NEW YORK CITY SPECIFIC
RECOMMENDATIONS

The New York City Citizen Review Panel offers the following recommendations for saving money while improving the Child Protective System.

Schedule mental health evaluations and drug tests based on need.

Parents who are the subject of a report to the SCR are often referred for drug screenings and/or mental health examinations when mental illness and drug use is not part of the allegation in the report. Such a cookie-cutter approach is not as effective as an approach which is responsive and specific to each individual family's needs. Panel members recommend an individualized approach which will lead to better outcomes and cost savings.

Allow flexibility in the investigation of repeat reports from non-mandated reporters.

Local districts are required to offer a thorough investigation for each report made to the SCR, regardless of the source of that report or the number of times a family has been reported and investigated. ACS receives multiple reports from non-mandated reporters on families they know well and yet they are required to provide the same level of investigation on each report. For some, ACS staff have good reason to believe the reports are false. This results in increased workloads for caseworkers and diverts needed attention for serious reports of child abuse. Panel members ask OCFS to develop guidelines to permit ACS to reduce or eliminate its investigation in such cases.

Use Emergency Children's Services personnel for removal or late placement of children.

Removing children from their homes is time intensive and often results in staff overtime. Children are taken to the Children's Center before placement into a foster care home. Caseworkers often work beyond their normal work day at an additional expense to ACS. Panel members urge Bureau managers to set policies that would result in the use of the office of Emergency Children's Services for late afternoon removals whenever possible. The Emergency Children's Services office is fully-staffed to provide coverage in the off-hours. Resulting savings should be invested in additional services to meet families' needs.

Discharge children from foster care to non-respondent parents willing to care for them.

There are many child protective cases in which parents are separated, living apart, and a report of child maltreatment has been made on the custodial parent. That parent is the "respondent" in the case. The other parent is the "non-respondent parent" and must be given notice of the proceedings. Panel members believe that most children removed in these cases should be placed with the "non-respondent parent" if that parent is willing to care for the child unless charges have been filed against that parent. If a non-respondent parent is a danger to a child, ACS can bring a petition against that parent. Panel members ask ACS to review and revise this practice.

Give kinship foster parents a choice of being custodians.

Family Court Act §1017 requires ACS to give relatives who want to care for removed children the choice of being foster parents or temporary custodians. Foster care is a much more expensive option for the city and state. It requires payment of a monthly stipend to the foster parent and staff time to supervise the foster home. While some relatives require a foster care stipend to care for that child properly, others do not and do not want or need ACS involvement in their family. ACS should assure that all relatives are given this choice.

Eliminate foster care discharge medical exams.

The foster care agencies in New York City have a practice of conducting a medical examination on each foster child every time a child is returned to a parent or moved to a different foster home. These exams are conducted even if the child has just had a recent examination. The practice violates ACS's written procedures for medical care and delays a child's return to his or her home. 20,000 exams are done for children who are either discharged or transferred between foster homes in New York City each year at a cost over $60 per exam, in addition to caseworker time. Basing these exams on need could result in $1,200,000 in savings.

Monitor adoption subsidies to eliminate fraud.

The state pays subsidies to adoptive parents for almost every child who is adopted out of foster care at a cost of $5,000 to $14,000 per year per child. The total payments this year will be $226,000,000. There is no monitoring of these payments. Many adopted adolescents leave their adoptive homes, returning to foster care, returning to their natural parents, or living on the street. Yet the adoptive parents continue to receive the subsidies. Those payments should be discontinued if they are not being used for the benefit of the child. The state should establish a mechanism to ascertain annually whether the child is actually living in the home and receiving support from the adoptive parents. Savings will more than offset any additional administrative costs.

Support legislation to vacate Terminations of Parental Rights in certain circumstances.

There are thousands of children in foster care where parental rights have been terminated but the child has not been adopted. Finding an adoptive home for an adolescent is especially difficult. In some of those cases, the parents have become rehabilitated and could now care for their children. Vacating the termination and returning the child would benefit the child and would remove the child from foster care.

Relieve ACS from conducting investigations in custody disputes.

Currently, the Family Court orders ACS to conduct investigations in many custody and visitation disputes between parents. These are cases in which there are no child protective issues, simply a dispute as to which is the better parent for the child. These investigations are not part of ACS's child protective mission. ACS does specifically train its employees for such studies, and concerns have been raised about the quality of the investigations and reports in these cases.