



SEN. NATHAN LIBBY, SENATE CHAIR  
REP. HOLLY STOVER, HOUSE CHAIR

MEMBERS:

SEN. LISA KEIM  
SEN. DONNA BAILEY  
SEN. RICHARD BENNETT  
SEN. SUSAN DESCHAMBAULT  
SEN. JEFFREY TIMBERLAKE  
REP. H. SAWIN MILLETT, JR.  
REP. AMY ARATA  
REP. MARK BLIER  
REP. JESSICA FAY  
REP. MARGARET O'NEIL

MAINE STATE LEGISLATURE  
GOVERNMENT OVERSIGHT COMMITTEE

**MEETING SUMMARY**  
**June 15, 2022**

**Call to Order**

The Chair, Sen. Libby, called the Government Oversight Committee to order at 9:19 a.m.

**ATTENDANCE**

Senators: Sen. Libby, Sen. Deschambault, Sen. Keim, Sen. Timberlake  
Absent: Sen. Bennett, Sen. Bailey

Representatives: Rep. Millett, Rep. Stover, Rep. Arata, Rep. Blier  
Absent: Rep. O'Neil, Rep. Fay

Legislative Officers and Staff: Matt Kruk, Principal Analyst, OPEGA  
Amy Gagne, Senior Analyst, OPEGA  
Scott Farwell, Senior Analyst, OPEGA  
Jennifer Henderson, Senior Analyst, OPEGA  
Sabrina Carey, Secretary, OPEGA, GOC Committee Clerk

Others: Karen Carberry Warhola, Director, Maine Film Office  
Bobbi Johnson, Associate Director, OCFS  
Molly Bogart, Government Relations Director, DHHS

## Introduction of Committee Members

The members of the Committee introduced themselves.

## New Business

- **Meeting Summaries**

The meeting summaries for the April 13, 2022 and May 18, 2022 GOC meetings were accepted as written.

- **OPEGA Report – Research Expense Tax Credit**

*Motion: To Endorse the OPEGA Report – Evaluation of the Research Expense Tax Credit*

*(Unanimous of those present)*

*Motion: To Transmit a letter to the 131<sup>st</sup> Taxation Committee regarding the RETC Report*

*(Unanimous of those present)*

- **OPEGA Tax Expenditure Evaluations**

### **OPEGA Presentation of Report Parameters and Background – Tax Benefits for Media Production Companies**

Presentation made by OPEGA Analyst Kari Hojara. Presentation documents can be accessed using the links below.

Report Parameters: <https://legislature.maine.gov/doc/8604>

Report Background: <https://legislature.maine.gov/doc/8603>

- **Public Comment Period:**

Ms. Hojara mentioned that Representative Terry from the Taxation Committee, and the Maine Center for Economic Policy both sent in comment.

(Public Comment Documents for both Tax Reviews can be found here: <https://legislature.maine.gov/doc/8634>)

- **Work Session:**

Sen. Libby suggested that the committee adopt the parameters as drafted and include the questions from Rep. Terry and the Maine Center for Economic Policy as areas for the staff to investigate.

Rep. Arata asked if the recommendation from the Maine Center for Economic Policy to change Film to Visual Media is consistent with the statute.

Ms. Hojara answered yes.

Rep. Arata stated that while OPEGA is doing the evaluation, she would like to see a list of specific examples of the films or whatever media has been aided by this.

Ms. Hojara stated that they will do that to the degree to which the confidentiality allows. If it is not allowable, OPEGA will report on that.

Rep. Arata asked if the receipt of a tax credit is confidential.

Ms. Hojara answered that it was unclear what data OPEGA will be able to report.

Rep. Arata stated that she was looking for something simple, like a spreadsheet.

Sen. Libby asked if the Maine Film Office would be able to comment on the confidentiality question and invited them to join the conversation.

Director Warhola of the Maine Film Office introduced herself. She stated that the question of confidentiality is something that the office is addressing with the Assistant Attorney General. There is some confidentiality within, because they co-administer with Maine Revenue Services, who receives some confidential information. The Maine Film Office is trying to find out how much of the paperwork OPEGA needs so that it can be reviewed with the Assistant AG to make sure there is no specific requests within it for confidentiality.

Sen. Libby asked if the Film Office had a list of productions that have occurred in Maine.

Director Warhola answered that there is no list of productions that have occurred in Maine because Maine does not have a structure for doing film permitting, which would be the way to find out everything that films in Maine. People do not need to register with the Film Office, and they do not even need to contact the film office, they can just come to Maine and film.

Sen. Libby asked if there was any list of productions in Maine.

Director Warhola stated that she started a registration system that is completely voluntary to ask productions before they film in Maine to register. She thought it would be good to have a system in place should the state ever want to do a permitting system. She stated that some productions do register and some do not, but she does have a list of the ones that have registered.

Sen. Deschambault stated that she thought Rep. Arata was asking for a list of productions and visual media that have received some assistance or funds from the state. She would like to know how many have been done over how many years, and how they were funded. She stated that she did not fully understand where there would be any confidentiality.

Director Warhola added that she would be happy to share everything that the AG's Office allows the Film Office to share. She will have an answer after finding out what forms are wanted for the review.

