



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
January 26, 2024

Call to Order

The Chair, Sen. Hickman, called the Government Oversight Committee to order at 9:35 a.m.

ATTENDANCE

Senators:	Sen. Hickman, Senator Tipping, Sen. Duson, Sen. Keim, Sen. Timberlake, Sen. Bennett (zoom)
Representatives:	Rep. Fay, Rep. Arata, Rep. Blier, Rep. Mastraccio, Rep. Millett, Rep. O'Neil (zoom)
Legislative Staff:	Peter Schleck, Director, OPEGA Sabrina Carey, Secretary, OPEGA
Others:	Jeanne Lambrew, Commissioner, Department of Health and Human Services Bobbi Johnson, Director, Office of Child and Family Services, DHHS

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>)

Child Protection: Committee Member Discussion of Potential Reforms

The Committee took straw votes on the suggested recommendations within their Draft Committee Report (A copy of that draft report can be found here: <https://legislature.maine.gov/doc/10631>)

Part I: Recommendations and the Extent of Committee Member Support

A. Front Line Staff

1. Recruit and retain more case aides
(12/12 Members Support) (See [LD 2097](#))
2. Address burnout, turnover, vacancies, and workload
(12/12 Members Support)
3. Provide specific coaching/mentoring positions
(11/12 Members Support)
4. Increase and enhance ongoing training opportunities, including job shadowing
(12/12 Members Support)
5. Create special teams to deal with complex cases
(11/12 Members Support)

B. Services for Families

1. Increase access to mental health, behavioral health, substance use disorder, domestic violence, and other services for families, as well as housing and transportation
(9/12 Members Support) (See [LD 50](#); [LD 353](#); [LD 907](#); [LD 1236](#); [LD 1494](#); [LD 1506](#))
2. Improve family team meetings
(11/12 Members Support) (See [LD 857](#))
3. Conduct an outside evaluation of the family team meeting model and create a structure for ongoing quality assurance monitoring
(10/12 Members Support)
4. Compensation for (uncompensated) visit supervisors
(10/12 Members Support)
5. Greater supports for new mothers with substance use disorder
(8/12 Members Support)

6. Increase access to low-barrier wraparound services, with peer support and flex funds ([High-Fidelity Wraparound](#))

(6/12 Members Support)

7. Expand financial assistance to low-income families

(6/12 Members Support) (See [LD 1877](#))

8. Implement the Nurse Family Partnership model of public health nursing to prevent child maltreatment.

(8/12 Members Support)

C. Separate Office of Child and Family Services from the Department of Health and Human Services (or study this idea)

1. Proceed to separation

(6/12 Members Support) (See [LD 779](#))

2. Study idea of separation

(8/12 Members Support)

D. Resource Families and Other-Placement Support (Relative; Non-Relative; Other)

1. Ensure placement options exist other than in hotels or hospital emergency departments

(11/12 Members Support)

2. Address placement of children not already in agency custody who remain in hospital emergency departments after they are determined safe for discharge

(11/12 Members Support) (See [LD 2009](#))

3. Improve home-based therapeutic and other resource family (foster care) resources and supports

(11/12 Members Support)

4. Expand financial support to resource (foster) families

(11/12 Members Support)

E. Agency Management, Plans, and Reporting

1. Task the new agency director with an improvement plan containing short, medium, and long-term strategies and metrics, with regular public updates on progress and challenges.

(11/12 Members Support)

2. Require outcomes data

(12/12 Members Support) (See [LD 50](#))

3. Require specific public reporting on any hospital, hotel, or agency office stays (age, length of stay, district)

(12/12 Members Support)

4. Improve culture and job satisfaction

(12/12 Members Support)

5. Update formal and informal policies and practices
(10/12 Members Support)

F. The Courts

1. Create Separate Child and Family Courts
(2/12 Members Support)

2. Improve Access to Courts for Children and Families
(12/12 Members Support)

3. Improve Child and Family Access to Legal Services
(12/12 Members Support)

Numbers 4-7 the Committee did not vote on, instead they decided to wait and gather more information on those before moving forward.

4. Create an Office of Parent Counsel to strengthen the quality of representation appointed to parents in child welfare cases and ensure these legal professionals have the tools and resources they need to help their clients be successful and safe parents.
(0/12 Members Support)

5. Offer the “Child Welfare Law Specialist” training and certification for attorneys, judicial officers, and guardians ad litem from the National Association of Counsel for Children and provide scholarships to interested attorneys
(0/12 Members Support)

6. Amend Title 22 to require the assignment of client directed attorneys to children age 10 and above in addition to guardians ad litem
(0/12 Members Support)

7. Expand Family Recovery Courts
(0/12 Members Support)

G. Statute

1. Initiate a Review of Statutes Relevant to Child Protection
(12/12 Members Support)

2. Amend Statute to Increase the Priority of “the Best Interests of the Child” in Child and Family Reunification
(0/12 Members Support)

H. Technology

1. Invest in fixes to critical agency technology (Katahdin)
(12/12 Members Support) (See [LD 878](#))

I. Child Safety

1. Support the current child abuse pediatricians and hire more child abuse pediatricians through appropriate financial support from the state in addition to the pre-existing contract with the agency (10/12 Members Support)
2. Make consultation with child abuse pediatricians more routine in the child protective intake process and investigations (11/12 Members Support)
3. Increase payment rates for child abuse evaluations (5/12 Members Support)
4. Address agency struggles to determine the safety of children 1) at the beginning of involvement during child protective investigations and 2) when deciding whether or not to reunify children with their parents (12/12 Members Support)
5. Share Safety Science recommendations with all-stakeholders and implement systemic recommendations (*The Committee removed the word "all" from this number before voting*) (12/12 Members Support)
6. Join the National Center for Fatality Review and Prevention's Case Reporting System. (11/12 Members Support)

The Committee took a break and returned at 1:32 PM.

