



Tuolumne County Human Services Agency

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DATE: August 4, 2010
TO: Honorable Eric L. DuTemple, Presiding Judge of the Superior Court
FROM: Ann E. Connolly, Human Services Agency Director *SB/AC*
SUBJECT: Response to 2009-10 Grand Jury Findings & Recommendations-Human Services Agency

The purpose of this memorandum is to provide a written response to the 2009-10 Grand Jury Final Report as it relates to the following Human Services Agency Departments:

1. Department of Social Services-Child Welfare Services (CWS)
2. Public Health Department

1. DEPARTMENT OF SOCIAL SERVICES-CHILD WELFARE SERVICES (CWS)

A. Corrections to Narrative Facts:

- i. **Statement:** There are approximately thirty (30) cases per social worker per year.
 - a. **Correction:** "There are approximately thirty (30) cases per social worker at any given time."
- ii. **Statement:** The Social Services Aide, under the direction of the Emergency Response Manager, takes calls from the community and generates a report.
 - a. **Correction:** "The Social Worker Screener, under the direction of the Emergency Response Manager, takes calls from the community and generates a report."
- iii. **Statement:** If needed, the parents are immediately assigned a public defender. The social worker also acts as an advocate for the family unit. A legal self-help center is available, as well.

- a. **Correction:** *CWS recommends moving this sentence to the paragraph just above its current location. The public defender, advocate, and legal self-help relates to Juvenile Court matters mentioned in the prior paragraph.*

- iv. **Statement:** As of May, 2008 a new grievance hearing process regarding the Child Abuse Central Index has been put in place. Whether a finding is inconclusive or substantiated when an allegation of abuse occurs, a third party, or outside agency, can hold a hearing to see whether or not a name can be placed on the index. The parent/guardian has the right to request a grievance hearing within 30 days.
 - a. **Correction:** “In cases where a substantiated or inconclusive disposition of a child abuse investigation is made, the names of involved individuals are listed on the California Attorney General’s Child Abuse Central Index (CACI). As of May 2008 a new grievance hearing process regarding the CACI has been put in place. This hearing provides individuals with due process when they believe the placement of their name on the CACI is not warranted. The parent/guardian has the right to request a grievance hearing within 30 days of notification.”

B. Findings

- i. **Finding 1:** The CWS staff believes that funding, which is targeted for specific activities, is used wisely. Preventative measures, such as working with the extended family, have been found to save money while providing the best outcome for the child.
 - a. **Response to Finding 1: AGREE**

- ii. **Finding 2:** The Administrative Office of the Courts, an arm of the Judicial Council of California, based in Sacramento, conducts an audit of CWS every two (2) years. Although the audit has been completed, the final report has not yet been issued. However, CWS has been assured by the State that the final report will reflect very favorably on CWS.
 - a. **Response to Finding 2: AGREE**

- iii. **Finding 3:** The Masters of Social Work Program is a positive step toward assisting rural counties in addressing the need for more social workers with a Masters degree.
 - a. **Response to Finding 3: AGREE**

- iv. **Finding 4:** The Structured Decision Making software, as demonstrated, appears to be an objective, thoughtful tool for determining the correct response to charges of child endangerment.
 - a. **Response to Finding 4: AGREE**

- v. ***Finding 5:*** Although the Civil Rights Coordinator acts on complaints received by the State and/or CWS, the position does not serve as an ombudsperson.
 - a. ***Response to Finding 5: PARTIALLY DISAGREE.*** Though it is accurate that there is no ombudsperson dedicated solely to addressing client complaints, the Department of Social Services' existing complaint and grievance processes are sufficient to address and support any valid client concerns. Please see Response to Recommendation 3 below for further explanation.
- vi. ***Finding 6:*** The relationship between CWS and the Tribal Social Services has seen a distinct improvement over the past five (5) years.
 - a. ***Response to Finding 6: AGREE***

C. Recommendations

- i. ***Recommendation 1:*** There are no specific recommendations for Findings 1 through 4 and Finding 6.
 - a. ***Response to Recommendation 1:*** No response.
- ii. ***Recommendation 2:*** This recommendation does not relate to any specific finding. While there has been a visible marketing campaign to recruit foster parents, the need for more available local foster homes continues to be an issue. We encourage CWS to intensify its campaign to recruit more foster parents.
 - a. ***Response to Recommendation 2:*** This recommendation has been implemented. Foster parent recruitment continues to be a top priority for the Department of Social Services in an effort to meet our outcome measures and milestones for success in the County's System Improvement Plan (SIP).
- iii. ***Recommendation 3:*** For Finding 5, although there are many resources available to the parent, this Civil Grand Jury agrees with past reports recommending that CWS create the position of ombudsperson.
 - a. ***Response to Recommendation 3:*** The recommendation will not be implemented because it is not warranted or is not reasonable.

