain documentation to support that the medical screening of the children was completed upon placement into the group home.
- One case file did not contain documentation to support that an annual physical exam of the child was performed.
- Three case files did not contain documentation to support that dental exams of the children were performed within 60 days of placement.
- One case file did not contain documentation to support that an annual dental exam of the child was performed.

Some Case Files Did Not Contain Service Plans or Evidence That Those Plans Were Reviewed

A service plan must be developed within 30 days of the child's placement into a group home, and it should include health care or specialized services to be provided and behavioral management techniques to be used with the child.²⁴ At least every 90 days after the initial

²⁰ OAC chapter 5101:2-42-66.1(A).

²¹ OAC chapter 5101:2-42-66.1(C).

²² OAC chapter 5101:2-42-66.1(D)(1).

²³ OAC chapter 5101:2-42-66.1(D)(8).

²⁴ OAC chapter 5101:2-9-12(A,B).

service plan approval, the child's service plan must be reviewed, and the reviews must be documented in the case record.²⁵

We found that four case files did not contain documentation to support that service plans were developed for the children. In addition, five case files did not contain documentation to support that reviews of the service plans were completed for the children.

Critical Incidents Not Reported Timely

A group home must notify the county agency within 24 hours if a critical incident occurs to a child, such as being absent without leave, a serious injury, a suspension from school, a suicide attempt, or an incident involving law enforcement.²⁶

We found six case files that described critical incidents that were not reported within 24 hours after the incident occurred. For example, in one case file we found documentation of a critical incident involving a child who was absent without leave. This incident was not reported until several days after it occurred.

No Documentation To Support Case Plan Reviews Were Conducted

The county agency is required to develop and complete a case plan if the county agency provides substitute care to a child. The case plan must serve as a plan for establishing a permanent living arrangement for the child, including but not limited to concerns of the family, services to be provided, and visitation plans.²⁷ The county agency must review the progress in achieving the permanency goals within the child's case plan every 90 days.²⁸

We found that four case files did not contain documentation to support that the county agencies performed reviews of the children's case plans.

Discharge Summary Not Prepared Timely

When a child is discharged from a group home, the county agency must prepare a written discharge summary that includes the reason for discharge, a summary of health services provided, and recommendations for ongoing treatment. The discharge summary must be prepared no earlier than 30 days before and no later than 30 days after the date of discharge.²⁹

²⁵ OAC chapter 5101:2-9-12(C).

²⁶ OAC chapter 5101:2-9-23(A).

²⁷ OAC chapter 5101:2-38-05.

²⁸ OAC chapter 5101:2-38-09(A).

²⁹ OAC chapter 5101:2-5-17.

We found one case file in which the discharge summary was not prepared until 48 days after the child was discharged from the group home.

THE STATE AGENCY DID NOT ALWAYS ENSURE THAT THE PERSONNEL FILES CONTAINED DOCUMENTATION TO SUPPORT THAT THE CASEWORKERS WERE QUALIFIED TO PROVIDE CARE

The State requires county agencies to maintain for each employee a separate personnel file that includes, but is not limited to, documentation of training received, criminal record checks, a current job description, copies of educational degrees, and references.³⁰

Of the 75 caseworker personnel files we reviewed, 25 files (33 percent) did not contain documentation to support that the children received case management services from caseworkers who were qualified to provide care. Specifically, the 25 caseworker personnel files had 43 instances of missing documentation (Table 2). In addition, the county agencies did not or could not provide the missing documentation upon request.

Table 2: Caseworker Qualification Documents Missing From Personnel Files

Training records	36
Criminal record checks	3
Other missing documentation	4

Training Records Missing for Caseworkers

A caseworker must complete 102 hours of inservice training within the first year of employment, domestic violence and human trafficking training within 2 years of employment, and 36 hours of annual training after the first year of employment. The county agency staff supervising the caseworker must work with the caseworker to determine the caseworker's training needs and to ensure compliance with the training requirements.³¹ The county agency is responsible for maintaining all employees' education and inservice training records.³²

We found 36 instances of missing documentation related to training records:

- One caseworker personnel file was missing documentation to support that they met the 102 hours of inservice training within the first year of employment.

³⁰ OAC chapter 5101:2-5-09(O).

³¹ OAC chapter 5101:2-33-55(F,K).

³² OAC chapter 5101:2-33-55(N)(2).

- Thirteen caseworker personnel files were missing documentation to support that they took the required domestic violence training.
- Five caseworker personnel files were missing documentation to support that they took the required human trafficking training.
- Seventeen caseworker personnel files were missing documentation to support that they met the 36 hours of annual training requirement.

