



SEN. CRAIG V. HICKMAN, SENATE CHAIR
REP. JESSICA FAY, HOUSE CHAIR

MEMBERS:

SEN. LISA KEIM
SEN. MIKE TIPPING
SEN. RICHARD BENNETT
SEN. JILL C. DUSON
SEN. JEFFREY TIMBERLAKE
REP. AMY ARATA
REP. H. SAWIN MILLETT, JR.
REP. MARK BLIER
REP. ANNE MARIE MASTRACCIO
REP. MARGARET M. O'NEIL

MAINE STATE LEGISLATURE
GOVERNMENT OVERSIGHT COMMITTEE

MEETING SUMMARY
December 6, 2023

Call to Order

The Chair, Sen. Hickman, called the Government Oversight Committee to order at 1:20 PM

ATTENDANCE

Senators:	Sen. Hickman, Sen. Bennett (zoom), Sen. Duson, Sen. Keim, Sen. Timberlake, Sen. Tipping (zoom)
Representatives:	Rep. Fay, Rep. Arata, Rep. Blier, Rep. Millett Absent: Rep. Mastraccio, Rep. O'Neil
Legislative Staff:	Peter Schleck, Director, OPEGA Sabrina Carey, Secretary, OPEGA
Others:	Jeanne Lambrew, DHHS Commissioner Bobbi Johnson, Acting Director, OCFS

Introduction of Committee Members

The members of the Committee introduced themselves.

New Business

(To watch this meeting - the recorded Live Stream can be viewed here:

<https://legislature.maine.gov/audio/#220?event=89748&startDate=2023-12-06T13:00:00-05:00>)

The Committee approved the November 15, 2023 Meeting Summary.

Child Protective Services Discussion

Sen. Hickman introduced DHHS Commissioner Lambrew and OCFS Acting Director Johnson. Ms. Johnson summarized her history professionally in OCFS and as a kinship resource parent for a family member’s child.

Commissioner Lambrew said that the GOC focus on children who died has been heart wrenching. She agreed that performance on some child welfare measures has worsened and staff vacancies have increased. Increases in substance use disorder and poverty have made the work more challenging, and we must do more. She said that the search for a new Director will strive to change the culture so that workers feel respected and valued. The administration and the legislature share this goal.

Ms. Johnson responded to OPEGA’s review of the death of Jaden Harden. She said that OCFS agrees with the report’s characterization of the Department’s history with the family, and many of the recommendations align with Maine’s safety science model and changes OCFS is currently implementing. She said these are only one facet of the issues the agency needs and wants to improve. She appreciates the GOC’s passion for improving child safety and looks forward to working together on meaningful change toward that end.

Sen. Timberlake expressed concern that caseworkers say that they are working in a war zone or on a sinking ship. He is pleased to hear the leaders of OCFS admit that they need to improve. He wanted to know where the Commissioner thinks change within the Department need to focus.

Ms. Lambrew said improving systems and communication across levels of staff are a priority, and reducing workloads of caseworkers is a primary issue. OCFS is working to address more support staff, and other ways to staff hotel and emergency room shifts. She said a lack of services for families is also a top priority—mental health, child care.

Sen. Timberlake asked about delays in payment to families and also Katahdin, are the issues with that system being addressed?

Ms. Johnson said that OCFS has identified some of the payment bottlenecks and has been addressing them. OCFS is seeking feedback from staff on Katahdin and community partners, especially attorneys, to understand what is not working. Some changes have been made and others are in process.

Rep. Millett asked the Commissioner about the search for a new Director and whether Ms. Johnson is empowered and supported to continue momentum on effecting change while serving as Acting Director.

Ms. Lambrew said Ms. Johnson is fully qualified to serve as Acting Director; she has been doing a top job in the administration for years. Regarding the search for a permanent Director, the deadline to apply is December 20.

Sen. Millett asked for assurance that Ms. Johnson will be fully available to the Legislature, and Ms. Lambrew agreed.

