



**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH**

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CHILDREN'S SERVICES COMMITTEE

Fall Creek Falls Inn, Spencer, TN

Thursday, October 29, 2015

1:00 p.m. – 2:00 p.m.

MINUTES

Members Present

Wendy Shea, Chair
Jennie Harlan
Glenda Terry
Kelly Drummond
Genesis Hardin

Members Absent

Amy Lawrence
Rob Mortensen
Steve Neely
Tawny Spinelli
Audrey Taylor Gonzalez

Staff Present

Craig Hargrow
Richard Kennedy
Melissa McGee
Gerald Papica
Steve Petty

I. Welcome and Introductions – Wendy Shea, Children's Services Committee Chair

Shea called the Children's Services Committee meeting to order at 1:05 PM and requested all attendees to introduce themselves. Papica was asked to call the roll. Five of ten commission members were present. There was a quorum for the meeting.

II. Approval of Minutes

Shea reviewed the minutes. There was no discussion, comment or correction.

IT WAS MOVED (HARLAN) AND SECONDED (HARDIN) TO APPROVE THE AUGUST 20 CHILDREN'S SERVICES COMMITTEE MEETING MINUTES. UNANIMOUSLY CARRIED.

III. Council on Children's Mental Health (CCMH) – Melissa McGee

McGee reported CCMH continues to focus on strategic direction and forward vision through consultation with the Center for Nonprofit Management's Senior Consultant, Cissy Mynatt. The most recent meetings were held on August 27 and October 22, 2015, at the Midtown Hills Police Precinct in Nashville.

At the August meeting Mynatt conducted the majority of this meeting in workgroup fashion to facilitate engagement, feedback and to identify short term, three-year direction for CCMH. This meeting was met with great success and feedback from attendees, which included 75 statewide partners. The meeting was set up to provide maximum interaction and feedback from participants by having them arranged at tables seating up to eight persons. Mynatt led participants through results of a survey distributed prior to the meeting regarding CCMH and then activities to identify strategies for success and vision.

McGee also shared Mynatt rejoined the October meeting to provide follow up, presenting a draft plan and timeline to the Council on strategy and vision moving forward. The October session reflected a time change for the meeting based on input from the CCMH survey conducted by Mynatt. The new time frame for the full council meeting is 10 a.m. – 2 p.m. Central Time as it was suggested this would decrease early departure from the meeting and allow for more travel time for statewide partners, potentially allowing higher engagement in the onsite meeting.

McGee, also in response to feedback at the August meeting, provided a first effort for an orientation packet for new attendees to CCMH as well as providing nametags for easier member identification.

CCMH leadership recently initiated a reevaluation of Steering Committee membership in an effort to reengage several identified agencies and participants that have not been active in recent years.

Commissioner Doug Varney, Tennessee Department of Mental Health Substance Abuse Services (TDMHSAS), and O’Neal co-signed invitation letters to four state agency commissioners requesting renewed participation in the Council and/or Steering Committee. Invitations were sent to the departments of Human Services (DHS), Intellectual and Developmental Disabilities (DIDD), Finance & Administration (F&A), and Labor and Workforce Development (LWD).

McGee also reported approval of 2016 dates by the CCMH Steering Committee with anticipation to secure the Midtown Hills Police Precinct location for all meetings in 2016.

McGee reported on the close relationship with TDMHSAS to produce a System of Care Conference, “Aligning the Systems to Illuminate our Future” on August 28th and 29th at the South Nashville Embassy Suites in Cool Springs. The conference had no charge and close to 200 participants, including state agency staff, advocates, clinicians, volunteers,

children, youth and families. The conference provided a general session and breakout group format for adults, as well as a Saturday track for youth. Session topics ranged from Adverse Childhood Experiences (ACEs); domestic violence; early development; family related, gang and youth violence; National Standards for Culturally and Linguistically Appropriate Services (CLAS) for Health and Health Care; crisis services; juvenile justice; personal and community wellness; and parenting.

McGee has also participated in leading several training events over the past few months, including working with DCS' Child Abuse Hotline Orientation, the Mid Cumberland Council on Children and Youth ACEs training and the Department of Education's Conditions for Learning forum, as well as attending DMC Technical Assistance training, TDMHSAS' First Episode Psychosis Conference, TDMHSAS/TNAAP/Tennessee Department of Health's Connect for Care – Integrating Behavioral and Physical Health Care Summit, Tennessee Voice's for Children's State of the Child Conference, the National Alliance on Mental Illness – Tennessee Chapter's Annual Conference, and the Tennessee Chapter of the America Academy of Pediatrics Behavioral Effective Healthcare in Pediatrics (BEHIP) training course.