The county agency did not or could not provide the missing documentation to confirm the minimum training requirements were met.

Some County Agencies Were Unable To Provide Documentation To Support That Criminal Records Checks Were Completed for Caseworkers Before Employment

For a caseworker to be employed by the county agency, a criminal records check must be conducted for the caseworker before employment, or the caseworker may only be employed conditionally until the criminal records check is complete. The county agency must request the superintendent of the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check for any applicant. If the applicant does not present proof that the applicant has been a resident of Ohio for the prior 5-year period, the county agency must request the superintendent to obtain information from the Federal Bureau of Investigation (FBI) as part of the criminal records check for the applicant.³³

We found that three caseworker personnel files were missing documentation that criminal records checks were completed. Specifically:

- The personnel files for two caseworkers contained documentation to support that the FBI criminal records checks were completed upon hire; however, there was no documentation to support that the BCII criminal records checks were completed. The county agency did not provide the missing documentation upon request.
- The personnel file for one caseworker contained no documentation supporting that criminal records checks were completed upon hire. The county agency did not provide the missing documentation upon request.

³³ ORC chapter 5153.111.

Other Documentation Missing From the Caseworkers' Personnel Files

The State requires county agencies to maintain for each employee a separate personnel file that includes, but is not limited to, copies of educational degrees, references, and current job description.³⁴

We found that one caseworker personnel file did not contain documentation of educational degrees, diplomas, or equivalency certificates. In addition, we found that one caseworker personnel file did not contain documentation of references. Finally, we found that two caseworker personnel files did not contain current job descriptions.

THE STATE AGENCY DID NOT ALWAYS ENSURE THAT CRIMINAL RECORDS CHECKS WERE CONDUCTED FOR THE CASEWORKERS BEFORE EMPLOYMENT AT THE COUNTY AGENCIES

For a caseworker to be employed by the county agency, a criminal records check must be conducted for the caseworker before employment, or the caseworker may only be employed conditionally until the criminal records check is complete. The county agency must request the superintendent of BCII to conduct a criminal records check for any applicant. If the applicant does not present proof that the applicant has been a resident of Ohio for the prior 5-year period, the county agency must request the superintendent to obtain information from the FBI as part of the criminal records check for the applicant.³⁵

We found that criminal records checks were not conducted for three caseworkers before employment at two county agencies. Specifically:

- Personnel files for two caseworkers did not contain evidence that criminal records checks had been completed. We requested but did not receive documentation that criminal records checks had been completed for these caseworkers. A county agency official told us that the criminal records checks for these caseworkers were not completed.
- The personnel file for one caseworker, a former employee of the county agency who had been rehired, did not contain new criminal records checks. A county agency official confirmed that criminal records checks were not completed upon the caseworker's rehire.

³⁴ OAC chapter 5101:2-5-09(O).

³⁵ ORC chapter 5153.111.

CAUSE AND EFFECT OF NONCOMPLIANCE WITH CASE MANAGEMENT SERVICES AND CASEWORKER PERSONNEL FILE REQUIREMENTS

The State agency performs reviews of the county agencies every 2 years and measures their performance based upon agency-specific data collected from the SACWIS and onsite case reviews. However, these reviews did not include adequate steps to determine whether county agencies were maintaining sufficient documentation related to the case management services and caseworker qualifications, and the State agency did not have another mechanism to monitor documentation procedures at the county agencies.

Without adequate documentation in the case files and caseworker personnel files, the State agency could not be assured that children received necessary case management services from qualified caseworkers. On the basis of our sample results, we estimated that 611 of the 1,206 Title IV-E-eligible children residing in group homes may not have received necessary case management services, or they may have received services from caseworkers who did not meet the requirements to provide care.

RECOMMENDATIONS

We recommend that the State agency:

- ensure that the appropriate internal controls are in place for maintaining the required documentation in the case files to substantiate that children in foster care are receiving the necessary services,
- improve controls to ensure that critical incidents involving children in foster care residing in group homes are reported timely to the county agencies,
- ensure that the county agencies maintain the required documentation in the caseworkers' personnel files, and
- implement controls to ensure that the appropriate criminal record checks are completed for the caseworkers upon hire and that the minimum training requirements are met and documented.

STATE AGENCY COMMENTS

In written comments on our draft report, the State agency concurred with all of our recommendations and provided information on actions that it had taken or plans to take to address our recommendations. The State agency commented that it addressed the missing documentation and deficiencies in corrective action plans to the county agencies. In addition, the State agency commented that it will send written guidance to all to the county agencies reminding them of the case record requirements, required documentation to be maintained in caseworkers' personnel files, and criminal background check requirements. To ensure

compliance with the training requirements, the State agency commented that it is implementing a new reporting component to its training system to monitor the county agencies' compliance with the training requirements.