Sen. Keim asked whether Ms. Lambrew thinks caseworkers have had enough support at any time in the past five years.

Ms. Lambrew said that in December 2020, there were only 13 caseworker vacancies, and recently there are 70. She said they are listening to caseworkers about how to support them better. Some of the things they are working on are improving training and mentoring, fixing Katahdin. She said that support includes compensation, work environment, support staff. OCFS needs to dig into which of these has changed and how to improve.

Sen. Keim asked Ms. Lambrew to explain her statement that having a new leader is a good time to make major changes.

Ms. Lambrew said that Ms. Johnson is a skilled communicator and the Department will capitalize on that in instituting improvements.

Sen. Hickman asked if OCFS knows why some district offices have higher vacancy rates than others. Ms. Lambrew said that some other offices in DHHS have higher vacancy rates than OCFS.

Ms. Johnson said they are trying to learn more about, for example, what contributes to high vacancy rates, for example, in the Lewiston office. It's been surprising why there isn't enough workforce. Rockland has struggled because of the economic situation—no affordable housing for staff.

Rep. Arata asked about Mr. Landry's enthusiasm for the Families First Prevention Act, and whether he should have paid more attention to other things. Will the Department continue that focus?

Ms. Johnson said that work brought in resources, strengthened residential care options, and build on the child safety and wellbeing plan and that strengthens child welfare work. The plan helps engage the whole community in working together for child safety.

Sen. Duson asked about process improvement programs like Six Sigma to analyze systems and improve organization and services. How can the GOC have confidence that OCFS has defined the problems, made a plan to address them, and will share measures to help evaluate that? Will there be a specific, detailed management action plan? The GOC will make recommendations, but OCFS staff need to buy into their organizational plan.

Ms. Lambrew said that OCFS will consider that suggestion.

Rep. Blier asked the Commissioner why it has taken so long to change leadership at OCFS and why DHHS is undertaking a national search for a permanent Director.

Ms. Lambrew said that the whole team at OCFS has to needs to listen to concerns. They are looking for a Director who is aligned with the change they need. It is standard practice to do a national search for this position. Because the former director resigned effective immediately, DHHS named an Acting Director.

Sen. Timberlake said that the GOC and OCFS have seen major issues with workforce and caseworker concerns for two and a half years.

Ms. Lambrew said that the child fatalities in 2021 were an alarm, the Department hired an outside evaluator to do an urgent review, and has been implementing changes to address those findings. Regarding workforce, there have been ebbs and flows in vacancies, and as recently as 2018 there weren't many vacancies. Getting at compensation for caseworkers is part of the solution.

Sen. Timberlake asked whether it is time to talk about separating OCFS from DHHS.

The Commissioner said that, when bills proposed a separate department several years ago, the Dept. opposed it primarily due to cost concerns. Now they are willing to revisit that position, if that option turns out to be cost effective. She said the Dept recommends that the legislative panel chaired by Sen. Duson explore that option.

Sen. Hickman asked about front-line worker perspectives work OPEGA did in 2019 ago finding that a high proportion of caseworkers were seeking employment elsewhere. The top reason given was high workloads. How did the Department respond at the time?

Ms. Lambrew said that OCFS has hired more caseworkers, but that case numbers have increased even faster.

Sen. Hickman said there is a disconnect between what caseworkers said years ago and lack of action to address that.

Ms. Johnson said that some of the issues have plagued child welfare for eternity. She said that the Department did respond by increasing caseworker lines, adding a stipend to their compensation, creating a new information system, reviewing and updating policies, and adding clinical consultation services. The high turnover didn't come until later. The conditions have changed in recent years. She starts connecting and building relationships with staff when they are doing the introductory training. She visits district offices regularly, and has started meeting with supervisors each time.

Sen. Hickman asked whether the caseworker advisory committee is active?

Ms. Johnson said that both the caseworker and supervisor advisory committees meet monthly. Sometimes management presents things to them for feedback, and other times district representatives share challenges.