Sen. Libby clarified that there would be confidentiality because the credit is received on a tax return.

Sen. Libby stated that he had two suggestions to add, not to the performance metrics, but suggestions to explore during the review. He wondered if some work could be done looking at the surveys that other states have done on their tax film credits. He stated it might be helpful to get a high-level summary of those results as part of the work. Sen. Libby also asked if there was a way for OPEGA to model for Maine how to incentivize more media production in Maine to move Maine from the bottom 10 states up to the top 10 states.

Ms. Henderson clarified that the modeling that Sen. Libby was speaking of is not to try to estimate the economic impact of the filming that Maine has incented here, but to try to estimate what would be required to move Maine from its current position to a desired higher position completely.

Sen. Libby confirmed that Ms. Henderson clarified his thoughts well.

***Motion: To approve the parameters of the FILM Report  
(Unanimous of those present)***

Approved Parameters: <https://legislature.maine.gov/doc/8647>

**OPEGA Presentation of Report Parameters and Background – Deduction for Contributions to Capital Construction Funds for Maintenance or Replacement of Fishing Vessels**

Presentation made by OPEGA Senior Analyst Jennifer Henderson. Presentation documents can be accessed using the links below.

Report Parameters: <https://legislature.maine.gov/doc/8602>

Report Background: <https://legislature.maine.gov/doc/8601>

Sen. Libby asked if the number of tax payers affected was 30 per year or 30 since inception.

Ms. Henderson answered that her understanding was that the Maine Revenue Services Estimate is 30 per year.

Sen. Libby estimated that it could be many hundreds that have taken advantage of the deduction.

Ms. Henderson stated that there could be hundreds since inception.

Sen. Timberlake asked what is the average amount of the tax credit deduction per year.

Sen. Libby stated that it looks like \$17,000, roughly, when looking at the revenue loss in a year divided by the 30 tax payers.

Ms. Henderson concurred that Sen. Libby's math was about right when using the estimates from Maine Revenue Services. She stated that without having done the evaluation yet there is not more to add on that. Sometimes the average can be very telling and sometimes it is not as telling because there might be a lot of very small claims and then just a few big ones or vice versa.

Sen. Timberlake asked if they could check the numbers one more time on that average amount.

Rep. Arata stated that in the footnote (it states) that the income taxes are deferred and it is in lieu of depreciation.

She asked if the fact that there is no depreciation is captured in the revenue loss.

Ms. Henderson answered that they think not, and that it is a straightforward initial revenue loss.

Rep. Arata concluded that there might not be such a large revenue loss and that it might be approximately a wash.

Ms. Henderson confirmed yes, over time.

– **Public Comment Period:**

Ms. Henderson mentioned that Representative Terry from the Taxation Committee sent in one comment about the Deduction.

(Public Comment Documents for both Tax Reviews can be found here: <https://legislature.maine.gov/doc/8634>)

– **Work Session:**

*Motion: To approve the parameters of the FISH Report  
(Unanimous of those present)*

Approved Parameters: <https://legislature.maine.gov/doc/8648>

• **Child Protective Services – Work Session**

(Continued Conversation from 5/18 Meeting with Bobbi Johnson and Molly Bogart DHHS/OCFS)

(To listen to the full question and answer section, please go to our Maine Legislature Streaming Page, which can be found here: <https://legislature.maine.gov/Audio/#220>)

(A copy of the Department's Response Document can be found here:

<https://legislature.maine.gov/doc/8598>)

**20. What data can OCFS provide on the tool conclusions that are overridden by supervisors (from assessment to closing)?**

Ms. Johnson answered that OCFS has the data available for the intake tool and is gathering the data for the other tools. She stated that they are in the process of transitioning from the system that they used with Evident Change, into their own system. Evident Change expects about a 10 percent override rate and OCFS falls within that override rate for the tools at about 4 percent. She also stated that the other piece of data the office is gathering is how does that rate compare over the years that OCFS has had the tools in place (a question that was asked during the previous meeting) and hoped to have that information available for the committee within a few weeks.

Sen. Deschambault asked if Ms. Johnson could describe the difference between a screened-in report and screened-out report.

Ms. Johnson answered that a screened-in report would be one that met the threshold for intervention by the Child Protective System, where the report would go on for investigation. A screened-out report would not meet that threshold.

**21. How was the 35-day limit for investigations determined and why does the "clock" not start over when there is new information to investigate?**

Ms. Johnson stated that the timeframes were established in 2005. Before, there were averages of 30-, 45- and 60-day investigations. In 2005, Maine selected 30 days, with an additional 5 days for the supervisor to be able to review, approve and determine if there were any other activities that they needed the caseworker to do in order to complete and finalize the investigation.

Ms. Johnson continued, the new information in an investigation does not always require a redo of the investigation activities. When OCFS gets new information the caseworker and supervisor will meet and determine what has already been assessed, and what additional activities need to be done to assess the new information that has been received. Then there will be a plan for the timeframe in which that will be completed, which may extend beyond the 35-day timeline. There is an understanding that with the new information that extension can happen. OCFS is looking to build the infrastructure of the new Katahdin system to show on their workload that there has been an extension beyond the timeframe for completion due to receiving new information.