McGee also had ongoing participation in the TDMHSAS' Screening Committee for scholarship application review for the Certified Family Support Specialist Professional Competencies Course.

IV. Ombudsman Program – Gerald Papica

For the months of August and September 2015, the Ombudsman Program received a total of 28 referrals. The distribution of the new referrals was as follows: 21 New Open Cases, 2 Re-opened Cases and 5 Information-only Cases. This figure is consistent with the number of referrals received for the same months for the last three years (2014=22; 2013=36; and 2012=23) which showed an average of 27 referrals. Papica explained various demographic information and trends for the months of August and September.

The Ombudsman Program annual report for FY 2014-2015 will be presented to the entire Commission on Friday, October 30. A copy of the annual report was distributed to the commission board members and posted on the TCCY/Ombudsman Program website.

The Ombudsman Program introductory class continues to take place for DCS Juvenile Justice (JJ) new employees. Papica was invited to present at Mountain View Youth Development Center (YDC) on October 20. The DCS Juvenile Justice section decided to conduct trainings on site for new juvenile justice employees. Woodland Hills YDC and Wilder YDC will be arranging their own on site trainings in the future.

Papica represents TCCY on the Department of Human Services Childcare Licensing Board of Review. He volunteers and is a part of the jury that hears, deliberates, and renders decisions about childcare-related issues. An administrative law judge presides during the hearing. This is an important function of the agency. TCCY is mandated to participate in DHS childcare licensing reviews by state law, and these are scheduled bi-weekly. There were no cases heard for the months of August and September. However, a case was heard on October 7 about a daycare center that committed several supervision-related violations. The jury for the case deliberated openly per Sunshine Law. Amendments, revisions, and deletions were made to the Findings of Facts and Conclusions of Law. The jury imposed a civil penalty against the childcare agency as a corrective action.

As mentioned in the last Commission Meeting, Papica was re-elected to the USOA (United States Ombudsman Association) Board of Directors and will serve as a board member for 2015-2017 fiscal years. He is now the Director of the Conferences and Training Committee and held the same position from 2002 to 2009.

Papica just returned from the 36th USOA Annual Conference held in Scottsdale, Arizona. He was one of four instructors for the two-day New Ombudsman Training. There were 23 attendees in the pre-conference session held on October 12 and 13. Pat Shannahan delivered the keynote speech during the main conference on October 14-16. He was the former Ombudsman of the Arizona Ombudsman-Citizen's Aide office. For 2016, the 37th USOA annual conference will be held in Arlington, VA.

Drummond inquired about the DHS Daycare Licensing board hearing. She asked, "What is it all about?" Papica explained that TCCY is required to send a representative during daycare hearings regarding daycare violations, complaints, compliance issues, civil penalties, and losing "star" status.

V. Youth Transitions Advisory Council – Steve Petty

Petty reported highlights from the Youth Transitions Advisory Council Report delivered to the General Assembly October 23.

The number of youth participating in Extension of Foster Care Services (EFCS) increased for the fifth consecutive year while the number of youth aging out of state custody decreased for the fifth consecutive year. The rate of participation of those eligible for Extension of Foster Care Services rose from 20 percent in 2010 to 40 percent in 2014 and 48 percent in 2015.

The Education and Training Voucher, Bright Futures Scholarships and Hope Foster Care grants all had increased utilization; the Hope Foster Care grant increased from 52 in 2014 to 89 in 2015. In FY 2015, approximately 448 youth in custody obtained a high school diploma, GED or HiSET; 126 young adults receiving EFCS obtained a high school diploma, GED or HiSET; and 21 young adults, including 7 in EFCS, completed post-secondary educational goals.

The Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) has begun two programs to serve transition age youth and young adults suffering from or at risk of serious emotional disturbance. The Tennessee Healthy Transitions Initiative will work with youth and young adults with or at risk of developing a serious mental health condition and/or co-occurring disorder in improving their health and wellness, leading self-directed lives, and reaching their full potential. Healthy Transitions will focus on four priority populations: those in contact with the criminal justice system; those aging out of foster care; those who are homeless or at risk of homelessness; and those who identify as being Lesbian, Gay, Bisexual, Transgender, Questioning, or Intersex (LGBTQI). The Tennessee First Episode Psychosis Initiative will serve adolescents and young adults between the ages of 15 and 30 experiencing psychotic symptoms such as hallucinations, unusual thoughts or beliefs, or disorganized thinking, with symptoms present for more than a week but less than six months. Both programs will initially be available in the Northwest Region, provided by Carey Counseling, Inc. Tennessee Healthy Transitions will also serve youth in Hamilton County, through Volunteer Behavior Health.

