United States General Accounting Office

Report to Congressional Requesters

August 1989

FOSTER CARE

Incomplete Implementation of the Reforms and Unknown Effectiveness

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GAO/PEMD-89-17

GAO

United States
General Accounting Office
Washington, D.C. 20548

Program Evaluation and
Methodology Division

B-200518

August 14, 1989

The Honorable Dan Coats
Ranking Minority Member
Subcommittee on Children, Family, Drugs, and Alcoholism
Committee on Labor and Human Resources
United States Senate

The Honorable Thomas J. Bliley, Jr.
Ranking Minority Member
Select Committee on Children, Youth, and Families
House of Representatives

In response to your request, we submit this report evaluating a provision of the Child Welfare Services program. We applied to this review the evaluation framework previously developed for the Select Committee in Children's Programs: A Comparative Evaluation Framework and Five Illustrations (GAO/PEMD-88-28BR, August 31, 1988). The present evaluation focuses on the incentive funding structure designed to encourage the states to improve their child welfare programs. Earlier, we submitted to you our briefing report on this topic, entitled Foster Care: Preliminary Report on Reform Effects (GAO/PEMD-89-23BR, June 1, 1989).

Unless you publicly announce the contents of this report earlier, we plan no further distribution of it until 30 days from the date of the report. At that time, we will send copies to the Department of Health and Human Services and make copies available to others upon request. Please call me on (202) 275-1854 if you need further information. This report was prepared under the direction of Lois-ellin Datta, Director of Program Evaluation in Human Services Areas (202-275-1370). Other major contributors are listed in appendix VIII.

Eleanor Chelimsky
Assistant Comptroller General

Executive Summary

Purpose

During the 1970's, widespread abuses of the foster care system were reported. The number of children in foster care in 1977 had increased to an estimated 502,000 from 318,800 in 1972, and their median length of time in care was 31 months. Studies found that many children in foster care had numerous different placements over the years and had little hope of returning to their parents or of finding another, permanent home. The Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272) revised several child welfare programs under the Social Security Act of 1935, as amended, in light of these reports.

Concerned about reports that foster care abuses may be continuing despite these reforms, the ranking minority members of the Senate Labor and Human Resources Subcommittee on Children, Family, Drugs, and Alcoholism and the House Select Committee on Children, Youth, and Families asked GAO to review a key component of these protections: the foster care case plan and review system. GAO answered three questions: (1) Have the case plan and review reforms been carried out? (2) What are their effects? and (3) Are reform incentives still needed?

Background

The Child Welfare Services grants, authorized by title IV-B of the Social Security Act, assist the states in providing foster care-related and family support services. Under section 427, a state cannot receive incentive funds—its full share of annual appropriations for Child Welfare Services exceeding $141 million—unless it has developed and implemented 18 elements encompassing a system of individual case plans, periodic reviews, and dispositional hearings for each child in foster care. These procedural reforms were designed, as appropriate, to help reunify the family or find suitable adoptive homes. (See pages 17 and 18.)

GAO structured its review around a comparative evaluation framework developed for the select committee in a previous assignment. This framework consists of a standard format for describing a program and 10 general criteria for assessing the implementation, effects, and continued need for that program. GAO reviewed the published literature for evidence on indicators of each of the framework's 10 criteria and examined how the responsible federal agency, the Administration on Children, Youth, and Families (ACYF) of the Department of Health and Human Services (HHS), certifies the states' compliance with the requirements and allocates the incentive funds. (See page 16.)

Results in Brief

Evidence indicates that the requirements of the 1980 amendments have not been completely carried out. Although 94 percent of the states had met ACYF's minimum requirements for the case review system by 1987, ACYF compliance reviews revealed problems in completing case reviews within the required time periods. Further, even ACYF's highest compliance standard does not require the states to demonstrate full compliance with the law. Therefore, the states that have already met that standard have little incentive to improve. (See page 22.)