- **Commissioner Lambrew and Director Johnson invited to appear and answer questions**

Commissioner Lambrew and Director Johnson both made opening comments to the Committee.

(A copy of Commissioner Lambrew's comments to the Committee can be found here:

<https://legislature.maine.gov/doc/10759>) (A copy of Director Johnson's comments to the Committee can be found here: <https://legislature.maine.gov/doc/10758>)

Rep. Fay asked Director Johnson if she was hearing similar things to what the Committee has heard in recent months and how the Committee and the Legislature and OCFS can communicate going forward to make sure the work gets done together.

Director Johnson stated that there are mechanisms in place to keep the Legislature informed and suggested working with the GOC in a similar manner as the office does with the HHS Committee. Director Johnson answered that the office has heard similar things and are aware and looking at new strategies to implement and create better working conditions for staff to feel more supported.

Rep. Mastraccio stated that she was happy with the steps that have already been taken. She stated that she was proud of all the work the Committees and the Department have done together so far and that they are on the right track.

Commissioner Johnson thanked the Committee for listening to all the workers that came and spoke to the Committee.

Rep. Arata asked if the Department would work with the Legislature on the current bill to add more case aides to the Department.

Commissioner Johnson stated that the bill would be heard the next Wednesday in the HHS Committee and they were working on figuring out how to meet the goal of the bill.

Rep. Arata asked about the rules to the new addition in Law (*LD 560, 130th Legislature*) to create 'baby boxes' that are safe for babies to be dropped off if parents decide they are too overwhelmed.

Commissioner Lambrew noted technological and funding issues that may be affecting it.

Rep. Arata stated that the fiscal note was approved and asked if there was any idea of when the rules would be finished.

Commissioner Lambrew stated that they would have to get back to the Committee.

Rep. Millett asked Commissioner Lambrew about the outside rapid review that has been mentioned and who the entity would be completing the review and how that process is going.

Commissioner Lambrew stated that the Department needed the review done immediately. She noted an organization called the Public Consulting Group that completes some reports for the Department annually, so the contract will be renegotiated to include this outside review. She noted some of the focuses included what workplace structures and training are needed to create a welcoming and supportive workplace culture, what is working well within the current structure and what can be improved, and how to create consistency within the district offices.

Rep. Millett asked Director Johnson to comment on the value the external review will give her as the new Director and her thoughts on improvements that might be different from her predecessor.

Director Johnson answered that building partnerships with others to build and create solutions is her main focus as she feels strongly that those connections will help lead the Department in a positive direction. She looked forward to seeing what the review will suggest for the new Associate Directors role.

Rep. Millett asked what Director Johnson would like to hear about her plan six months in the future.

Director Johnson hoped that the staff would say that she has listened to them and included their opinions in the process and that would be successful.

Sen. Timberlake stated that he was concerned about adding a new study and new modifications to the Department. He brought up the most recent Casey Family Programs that had recommendations and asked about the implementation of those. He asked what he should tell concerned Department staff that call to complain to him as constituents.

Director Johnson answered that she has directly been involved in the implementation of the recommendations from the Casey Family Programs and shared the Legislation that was put through to implement those. She stated that she has been a caseworker and has sat in their shoes and is looking forward to hearing how the positions have changed. She wanted to elevate the voices of those on the frontline perspectives. She emphasized tracking data and strategic planning were important components of the Department's success.

Commissioner Lambrew emphasized that the Department felt confident in Director Johnson's experience and skillset. She stated that the Department is looking to continue to work with the Legislature to continue making changes that are positive.

Sen. Timberlake asked about a timeline of things actually being improved.

Director Johnson stated that the work has been started and hoped that within the next three to six months those improvements would be visible.

Rep. Fay reiterated Sen. Timberlake's worry about communication going forward to stay updated. She wondered about what the best route for updates or report backs to the Committee could be.

Commissioner Lambrew stated that there were already notes from the Committee's Draft Report that she felt that the Department could be working on putting together.

Sen. Hickman asked about the Department's relocation of Children's Behavioral Health Services and whether that was done through a budget initiative or what the process for that discretionary decision was.

Commissioner Lambrew stated that they had the same thought when originally talking about the switch. She noted that Maine was in the minority of States for having Children's Behavioral Health split out and that the change would be more aligned with the majority of other states. She clarified that they looked through the

statutes and there were no required steps for these changes and were working to make sure there were no fiscal issues.

Sen. Hickman stated that he wanted to make sure that the Legislature maintains its oversight on the makeup of any Department so that it is not normalized that they can just make any changes at any time. He noted that it may not need a statutory change but that it seemed that reorganizations were generally approved through the budgets in review.

Sen. Tipping asked for an update on the OFI call wait times.

Commissioner Lambrew stated that there were a number of actions taken to help the issue; hiring more staff, changing the directory lines, uptraining staff to do more things. She noted that there is a new Director in that office and noted improvements towards those call times.

Next GOC meeting date and planning

The next GOC meeting will be February 9, 2024 at 9:30 AM.

The Director, Chairs, and Leads will coordinate to produce a document that identifies priorities for the Committee to discuss and vote on. The document will be sent to members at least one week in advance of the next meeting.

Sen. Timberlake asked for more information regarding the hospital stays and hoteling. How long is the average stay and what is the final cost of children staying in hotels and hospitals?

Sen. Tipping asked about the Tax Reports being taken up by the Taxation Committee and how that was going. Director Schleck stated that they have been working together to catch up on past Reports and thought the process was going well.

Adjourn

Rep. Fay adjourned the Government Oversight Committee meeting at 12:20 on a motion by Rep Mastraccio seconded by Rep. Blier.