Sen. Keim said she is hearing from caseworkers who say they are drowning and children are dying, and things have gotten worse since she has been on the GOC. She is concerned that Ms. Lambrew said Mr. Landry was doing a good job when he left, and that seems blind to her. Saying that they are looking for a leader who listens seems too basic. She is concerned that there won't be any change, because the Commissioner and Acting Director have been working on this a long time. She would like to see more urgency on making dramatic improvements. The leader may not be the problem or the fix.

Ms. Lambrew said she appreciates the frustration and shares the sense of urgency. They have ideas and want to hear the GOC's concerns. They want to turn them into an action plan.

Sen. Keim suggested sending out a lifeline to the Lewiston office, such as more case aides as soon as possible.

Sen. Hickman asked what the Dept is going to do immediately to pay resource families what they are owed, when finding more foster families is a critical need.

Ms. Johnson said she agrees about a lifeline for Lewiston, and Regional Associate Directors are figuring out how to creatively use statewide resources to support the districts that have the most vacancies. On foster families, they are looking at how to help resource families waiting for licenses get that done more quickly. She offered to follow up personally on families who have large amounts of unpaid expenses. She wants people to be compensated timely, and sometimes there is a discrepancy that takes individual follow-up. She does not think that resource families should be told to go to food banks to feed their foster children.

Rep. Fay said she would like the Committee and the Department to work more closely on what steps the agency is taking to address the critical problems like workforce vacancies. How can the GOC understand how DHHS is proactively addressing the concerns?

Sen. Keim asked about case aide shortages. Can other staff or contract providers be reassigned to help? What is OCFS looking at?

Ms. Johnson said the seven youth transition workers have been partially reassigned to do investigation and permanency work.

Ms. Lambrew said that the Dept is looking at using one-time fiscal funds from this year to address staff vacancies.

Ms. Johnson said that they are looking at contract providers they already have and whether they can do other types of work.

Ms. Lambrew said that has not been a silver bullet in the past.

Sen Keim asked whether the Dept is limited in what they can pay contract providers.

Ms. Johnson said she thinks they have to pay a similar wage to what they would pay staff.

Sen. Keim asked her to check and come back with that answer. Sen. Keim asked about case aide wages within the broader work of union negotiations.

Ms. Lambrew said that they have been very focused on child welfare in thinking about how all the wages on the career ladder fit together.

Ms. Johnson said that the case aide position was reclassified starting in October, and the starting hourly wage was increased to \$17 or \$18.

Sen. Hickman asked how hoteling is funded (the financial mechanism), and requested an expense report for the last five years. Ms. Johnson said she believes it comes out of general funds.

Ms. Lambrew said as of early December, there were 4 children in hotels and none in emergency rooms. There is a new staff person starting soon to work on addressing this.

Rep. Fay asked Ms. Johnson whether she wanted to respond to the OPEGA Jaden Harding report or the OCFS memo from today.

Ms. Johnson said her opening remarks addressed that, and she is looking forward to working with the committee to improve OCFS for staff and for children.

Rep. Hickman thanked Ms. Lambrew and Ms. Johnson for providing information timely. He asked the Director for his report.

Director Schleck referenced today's memo from OCFS. He addressed a question about the Harding home from last meeting: they lived in one-half of a duplex apartment building with three levels. He clarified that OPEGA did not recommend that caseworkers carry no more than 10-12 cases, but that is a general notion in some literature. At the next meeting there will be a panel of child welfare experts in the morning followed by a trauma-informed presentation from family members. On December 20, 2023 the Committee will begin working on their recommendations. The Director is gathering a summary of the perspectives shared with the GOC.

Rep. Fay referenced specific information requests committee members made from OCFS today and asked the staff to formally request those.

Next GOC meeting date and planning

The next GOC meeting will be December 13, 2023 at 9:30 AM.

Adjourn

The meeting was adjourned at 3:01 PM on a motion by Sen. Timberlake seconded by Rep. Fay.