In the absence of national evaluations or comprehensive information systems, GAO could not determine whether the reforms have reduced the number of unnecessary and inappropriate placements. Although length of stay in foster care and caseload size have reportedly declined substantially since 1977, the decreases began prior to the enactment of the law and cannot be confidently attributed to the reforms. Experts believe that the federal requirements were nonetheless beneficial in setting a floor of standards for child welfare practice. (See page 38.)

Although the procedural protections have generally been instituted, present conditions suggest a continuing need for incentives to fully implement these reforms and, perhaps, additional efforts by ACYF and the states to strengthen them. Problems continue in foster care placements—such as lengthy stays and multiple placements—which monitoring and vigorous services may help resolve. Additionally, changes since 1980 indicating increased stress for families have raised the demand for foster care and family services. (See page 55.)

Principal Findings

Forty-eight states have passed ACYF's lowest standard of compliance (case plans and reviews—including 13 of the 18 protections—applied to at least 66 percent of cases), but 31 states have reached the agency's highest standard (15 or more protections applied to at least 90 percent of cases). Even the highest of ACYF's graduated compliance standards does not require that all 18 protections contained in the law are in fact provided, despite an earlier GAO recommendation that ACYF amend this system to achieve conformance with the 1980 act (GAO, 1984). (See pages 24 and 30.)

However, there is reason for concern with implementation quality. In 29 states, ACYF reviews found that the periodic case review had not been held within the time required in 2 to 68 percent of cases (the median is 8 percent). In 27 states, the dispositional hearing had not been held on time in 3 to 38 percent of cases (the median is 9 percent). Because many

states require the courts to conduct the periodic case reviews as well as the dispositional hearings, state compliance sometimes falters when the courts are unable to conduct these in the manner required. In addition, limited information suggests that services to facilitate family reunification and adoptions are inadequate, although GAO was unable to determine the reasons for, or extent of, the shortfall. (See page 27.)

GAO found no conclusive evidence on the effects of the reforms. Between 1977 and 1985, national estimates of the median length of stay for children still in care decreased from 31 to 17 months. This reduction occurred, however, mostly in the first years of the reforms and seems now to have leveled off. The estimated national caseload decreased over this period from 502,000 to 276,000, but the bulk of the reduction occurred before the reforms' enactment, and the caseload has increased slightly over the past few years. The absence of systematic evaluations precludes linking these improvements solely to the section 427 reforms. However, the legislation has been cited in litigation against welfare agencies on behalf of the children in their care, thus providing a new legal avenue for monitoring their treatment. (See pages 46, 51, and 54.)

The best available national data indicate a continued need for federal incentives for state reform. At the end of 1985, 15 percent of the 276,000 children in foster care were still in "temporary" placement after 5 years. About 27 percent had been awaiting permanent placement for at least 3 years, and 21 percent had experienced 3 to 5 different placements. While recognizing that foster care may serve the best interests of a child for a period of time, these numbers suggest the need for tracking and independent review, as well as vigorous services to address the family's problems. Yet, studies in state and local areas have noted infrequent caseworker contacts with parents and the absence of screening for health and educational needs. (See pages 55 and 59.)

Changes since 1980 have raised the demand for these services. Reports of child abuse and neglect increased between 1981 and 1985 and were implicated in 61 percent of the cases entering care in 1985. A rise in substance abuse is believed to be a prime contributor. Moreover, while some states have incorporated the reforms into law, and others have modified agency policy, federal monitoring may still be needed to ensure that these reforms continue to be applied. (See page 60.)

Information Gaps

Oversight of the reforms requires current, national information about state and local agency behavior as well as the outcomes for children in

foster care, yet such information was generally unavailable for this review. ACYF compliance reviews provide the most reliable information available on program operation but do not characterize the adequacy of protections or services provided. Neither the required state information systems nor the recommended national system includes the quality-of-care data needed to answer questions about the intended outcomes of the reforms for children and families. A national information system, as required by Public Law 99-509 but not yet implemented by HHS, could correct the inconsistency of the states' definitions, which limits the utility of current systems for research and oversight. (See page 65.)