Ms. Johnson added that OCFS recently convened a work group of staff supervisors and program administrators to look at the timeframes for completion of investigation activities and other activities to make sure there is no duplicative activities to happen. There should not be a background check at the caseworker level if intake has already done one. The office has received recommendations from that work group and are considering them.

Sen. Libby asked what date those recommendations would be worked through and maybe have some decisions.

Ms. Johnson answered that within the next couple of months they would decide and reconvene the work group to see if there is any additional questions or follow-up the office can give the work group.

Sen. Libby asked how that ties into caseload issues especially with new workers, because it seems that there are two different directions, creating a finite period of time to do an investigation and having a lot of cases to try and sort through.

Ms. Johnson answered that there is balance by giving new workers less cases to give them time to learn with their supervisor.

Sen. Libby then asked if OCFS had provided the caseload a new caseworker receives.

Ms. Johnson answered that a new caseworker starts with a third of a caseload and then over the next few months there will be additions to slowly reach a full caseload. That doesn't always happen depending on the number of vacancies and the needs of district offices.

Sen. Libby asked if that is happening with new caseworkers, that they are receiving a third of a caseload.

Ms. Johnson answered that it varies across the state.

Sen. Libby asked if OCFS could provide more concrete information.

Ms. Johnson answered she would get the committee that data.

Sen. Timberlake asked if there was a provision that allowed CPS staff to start over with the receipt of new information.

Ms. Johnson answered yes there is a provision that allows them to start over. During an open investigation, if another allegation comes in that requires a full new report to be written, it would start the process over as far as interviews with critical case members. It depends on what the information is that was received, and then the decisions are made about the timeframe in which those activities will be completed with an understanding that it will take longer than the 35 days and the supervisor will extend that timeframe.

Sen. Timberlake stated that he would like to know how many times throughout the course of a year has a caseworker has to start over and extend beyond the 35 days.

Ms. Johnson answered that she would need to meet with the departments data staff to see if there is an easy way to capture that data within the system.

Sen. Libby asked Sen. Timberlake if a years' worth of data would be agreeable.

Sen. Timberlake agreed that would be a good place to start.

Rep. Arata asked if Ms. Johnson had any insight into why the Report found that caseworkers felt unable to complete their work in 35 days, if there is the flexibility that Ms. Johnson described. She asked if there was a miscommunication or something to make the caseworkers feel like they only have 35 days no matter what comes up.

Ms. Johnson believed that the staff feel compelled to complete their investigation within 35 days as that is the timeline that has been established for completion of most of those investigations. There is data that shows the percentage of time when staff are able to complete their investigations within 35 days, and the percentage of time that they're not able to.

Rep. Arata asked if sometimes it was a time management issue.

Ms. Johnson answered yes. Within about 24 or 72 hours the caseworker would have established initial contact. Caseworkers would complete investigations within 35 days, and there are timeframes for when the first family team meeting would be convened with the family and their supports. There are metrics that are established, to determine what is best practice for families, but OCFS acknowledges that there are times when they cannot meet those timeframes.

Rep. Arata asked if there was any sort of open-door policy where a staff member could go to their supervisor and ask for 5 more days, is it something that can be talked about.

Ms. Johnson answered that those conversations happen on a regular basis in supervision. She had heard that staff worry about how it is going to impact their performance evaluations. OCFS has encouraged their supervisors to have those conversations with the staff, and to be flexible when looking at the needs of the workload and how staff are able to meet that, as well as reflect that on the workers' performance evaluations.

Sen. Deschambault asked if every district or every office has a supervisor readily available.

Ms. Johnson answered that there are caseworkers, supervisors, assistant program administrators and the program administrators within the district offices. Some districts have multiple offices, so a caseworker may not have a supervisor at that direct office, but they are all within the area. There are expectations that those supervisors are spending time in both of those district offices.

Sen. Deschambault stated that in the Report, the statistics stated that some of the workers had no help from the supervisors.

Ms. Johnson stated that the regional associate director and the program administrators have frequent conversations about that. It was one of the pieces of feedback that had been heard during the pandemic was access to supervisors. The program administrators talked with their supervisory teams about how to connect with their staff once going virtual and making themselves accessible.

Sen. Libby asked if supervisors ever accompany caseworkers out in the field for observation, and how frequent that is.

Ms. Johnson stated that as a part of onboarding for new workers, the supervisor is required to go out into the field with them on their first couple of contacts with families of their first investigation, maybe the first two. The supervisor also frequently attends the family team meetings and attends court with the caseworker. A lot of those decisions are made on the basis of the complexity of the case. Is it beneficial to have the supervisor there?

Sen. Libby asked if the quality assurance staff ever accompanied caseworkers into the field.

Ms. Johnson answered that is not part of their current function. The quality assurance staff are looking at cases and casework in different ways, through records and reports, interviews of staff and stakeholders. Those staff do go out to the district offices or are connecting virtually to provide feedback about the results of their quality assurance reviews.