In preparing the comments on our report, the State agency identified training records that had not been provided to us during the course of our review. We reviewed the documentation and adjusted the total number of missing training records from 38 to 36.

The State agency's comments appear in their entirety as Appendix E.

APPENDIX A: AUDIT SCOPE AND METHODOLOGY

SCOPE

Of the 1,206 children residing in group homes who received Title IV-E foster care funding for CY 2015, we reviewed a random sample of 75 children. We reviewed the children's case files and caseworker personnel files at 30 county agencies in Ohio. We conducted fieldwork at 30 county agencies from March 27 to May 25, 2017.

We reviewed the children's records and caseworker personnel files through September 2017. We limited our review to the State agency's internal controls related to our objective.

METHODOLOGY

To accomplish our objective, we:

- reviewed applicable Federal foster care laws, State requirements for case management of children in foster care residing in group homes, and the applicable Ohio State plan approved by ACF;
- interviewed State officials to determine how Ohio monitored the children's case files;
- developed a case review checklist as a guide for conducting visits at the county agencies;
- selected a simple random sample of 75 children in foster care residing in group homes during CY 2015;
- reviewed the case information available in the SACWIS for the 75 children;
- conducted scheduled site visits at the 30 county agencies to review the 75 children's case files and related caseworker personnel files;
- interviewed officials at the county agencies to obtain information regarding the case files and caseworker personnel files and determined whether the files contained the required documentation; and
- discussed the results of our review with State agency officials.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions

based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

APPENDIX B: STATISTICAL SAMPLING METHODOLOGY

TARGET POPULATION

The population consisted of the State agency's Title IV-E-eligible children in foster care residing in group homes during CY 2015.

SAMPLING FRAME

The State agency provided us with 2,124 records related to children in foster care residing in group homes during CY 2015.

We removed records for children not eligible for coverage under Title IV-E or children not covered by the State agency's Title IV-E waiver program. In addition, we removed any duplicate child records.

The resulting sampling frame contained 1,206 Title IV-E-eligible children in foster care residing in group homes during CY 2015.

SAMPLE UNIT

The sample unit was a child.

SAMPLE DESIGN

We used a simple random sample.

SAMPLE SIZE

We randomly selected 75 Title IV-E-eligible children in foster care residing in group homes.

SOURCE OF RANDOM NUMBERS

We generated random numbers using the Office of Inspector General (OIG), Office of Audit Services (OAS), statistical software.

METHOD FOR SELECTING SAMPLE ITEMS

We consecutively numbered the sample units in the sampling frame. After generating 75 random numbers, we selected the corresponding frame items.

ESTIMATION METHODOLOGY

We used the OIG/OAS statistical software to estimate the number and percentage of Title IV-E-eligible children residing in group homes that may not have received necessary case management services or may have received services from caseworkers who did not meet the requirements to provide care.

APPENDIX C: SAMPLE RESULTS AND ESTIMATES

Table 3: Overall Sample Details and Results

Frame Size	Sample Size	Number of Children Potentially Affected by Instances of Noncompliance With Requirements for Case Files and Caseworker Personnel Records
1,206	75	38

Table 4: Overall Estimates
(Limits Calculated for a 90-Percent Confidence Interval)

	Estimated Number of Children Potentially Affected by Instances of Noncompliance With Requirements for Case Files and Caseworker Personnel Records
Point estimate	611 (51 percent)
Lower limit	494 (41 percent)
Upper limit	728 (60 percent)

**APPENDIX D: INSTANCES OF NONCOMPLIANCE WITH REQUIREMENTS FOR
CHILDREN'S CASE FILES AND CASEWORKER PERSONNEL RECORDS**

Child's Sample No.	Case File Deficiencies	Caseworker Criminal Record Check Deficiencies	Instances of Caseworkers Not Meeting Training Requirements	Staff Record Deficiencies
3		1	1	
8	1			
9	2			
10			1	
11	1			
12	2			
13	1			
18		1		
19	1			
20			3	
21			1	
22	1		1	
23			3	
27	1			
28	2			
37	1		1	
38	1	1		
39			1	
42	3		2	
44	1			
45	1		1	
46	1	1		
47			2	
50				1
52	1		1	
59	1			
60	2		3	1
61		1	1	1
63	1		2	
64			1	
65	2		1	
66			1	
67	1		2	

Child's Sample No.	Case File Deficiencies	Caseworker Criminal Record Check Deficiencies	Instances of Caseworkers Not Meeting Training Requirements	Staff Record Deficiencies
68		1	2	
71	2			
72			3	
73			2	
74				1
Total:	30	6	36	4

Note: We listed only the samples in which we found instances of noncompliance. We provided to the State agency a list of the 75 children that we randomly selected for this audit.