Though there is no ombudsperson dedicated to client complaints, CWS is held to strict accountability standards, including oversight established by the California Department of Social Services (CDSS). Oversight and accountability efforts include the Child Abuse Central Index (CACI) Grievance Hearing process, Civil Rights, and personnel/program complaint processes.

As mentioned in the Grand Jury Report, clients who have been referred for placement on the Department of Justice, Child Abuse Central Index (CACI) have legal recourse in the form of a grievance hearing, which guarantees their right to due process. CACI hearings did not exist at the time of the earlier Grand Jury Report referenced in the current report with directives to implement an office of ombudsperson.

In line with CDSS, Civil Rights Bureau, the department provides clients with notification of their rights to file a complaint for any concern they may have in their interaction with our agency. The complaint form has been updated to address not only the Civil Rights issue, but Personnel and Program complaints as well. The Civil Rights Coordinator or the direct supervisor, whoever is most relevant to the case at hand, manages these complaints. The department adheres to State CWS policy in terms of Program complaints, and to the appropriate County Memorandum of Understanding (MOU) policy in all Personnel complaints that could lead to disciplinary action. It would be a duplication of services to operate an office of ombudsperson in the event of any of these types of complaint processes.

Additionally, in all CWS cases where juvenile court intervention is necessary, clients are entitled to legal representation. The Tuolumne County Superior Court orders case plans for these cases, and hearing are held at mandated intervals to evaluate the progress of case plan objectives.

On a side note, foster youth are provided an ombudsperson stemming from legislative reform that came into effect in 1999 and 2002 through CDSS (Office of the Ombudsman for Foster Care).

Finally, to add an Ombudsperson title to the existing staff poses additional costs (brochures, materials, advertising, etc) that are not able to be absorbed in today's economic climate.

2. PUBLIC HEALTH DEPARTMENT

A. Findings

- i. ***Finding 1:*** An impressive amount of effort is made in retaining clients' confidentiality.
 - a. ***Response to Finding 1: AGREE***
- ii. ***Finding 2:*** Rent for Department of Social Services is \$16,834 per month, Division of Public Health and Child Welfare Services building is \$13,376 a month, and Environmental Health building is \$3,998 per month.
 - a. ***Response to Finding 2: AGREE***

iii. ***Finding 3:*** There are 1175 women and children in the WIC Program; an increase of 200 over the last year.

a. ***Response to Finding 3: AGREE***

iv. ***Finding 4:*** The BOB van is an important and visible component of the Health Department. It serves a very necessary function.

a. ***Response to Finding 4: AGREE***

B. RECOMMENDATIONS

i. ***Recommendation 1:*** There are no recommendations for Findings 1 and 3.

a. ***Response to Recommendation 1:*** No response.

ii. ***Recommendation 2:*** For Finding 2, it is the Jury's understanding that a large sum of money is spent for rent on the building which houses the various clinics and programs. It would be more cost effective if all Health Department services were to locate to the currently nearly empty old Tuolumne General Hospital Campus. The money saved by the relocation could then be applied to other programs and services such as the BOB van and to other community health needs.

a. ***Response to Recommendation 2:*** The recommendation has not yet been implemented, but will be implemented once all planning and tenant improvements are completed. The Public Health Department agrees with the Grand Jurors that rental savings could be captured by relocating Public Health Department operations to the old Tuolumne General Hospital campus and possibly consolidating other services.

iii. ***Recommendation 3:*** For Finding 4, keep the BOB van funded by continuing fundraisers and by applying for grants.

a. ***Response to Recommendation 3:*** The recommendation has been implemented. The Public Health Department very much appreciates the Grand Jurors' recognition of the significance of the BOB Health Van program and other Public Health clinical services to the well-being of local youth. Our Public Health staff is committed to sustaining all of our safety net clinical services, including the Public Health Clinic on-site and the BOB Health Van program, and pledges to seek sustainable funding wherever it may be available. Staff welcomes the participation of any community members interested in assisting with the planned Public Health fund drive scheduled for this fiscal year.

Cc: Craig L. Pedro, County Administrator