Sen. Libby asked if Ms. Johnson thought that OCFS is doing an adequate job on supporting new caseworkers or if she thought that more needs to be done.

Ms. Johnson believed OCFS does an adequate job. She stated that there was always more that could be done to help build the confidence and the competence of the staff.

## **22. What tangible steps can be taken, by the Legislature, the Government Oversight Committee or OCFS, to address issues with high caseloads, inadequate training and high turnover rates?**

Ms. Johnson stated that they invested in a recruitment and retention specialist, specifically for OCFS to look at how they can recruit candidates for positions and then also retain them. She stated that one of the best recruiting methods, besides their own staff, is Indeed.com, which is used a lot in the different areas of the state. There is the general advertising package, and then occasionally in offices with high numbers of vacancies, there is increased recruitment activities in those specific areas. For retention, the office looks to promote loan forgiveness and educates the staff on that, they are figuring out how to have flexible work schedules and telework opportunities, there is clinical supports in each district office that can help with difficult cases as well as with the stress of doing CPS work. There are district workforce wellness teams, employee recognition events where quarterly, each of the districts nominates a staff person or people. There are staff days, which is an opportunity for staff to participate in a particular training, but also spend time together team building. She believed that a lot of the additional workload or higher caseloads come up when there is a loss of staff. The work has to be reassigned to another caseworker. OCFS has revised the training curriculum for new caseworkers, resource parents and expanded opportunities for experienced staff.

Sen. Libby stated that OCFS noted the vacancy rate, and he also noted that the attrition rate is going hand in hand with the vacancy rate. He asked if Ms. Johnson had any data on the attrition rate.

Ms. Johnson answered that she did not have that in front of her.

Sen. Timberlake stated that he hadn't heard what the office is doing to fix the gap in vacancies.

Ms. Johnson stated that the OPEGA Report did highlight that the relationship between the caseworker and the supervisor was one of the strengths in retaining staff. She stated that when there is a disconnect between the caseworker and supervisor and the office is aware of it, they encourage that conversation to happen initially between the worker and supervisor, and then to talk to the program administrator to bring them into the conversation if needed. She stated that supervisors go through a six to twelve-day training that is participated in over their first year.

Sen. Timberlake asked how many job openings they have at OCFS.

Ms. Bogart answered that they had 425 positions within child welfare, with 381 of those filled and 44 of them vacant, for a 10.4% vacancy rate.

Ms. Johnson corrected and stated that the previous Friday, there were only 42 vacancies. She stated that they have created a framework for the after-hours children's emergency services coverage system and have all of those positions posted, which includes 16 caseworkers and 3 regional supervisors. She hopes to have that whole program up by September to hire those positions and build out the infrastructure of those roles. The positions were posted on June 3<sup>rd</sup>, are posted for two weeks and then will start the process of hiring in July.

Sen. Timberlake stated that he did not understand what the extra 33 positions that the legislature just approved were for if there are still 42 other positions that are currently open. He asked why they had to wait to hire those positions.

Ms. Johnson answered that the department had to build the infrastructure for the 33 new positions so those are available in July, but they have posted those positions for hiring.

Sen. Timberlake wondered if there was anything that was legally stopping the department from hiring all of these positions sooner.

Sen. Libby asked if the department could update their April 13<sup>th</sup> memo which was providing data from quarter one, to update with info from quarter two. He asked for turnover rate as well as the vacancies plus new hires.

Rep. Arata stated that she understood that the department could potentially submit a financial order through the governor, and then the Appropriations Committee could meet and waive the 30 day wait for the financial order. Rep. Arata asked Rep. Millett to either confirm or deny that information for her.

Rep. Millett stated that he was thinking of the same thing, but noted that Ms. Bogart stated that they are posting the currently authorized headcount positions and can hire them between now and July 1<sup>st</sup>. He stated that at the moment they should not focus on the new 21 positions coming in July, but the 42 that are currently vacant.

Ms. Bogart stated that those 42 positions are being actively recruited.

Sen. Deschambault suggested colleges would be a good place for recruitment. She asked about the after-hours label and how that is defined, what does that mean.

Ms. Johnson answered that those positions would cover nights, weekends and holidays, still 40-hour work weeks. Midnight until 8 am, is considered standby time, because of the low volume of calls during those hours. There is a staff person on and available in each of the districts to be able to respond during that time.

Sen. Deschambault asked how do they compensate standby time, if someone is called to do something at two o'clock in the morning.

Ms. Johnson answered that for any hours the worker is on standby, they will get a percentage of their pay, and will collect overtime for those hours if they end up going out into the field.

Sen. Deschambault asked if the new positions have the same title as the current caseworkers.

Ms. Johnson answered that they are part of the child protective services casework classification and they will also have the designation of being children's emergency service positions

Sen. Deschambault asked if they would be in the same pay range as the other current caseworkers.

Ms. Johnson stated that was correct.

Sen. Deschambault asked if a current employee could apply for those after-hours positions.

Ms. Johnson stated that yes, the current workforce is allowed to apply for those positions. She stated that they do work with colleges throughout Maine and New England to recruit college grads.