APPENDIX E: STATE AGENCY COMMENTS



Department of
Job and Family Services

John R. Kasich, Governor
Cynthia C. Dungey, Director

April 11, 2018

Ms. Sheri Fulcher
Regional Inspector General for Audit Services
U.S. Department of Health and Human Service, Office of Inspector General
233 North Michigan Avenue, Suite 1360
Chicago, IL 60601

Re: Revised Response to Report Number A-05-16-00022

Dear Ms. Fulcher:

This letter is in response to the recommendations of the March 2, 2018 U.S. Department of Health and Human Service, Office of Inspector General (OIG) draft report, Number A-05-16-00022, titled *Ohio Did Not Always Comply With Requirements Related to the Case Management of Children in Foster Care*. The Ohio Department of Job and Family Services, Office of Families and Children (ODJFS) is committed to ensuring the continued compliance of agencies we monitor with state and federal regulations related to safety and well-being of children in foster care. Please see our response to the recommendations of the draft OIG report below.

Recommendation: Ensure that the appropriate internal controls are in place for maintaining the required documentation in the case files to substantiate that children in foster care are receiving the necessary services.

ODJFS concurs with this recommendation. Ohio's regulations require all public children services agencies (PCSA) to record services in Statewide Automated Child Welfare Information System (SACWIS) or maintain hard copies. The Ohio Administrative Code (OAC) 5101:2-40-02 *Supportive Services for Prevention of Placement, Reunification and Life Skills* requires the PCSA to maintain reports from service providers, including but not limited to medical, educational, psychological, diagnostic, and treatment. This also includes documentation of verbal, written, or electronic referrals and provision of services by the PCSA, county department of job and family services (CDJFS), other public and private agencies and community service providers on behalf of children and families being served by the PCSA, including any oral and/or written reports and the dates when services were delivered. Service plans and service plan reviews are prepared and conducted by the group home or residential facility.

ODJFS Licensing Specialists conduct both announced and unannounced formal reviews of residential facilities to determine if the agency's performance meets licensing standards, and any findings of non-compliance may result in a corrective action plan (CAP). OAC 5101:2-5-06 *Corrective Action Plans* requires agencies to submit a CAP for any finding of non-compliance. In addition, Technical Assistance Specialists (TAS) complete quality assurance reviews of PCSAs for both compliance and practice. If documentation is not found to support services provided, an Area Needing Improvement

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(ANI) outcome may result in a Plan for Practice Advancement (PPA). Both the CAP and the PPA require the agency describe how they will correct the area of non-compliance or the ANI, how it will be prevented in the future, who in the agency is responsible to ensure the plan has been implemented and to document the implementation of the plan.

Upon receipt of the preliminary results of the review of the 75 children's records, ODJFS contacted each PCSA to obtain the missing documentation. If the missing documentation was not available, and the group home was responsible for creating the documentation, licensing staff were contacted and either reviewed recent past findings of non-compliance to see if the issue was previously reviewed and found in the case, or if missing was it addressed in a CAP. If the issue had previously been reviewed and addressed, written findings of non-compliance were issued and a CAP was required. In cases where the documentation was not available, the PCSA, as the responsible keeper of the record per OAC 5101:2-33-23 *Case Records for Children Services*, was required to complete a corrective action plan. Documentation of the CAPs and copies of the missing documentation, if available, were provided to OIG via their secure server during the months of June and July.

The period under review, calendar year 2015, may have been affected by a 2014 rule change. Before 2014, the responsibility for obtaining the medical screenings was shared by the PCSAs and the residential facilities. However, in 2014, OAC changes placed the responsibility solely on the PCSAs, per 5101:2-42-66.1 *Comprehensive Health Care for Children in Placement*. In practice, some PCSAs have continued to designate responsibility for ensuring medical screenings to the residential facilities through their contracts.

In addition to the corrective action the individual counties have taken in relation to these findings, ODJFS will send written guidance to all public and private agencies reminding agencies of the case record requirements, the responsible entity for medical services as well as the retention schedules. Also, a recommendation will be made to ODJFS policy to recommend that 5101:2-9-12 *Service Plans* be revised to require the residential facility to provide a written copy of the service plan and service plan reviews to the PCSA and document that it was provided.