Youth Villages Inc. continues to serve transition-age youth aging out of foster care. In 2014, through a partnership with Youth Villages, Tennessee became the first state in the nation to offer transitional services to all youth aging out of state custody. Results from a study of the Youth Villages program by Manpower Resource Development Corporation (MRDC) found that participation in the program increased earnings by 17 percent, improved housing stability and economic well-being, decreasing the likelihood of homelessness by 22 percent. The program was renamed *YVLifeSet* in 2015.

Tennessee Housing and Development Agency (THDA) has put increased emphasis on serving former foster youth due to their high risk of homelessness. THDA provided funding for four programs serving transition age youth: Monroe Harding, Oasis Center, Crossroads Campus and Omni Community Services. With funding from THDA, Crossville Housing Authority completed work on a four unit apartment to provide housing for youth aging out of state custody in the Upper Cumberland region.

Terry remarked that some of these children feel lost and unable to navigate the system. Shea commented that a lot of information is available pertaining to youths who are transitioning to adulthood. Petty responded that some youth are “forced” or encouraged to work on their GED due to having some sense of hopelessness about being able to complete their course work in high school because they are so far behind due to frequent changes in placement during their time in foster care.

VI. Second Look Commission (SLC) – Craig Hargrow

The SLC met on September 16, 2015. During the quarterly open meeting Ben Simpson, a legislative liaison for the Tennessee Department of Health (TDH), provided an update regarding SB320/HB289. Simpson stated the bill will likely be amended. The TDH is working with the five forensic centers across the state to draft a new bill. SLC members discussed the need to ensure DCS and other appropriate stakeholders receive autopsy reports in a timely manner.

During the closed investigatory meeting, Hargrow provided a brief overview of each case scheduled for review during the meeting. The Second Look Commission reviewed three cases. The cases primarily involved drug exposure, sexual abuse and abuse death.

The child abuse death case yielded one preliminary finding. SLC members found DCS does not have an adequate recourse when DCS disagrees with a juvenile court’s ruling at a preliminary hearing. The SLC discussed the possibility of addressing this issue through proposed legislation.

During the review of the child abuse death case, SLC members questioned whether juvenile courts routinely have sufficient facts to make informed decisions regarding the best interest of the children in their jurisdiction. The SLC discussed juvenile court providing DCS notice when a child is brought before the court through a private petition. The SLC agreed to further investigate the feasibility of this potential recommendation.

One case involving drug exposed children yielded two preliminary findings. In this matter, a DCS employee interviewed two potential child victims together. The members noted such action appears to be an isolated incident as opposed to a systemic issue. SLC members also found DCS employees failed to address a discrepancy about how a child was injured. SLC members hypothesized the discrepancy was not noted or further investigated due to a couple of reasons. The failure to note the discrepancy may have been the result of an incident-driven investigation regarding the second alleged physical abuse matter. The failure to note the discrepancy also may have been the result of failing to thoroughly review previous investigations. No recommendations were provided.

Hargrow will work with DCS to schedule a time to learn more about how to navigate within TFACTS.

The case involving drug exposed children and sexual abuse highlighted the continued need to improve how cases of repeat allegations and indications of child abuse are handled in Tennessee. SLC members agreed the children should have been removed from the family before the removal took place. The SLC discussed developing proposed protocols, policies and legislation to help DCS and the courts determine when potentially drug exposed children should be removed from their parents, custodians or guardians.

These and other cases involving drug abuse reviewed by the SLC cause the SLC to continue to question whether caregivers are receiving adequate drug abuse treatment and services in Tennessee.

Based on one of the findings reported by Hargrow, Drummond inquired if case information can be easily accessed in TFACTS (DCS database). Hargrow responded that he was able to access the information without a problem. Drummond remarked that with a little bit more effort, the department could find out needed information.

Drummond also asked about severe abuse cases that happened years apart. Hargrow responded previous cases within a family are examined. The SLC reviews how Tennessee is handling cases with multiple referrals over time. Hargrow stressed accurate information is necessary to make an informed decision.

VII. Other Business

DRUMMOND MOVED TO ADJOURN THE MEETING. HARLAN SECONDED. UNANIMOUSLY CARRIED.

There being no further business, the meeting adjourned at 1:50 PM.

Minutes submitted by:

Minutes approved by:

Gerald R. Papica, Ombudsman

Wendy Shea, Committee Chair