Sen. Timberlake stated that he looked back at the numbers since February 2022, to June 2022, and the department has only been able to fill 6 positions, which he found concerning. He wanted to figure out why people did not want to work for the State of Maine in child protection.

Ms. Bogart stated that Sen. Libby previously had a good point in stating that it is a net of six positions. She stated that it was not as simple as they went out and hired 6 people. People leave and move to different positions within the department. She stated that the department has been trying new things in the previous few years. Revamped training, talking about doing a field instruction unit to do early mentorship with college



students to get them experienced before they have graduated and create a pipeline for new workers at the department.

Rep. Blier asked what the base salary was for the positions that are being hired.

Ms. Johnson stated that she would get that information for him.

Rep. Blier stated that he has done many union negotiations. He wondered whether the union negotiations have been settled if they have had any negotiations about these new positions.

Ms. Johnson answered that human resources fielded some questions from the union about the positions, but that was the extent of the inquiry. She believed that was partly because the positions are still within the human services caseworker classification. She explained that there are two case workers assigned to each district and the supervisors on a regional basis. There are three supervisors, so they will have to have some shared supervision. The department is working on putting those types of details into the infrastructure of the plan.

Rep. Blier asked to clarify that the new positions job description falls within the job description of those that are currently in place.

Ms. Johnson stated that the hours have changed.

Ms. Bogart stated that the MSEA (the union) recommended this structural change to the HHS Committee, so the union's vision was aligned with the departments.

Rep. Stover asked if there was anything that the legislature could do to help. She asked if the department was offering any hiring incentives, like sign-on bonuses.

Ms. Johnson stated that the department is attempting to do that and are working with MSEA on that infrastructure.

Rep. Stover stated that it would be good to figure out what would give the department a leg up in the competitive market of healthcare workers.

Ms. Johnson stated that the office has looked at both sign-on bonuses and retention bonuses to acknowledge people that are joining the work force, but also those that stay.

Rep. Stover believed that FAME (Finance Authority of Maine) has some loan forgiveness for health care workers, which includes caseworkers and licensed social workers.

Rep. Arata suggested they could also look at faith-based colleges or organizations to help with recruiting as they often set up tables to try and get more people to foster.

Sen. Deschambault stated that she was a proponent of after-hours duties and weekends as the 9-5 hours make it hard for a caseworker to call for help at 8 o'clock at night. It is a benefit to the state and families to have someone available after 5 o'clock.

### **23. How are caseloads assigned?**

Ms. Johnson stated that supervisors are responsible for assigning the workload within their units. The supervisors would look at the individual caseloads of their units and determine who is in the best position to be able to pick up that case. A lot of the offices are separated by some sort of geographic representation so it may not be just within one unit. The supervisors also look at the experience of the worker and the complexities of the case when making assignments.

Sen. Libby asked how management moves caseworker and supervisor resources to make up for vacancies.

Ms. Johnson answered that the department would look at what the workload is and the program areas and may shift caseworkers to another program area. The program administrators are connecting with adjacent districts to see if that other district has the capacity to pick up any cases if there are a high number of reports and there is a struggle assigning them. She stated that the department has even temporarily reassigned certain towns to other districts to help balance out some of that caseload.

### **24. What workload metrics can be provided to the GOC each month to track workloads?**

(See department response document pg. 10 - no further information was given)

**25. What consideration is given to the content of cases when distributing them among caseworkers?**

(See department response document pg. 10 - no further information was given)

**26. What can OCFS do to improve hiring practices and recruitment? What can OCFS do to increase its reach in recruitment initiatives?**

(See department response document pg. 10 - no further information was given)

**27. Where is OCFS in the implementation of its new training program for caseworkers?**

Ms. Johnson stated that the department just graduated their second cohort under the new structure for the foundations training. The third cohort just started. This is the two-pathway structure where there are two separate focuses on investigations and permanencies. The department looks at the evaluation data to make adjustments as necessary to that process, and the curriculum to the training process. The department meets with the University of Southern Maine staff to talk about all of the projects that the department has with them, but in particular the foundations training and where adjustments need to be made. She added that over the last few months they had provided training to supervisors on coaching and onboarding new staff and a training to caseworkers about mentoring new workers as they come into the office as well.

**28. Does training include methods for managing high caseloads?**

(See department response document pg. 11 - no further information was given)

**29. How does OCFS solicit feedback from caseworkers on the training provided? When is feedback solicited?**

Ms. Johnson answered that some of the feedback has been positive about being able to focus specifically on their particular tasks. She also stated that the caseworkers talked about more opportunities for practice, in a simulated environment, the skills that they need to learn. It is a comprehensive process of evaluating the curriculum to ensure that it meets the staff needs. The workers also like the field days where they are able to practice the skills.

**30. How does OCFS assess caseworker performance, workplace comfort and support systems at 3 months, 6 months, 12 months after training?**

Ms. Johnson stated that a worker is evaluated, by self-assessment and some by the trainers during the training process, when the training is completed. The trainee meets with a University of Southern Maine trainer as well as an OCFS trainer that meet with the supervisor and the worker to share the feedback and to start to develop the ongoing plan for that worker. The group would review the worker's strengths, challenges, where they need additional skill building and they work on that plan as soon as the individual graduated from the foundations. There are quarterly evaluations, a lot of which is supervisor observation and feedback about the worker and their performance. The department expects the supervisors to have the conversations with staff throughout their employment in order to set them up for success. There is also the quality assurance process that helps provide some information.