Recommendation: Improve controls to ensure that critical incidents involving children in foster care residing in group homes are reported timely to the county agency.

ODJFS concurs with this recommendation. 5101:2-9-23 *Notification and Documentation of Critical Incidents* requires a residential facility to notify the agency within 24 hours of the occurrence of a child's death; when a child goes absent without leave (AWOL) and when they return; any serious injury or illness that involves non-routine medical treatment; expulsion or suspension from school; any alleged delinquent or criminal activity of the child or if they are the victim of such activity; suicide or self-mutilation attempts; any incident of abuse or neglect; any involvement with law enforcement; use of physical restraint or isolation, or any other unusual activity as defined by the agency policies. In addition, no later than the next business day after the occurrence, a critical incident report for each occurrence must be completed along with documentation that the report was provided to the placing agency and the custodial agency.

ODJFS Licensing Specialists conduct both announced and unannounced formal reviews to determine if the agency's performance meets licensing standards, and any findings of non-compliance may result in a finding of non-compliance. OAC 5101:2-5-06 requires agencies to submit a corrective action plan

(CAP) for any finding of non-compliance. As noted above, documentation of the corrective action plans were provided to OIG via their secure server during the months of June 2017 and July 2017.

Recommendation: Ensure that the county agencies maintain the required documentation in the caseworkers' personnel files.

ODJFS concurs with this recommendation. In addition to the PCSA corrective action plans for this deficiency, ODJFS will send written guidance to all public agencies reminding agencies of the required documentation that is to be maintained in caseworkers' personnel files per 5101:2-5-09 *Personnel and Prohibited Convictions for Employment* as well as the retention requirement of five years after the date employment ends.

Recommendation: Implement controls to ensure that the appropriate criminal record checks are completed for the caseworkers upon hire and that the minimum training requirements are met and documented.

ODJFS concurs with this recommendation. As stated above, upon receipt of the preliminary findings, ODJFS contacted PCSAs for missing documentation. In preparing this response, it was determined that all training information was not forwarded to the OIG review team within the agreed-upon timeframe. This information is included in this response. The attached chart addresses the recently located documentation.

ODJFS contracts training through the Institute for Human Services who operates the Ohio Child Welfare Training Program (OCWTP). Over the years, paper certificates were placed in the personnel files to monitor training requirements. In addition to the required OAC/ORC training requirements, agencies provide internal training hours and use the sign-in sheets to demonstrate attendance. OCWTP implemented E-Track June 2012. This system allowed caseworkers to enroll in trainings and maintained a record of training completed, including supplemental trainings, which are trainings received from sources other than OCWTP. Individual caseworker reports were available to the PCSA to monitor training hours. However, the practice of using sign in sheets and certificates in the personnel files continued. Effective April 1, 2016, rule made E-Track the central repository for all training records. However, the reporting process remained per the individual caseworker and aggregate reports per each PCSA and statewide have not been available. ODJFS has been working with OCWTP to develop an aggregate data report of caseworkers training topics and completed hours. The aggregate data report will be more useful to ODJFS, agency administrators, supervisors, and training staff in monitoring agency compliance with the training requirements. This new reporting component of E-Track should be completed in June 2018, if not before. The PCSAs are responsible for ensuring the training requirements are met, and will provide reports periodically to ODJFS for compliance verification.

In addition to the PCSA corrective action plans for these deficiencies, ODJFS will send written guidance to all public agencies reminding agencies of the criminal background requirement per 5101:2-5-09.1 *Criminal Records Check Required for Certain Prospective Employees and Certified Foster Caregivers* as well as the education requirements for caseworkers per 5101:2-33-55 *Education and In-Service Training Requirements for PCSA Caseworkers*.

Thank you for the opportunity to respond to the draft report. ODJFS will remain diligent in its mission to ensure the continued health and safety of children in foster care. If you have additional questions please contact me at Carla.Carpenter@jfs.ohio.gov or 614-752-0656, or Alfred T. Hammond Jr., Bureau of Audit Control and Claim Support at Al.Hammond@jfs.ohio.gov or 614-7523140.

Regards,

/Carla K. Carpenter/

Carla K. Carpenter
Deputy Director
Office of Families and Children
Ohio Department of Job and Family Services

Enclosures

Cc:

Cynthia C. Dungey, Director
Michael McCreight, Assistant Director
Lewis George, Deputy Director, Office of Legal and Acquisition Services
Lakeisha Hilton, Assistant Deputy Director, Office of Families and Children
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