Sen. Timberlake asked for an explanation of some of the weaknesses that the department is hearing from the caseworkers and what they are doing to acknowledge those weaknesses.

Ms. Johnson stated that the biggest piece of feedback was about having more opportunity to practice the skills before going into the field. There are activities during pre-service that are simulations so there is an opportunity for workers to practice. The department has also worked with the office of the Attorney General

and other stakeholders to do a mock trial. Court is another event that staff get anxious about, so the department has integrated a mock trial experience into the pre-service training, the foundations training.

**31. Has OCFS considered partnering with education systems in the state to create educational programs for students considering a career in CPS to provide training during college?**

Ms. Johnson stated that the department used to have a field instruction unit in the Bangor and Portland Offices which were discontinued at some point. There has been work with the universities across the state, and there is a pilot of the first cohort of students going through the field instruction program. It is an opportunity for students to do their year-long internship with the Department of Health and Human Services. The student is paired with a mentor, a caseworker within the district office, and with the supervisor, they participate in the foundations training, but it is broken down over the 9 months of the internship. The department has also worked with the university of Maine at Presque Isle to offer a virtual child welfare class. The class offered different views of the social service system through OCFS staff, Attorneys, Guardians ad Litem and a social service provider. It is currently not a requirement of the field instruction program, but in the future, it is hoped to be a stated wide program. This upcoming semester there will be two universities offering that class.

Rep. Blier asked if the pilot program was specifically at USM or if the department is reaching out to other universities as well.

Ms. Johnson answered that USM is who the department has the cooperative agreement with and who is going to support the students through the field instruction program. It is a partnership with all of the universities to have interns from their programs participate in the program and then build this course.

Rep. Blier asked if all the students are from USM or scattered throughout the state.

Ms. Johnson stated that they are from all different universities throughout the state.

Sen. Keim asked if the department is also working with community colleges.

Ms. Johnson stated that the department started with the university system with the plan to expand to community colleges that have a social services program. She did not know how many social work or health and human services degree programs exist at the community colleges.

Sen. Libby asked if a bachelor's degree was required for casework.

Ms. Johnson stated that was correct.

Sen. Libby asked if the LCSW license is also a minimum requirement.

Ms. Johnson answered that is a requirement. The recruitment and retention specialist would try to screen people that would fit.

**32. Does OCFS feel that the fieldwork component of the training is sufficient?**

(See department response document pg. 11 - no further information was given)

**33. Does OCFS conduct exit interviews with caseworkers when they leave their positions?**

Ms. Johnson stated that the department offers both exit surveys and exit interviews and the staff have a choice of participating in one, both or none of those options. A lot of the staff choose to do an exit interview which is a benefit to the department. The feedback is provided to Director Landry, herself, the regional associate directors and the program administrators. The most frequent reasons for exits have been the after-hours responsibilities of current staff to provide that coverage and the workload expectations and the timeframe that work needs to be done in, which she believes is partly related to the number of vacancies and the additional work that has been required because of that. She stated that the recruitment and retention specialist would conduct those interviews. She added that they are starting stay interviews, with individuals that stay, to learn about what are the reasons that they stay and how can the department build upon someone in order to retain staff.

Sen. Libby asked what Ms. Johnson has taken away from those exit interviews.

Ms. Johnson stated that when the retention specialist does an interview, they will send a summary of what was learned during the interviews. Through some of the exit interviews the department learned that some of the factors are related to workload within the Lewiston District Offices specifically.

Sen. Libby asked if Ms. Johnson feels like those concerns have been adequately addressed.

Ms. Johnson stated that they are in the process of being adequately addressed. There was recent hiring of a new program administrator so that is bringing some stability to that district.

Sen. Libby asked if all of the Lewiston workers all work in the same office.

Ms. Johnson answered yes.

**34. How is feedback from caseworkers who leave their positions incorporated into CPS practices to ensure that conditions improve for future employees to increase retention rates?**

(See department response document pg. 12 - no further information was given)

**35. What is the current turnover rate?**

(See department response document pg. 12- no further information was given)

**36. Staffing has been an issue since 2017. Regardless of administration shifts, the agency remains highly susceptible to lack of workforce. Are there any ongoing long-term initiatives to address this?**

Ms. Bogart stated that prior to the pandemic there was a distinct and positive trend of decreasing turnover and decreasing vacancy rates. Some of that is attributable to changes in structure and new resources. She stated that some reasons are related to the pandemic and some reasons not related to the pandemic. She stated that the department has managed to see a decrease in that trend of vacancies.

Ms. Johnson added that one of the opportunities the pandemic presented was to review those strategies and look at how to adapt to the current workforce conditions and the needs of the workforce. There are both short-term and long-term strategies that the department has been learning about and trying to be responsive to.

Sen. Libby pointed the department staff at a memo from April where the department provided a rolling average turnover chart. He asked if the department could give them the month to month data in the same chart. He stated that it could show the turnover rate, the new hires and the vacancy rate.

Sen. Keim asked who is still working from home within the department.

Ms. Bogart answered that she would let Ms. Johnson speak to the OCFS staff specifically, but the department as a whole is still in a hybrid model and is working with DAFS for a return to office.

Sen. Keim asked why people are still working from home.

Ms. Bogart stated that it is a policy of Human Resources and DAFS.

Ms. Johnson stated that staff do have the option of teleworking. The Department of Health and Human Services return to work date is September 6. She stated that there is an opportunity for a telework arrangement for staff to apply for. That is one of the pieces Ms. Bogart was speaking about that are still being worked on with staff. She stated that a lot of the Program Administrators are back in the offices, and the department is encouraging supervisors to be back there on a regular basis to start the transition back.

Sen. Keim asked if there was any assessment as far as what happens when people are working from home and how that impacts the work.

Ms. Johnson stated that there has not been a formal assessment but the department has talked about the benefits and the challenges of the work. A lot of the work within child welfare is face-to-face, so although staff have the ability to work from home, most of their work is in the field. The caseworkers have been expected to conduct their work activities in person even throughout the pandemic.

Ms. Bogart stated that the metrics and quality assurance has been ongoing, and there has been no specific investigation on how the work from home has changed the work, but focus on caseworker competence and the quality assurance work has not stopped.

Sen. Keim believed that it is really important for people to be in person as the workers can learn a lot from each other especially when in the offices together.

Ms. Johnson stated that one of the strategies through which the new workers learn, is by having that contact with their peers who have been doing the work.

Rep. Blier asked why September 6 was selected as the return to in-office work date.

Ms. Bogart stated that that was the date that was chosen by the department heads, human resources, DAFS and the union through discussions.

Ms. Johnson added that caseworkers have had a temporary remote policy which ended in June of 2020.

Sen. Libby asked if supervisors have been working from home or in office.

Ms. Johnson answered that all of the staff have had the opportunity to work from home other than activities that are required to be in person. The department asked supervisors to start working in office and for the unit meetings to be in the offices with the other staff.

Rep. Arata asked if there were people who worked from home before the pandemic.

Ms. Johnson stated that caseworkers have had the option on a limited basis. If someone needed a day to complete their documentation on their cases then a supervisor may approve for them to work from home.

**37. How many open positions are there currently?**

(See department response document pg. 12 - no further information was given)

**38. What considerations are being given to new approaches to finding employees? For instance, should standards be changed to ease onboarding?**

(See department response document pg. 12 - no further information was given)

**39. What are the requirements to become a caseworker in OCFS and how were those standards determined?**

Ms. Johnson stated that they have to have a bachelor's degree in social work or a related field. They have to be eligible to become a Licensed Social Worker. There are 12 qualifying classes for candidates that don't have a specific degree in social work.

Rep. Arata asked if she could see a breakdown of those classes that are required of an applicant that does not have a degree in social work. She asked if there was a way for out of state people with experience in the field to bypass some of those requirements. How are the standards determined? She asked if there was a national standard.

Ms. Johnson answered that some of the requirements are defined by the licensing board. In order to get a license as a social worker there are certain criteria that have to be met. The licensing board defines what those related degrees and courses are in order to be able to sit for the licensing exam. It is a requirement for a caseworker to obtain that licensing. The recruitment and retention specialist would look at the candidate's qualifications and talk with the licensing board to see if their classes/experience would qualify them for the test.

Sen. Deschambault stated that the licensing board was not just for DHHS, it could be for schools or hospitals. The Licensed Clinical Social Worker are the ones who do the one on one. The basic social worker license is a little card that states the person is a social worker until a specified date. She stated that the workers do not need to reapply, they have to demonstrate they have had ongoing courses and how

many hours and books they have read. It is the licensing board that will determine whether to renew a license. She asked Ms. Johnson if this was all still correct.

Ms. Johnson stated that it is basically what is still going on.

Sen. Deschambault added that if someone gets a master's degree, they would be a Licensed Master Social Worker.

Sen. Keim asked if they have considered offering part-time positions. Is that something that has been considered?

Ms. Johnson stated that it has been many years since they have had those positions. She was not sure why they transitioned away. She stated that it is hard to do part time as it is not a lot of time to be able to serve the families.

Sen. Keim asked that the department explore that option. She stated that maybe the state transitioned away for a reason, but things have changed so maybe the offerings could change. She wondered if this potential part time option would help with burnout.

Rep. Stover added to Sen. Deschambault's comments, stating that another piece of maintaining the license is that the worker has to have clinical supervision. The supervisor has to have clinical credentials.

Sen. Keim stated that she had heard about issues with the foster system. She has heard about issues with foster parents not getting paid from the department in timely manners. She asked how widespread that issue is and what the solution may be.

Ms. Bogart stated that if Sen. Keim wanted to give them direct information separately, she would be happy to check into that specific case of a foster parent not being paid.

Ms. Johnson stated that a majority of the resource parents get paid as they should. There is a new system so some of the challenges have been on the part of the caseworkers using the new system and making sure all of the resource parents were loaded into the system correctly and were set up to get payment. There were different issues the department has had to work through. Sometimes it was conversion data perhaps not being entered correctly. Some issues have been related to vendor forms.

Sen. Keim asked how old the new system is that is causing issues.

Ms. Johnson stated that it was implemented in January.

Sen. Keim stated that six months is a long time to still be struggling with this issue. She stated that the other issue she heard about was a foster parent not being told what they were going to be paid.

Ms. Johnson stated that it does not matter if they are kinship or a resource parent it is the same rate except whether they are licensed or unlicensed.

Sen. Keim asked what the department is hearing about support for foster families. She asked if there was a difference in whether a person is licensed or not that determines the support for them. How does the department follow up with and keep tabs on the foster families and if they feel like they are getting the support they need?

Ms. Johnson stated that through OCFS there is not a different level of support for unlicensed versus licensed. If a family is licensed and they meet certain criteria, they have the opportunity to become affiliated with a treatment foster care agency which offers additional support to those families that traditionally provide foster care for higher behavioral health and mental health needs kids. There is a resource parent group that meets monthly. There are quarterly town hall calls that are convened with resource parents statewide. The Adoptive and Foster Families of Maine and the Kinship Program provide support to resource parents and kinship parents.

Sen. Keim stated that it sounds like the department is receiving feedback but asked why they would not be hearing about the things she is.

Ms. Johnson stated that any time that an issue is brought to their attention the department is addressing those as they come up.

Sen. Keim stated that this one individual has reached out to the caseworker and the supervisor, and had not gotten a response in a month. She wondered how many people are slipping through the cracks. She stated another issue she had heard about: not getting paid for mileage.

Ms. Johnson stated that she had heard that a couple of times, but not as frequently as the other issues that Sen. Keim had brought up.

Sen. Keim asked for the next meeting to hear why there are people who are slipping through in these issues and how the department would like to address that. She stated that there is more training that needs to happen and some more care needs to be given to these people who call in. She asked why the issues are not being addressed, because the state needs foster families as much as they need caseworkers.

Rep. Arata stated that she has a constituent that is going through the same thing. She stated that she herself had to reach out to the department for this constituent. She stated that they are trying to avert a crisis. She stated she would like some sort of investigation done into how people are reimbursed and the timeliness of those things and how they are classified.

Ms. Bogart stated that there are tracks to solve these problems. There is the systemic part in how the department makes sure all of the staff have the resources they need. She stated that anyone who has constituents come to them should reach out as soon as possible so they can address those individual cases.

Rep. Arata stated that there was almost the death of another child in Lewiston recently and that she would like more information into that case and why the children were not taken away from that parent before that incident.

Sen. Deschambault stated that she read the document that was presented to the HHS committee that explained a bit on the Structured Decision-Making Tool and noticed some of the steps that were on the list. She asked if parental rights are ever terminated anymore. At what point does the decision to terminate parental rights happen. She asked for more information for the next meeting.

Sen. Timberlake asked if HHS had a public hearing where it was open to hear from the general public.

Rep. Stover stated that in HHS they had a quarterly update from DHHS with presentations and a lot of information, but no public hearing.

## **Report from Director and Planning for upcoming meetings**

Mr. Farwell stated that at the last meeting, the committee had asked the Director of MCILS to submit a written update report. He noted that it was sent to the committee. The MCILS Director agreed to appear in person at a subsequent meeting, at the GOC's pleasure. He suggested August would be a good time for that.

Sen. Libby stated that requesting him to appear in August gives them time to work on some budget initiatives and report on that process.

Mr. Farwell stated that there were three things at the last meeting that the committee wanted to look at. There was a proposed presentation of the Structured Decision-Making Tools for some specific child fatality cases. There was a request to look into the availability and types and volume of information that is contained in DHHS case files, DHHS internal review, briefing memos, and on budget reports on these fatalities. He stated that they were also going to try and provide some clarity and additional information related to the child fatality tables that have been talked about.

Mr. Farwell stated that the company that owns the SDM tool, Evident Change, along with OCFS staff have agreed to do a demonstration of the two tools that are the most relevant right now, the safety assessment tool and the risk assessment tool which can be done at the July 20<sup>th</sup> Meeting. He stated that the OPEGA project recommendations for part three of the work related to reunifications and permanency will be ready for that meeting.

Sen. Libby stated that he had heard interest in a public hearing and suggested that it be held at the July 20<sup>th</sup> meeting as well. He suggested that in the August meeting they may be able to choose a Phase 4 project.

Sen. Libby noted that at the July meeting there will be an introduction of the new OPEGA Director, Peter Schleck, who was selected after a fairly rigorous interview process that involved legislative leadership and the chairs and leads of the committee.

### **Next GOC meeting date**

Sen. Libby noted that the next GOC meeting is scheduled for Wednesday July 20, 2022 at 9:00 a.m. and will be held in person.

### **Unfinished Business**

### **Adjourn**

The Chair, Sen. Libby, adjourned the Government Oversight Committee meeting at 12:02 p.m. on a motion by Sen. Timberlake, seconded by Rep. Arata.