Recommendations to the Secretary of Health and Human Services

GAO recommends that the secretary amend the department's standards for certifying states' compliance with section 427 to ensure that the receipt of incentive funds is contingent on the states' meeting all 18 of the law's requirements. GAO further recommends that the secretary promptly comply with the mandates of Public Law 99-509 regarding the development of a national information system on adoption and foster care. Such a system is a critical first step for informing the secretary and the Congress about the efficiency and effectiveness of this program.

Matter for Consideration by the Congress

In the absence of reliable information on the quality of care provided, the Congress may want to consider mandating evaluations of the effects that the reforms have had on improving program services and their outcomes for families.

Agency Comments

The department provided written comments on a draft of this report. It commended the objectivity and thoroughness of the report and concurred with GAO's recommendations to enforce state documentation of all the required protections and to comply with the mandates regarding the development of a national information system. The department did not concur with GAO's conclusions about the effects of the section 427 reforms. GAO believes that the quality of the evidence is not sufficient to confidently attribute observed improvements to the reforms.

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Abbreviations

ABA	American Bar Association
ACLU	American Civil Liberties Union
ACYF	Administration for Children, Youth, and Families
AFDC	Aid to Families With Dependent Children
GAO	U.S. General Accounting Office
HHS	U.S. Department of Health and Human Services
VCIS	Voluntary Cooperative Information System

Introduction

Background

During the 1970's, widespread abuses of the foster care system were reported. The number of children in foster care at any point in time increased to an estimated 502,000, nationally, in 1977 from 318,800 in 1972.[1] The median length of stay for children remaining in care was estimated to be 31 months in 1977. A 1979 study in New York City found that the majority of children had entered foster care as preschoolers, and those entering before age 2 remained in "temporary" arrangements for over 7 years, on the average. This study and others found that many children in foster care had numerous different placements over the years and had little hope of returning to their families or finding other permanent homes.

The Congress considered this information and, through the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272), made substantial changes in federal child welfare programs under the Social Security Act of 1935, in part, to deemphasize the use of foster care and encourage greater efforts to place children in permanent homes. The Aid to Families with Dependent Children (AFDC) in Foster Care program was transferred to a new title IV-E in the act, and eligibility was made contingent on efforts to prevent unnecessary placement. Another program was initiated in title IV-E to assist the adoption of hard-to-place children. The states' eligibility for additional Child Welfare Services appropriations, under title IV-B, was made contingent on their implementing a variety of procedural safeguards designed to prevent extended stays in foster care and to ensure that efforts are made to reunify children with their families or place them for adoption.

In particular, section 427 of title IV-B precludes the states from receiving their full share of annual title IV-B appropriations exceeding $141 million unless they have inventoried and developed an ongoing information system on all children in foster care, instituted a case plan and review system, and developed a service program designed to help children remain with or return to their families or find suitable adoptive homes, where appropriate.

Objective and Scope

In the context of conflicting reports about whether abuses of foster care were continuing despite the enactment of the 1980 reforms and

[1] In this report, we use the term "foster care" synonymously with the term "substitute care" to indicate the placement of a child under the care or supervision of the primary state child welfare agency. While in foster care, a child might reside in a foster family home, group home, emergency shelter, or residential institution.

increased appropriations for Child Welfare Services, the ranking minority members of the Senate Labor and Human Resources Subcommittee on Children, Family, Drugs, and Alcoholism and the House Select Committee on Children, Youth, and Families asked us to conduct a comprehensive assessment of whether the section 427 reforms have been carried out, whether they are working, and whether they are still needed. (See appendixes I and II for the original request and later modification.) We selected the section 427 reforms as our focus in subsequent discussions.

Method

Because of time constraints, we conducted this evaluation by reviewing the published and unpublished evidence currently available and did not attempt to collect new information on the program or its implementation. Using evidence from prior research and evaluations, commentaries, statistical information systems, and agency documents, we assessed the information available to answer the committees' questions. We identified existing evidence through bibliographic searches and interviews with program officials and external experts. We reviewed the literature published primarily since 1985, including 125 studies, reviews, and commentaries. We also interviewed federal agency officials and external experts, and we reviewed federal agency documents on the results of their review of the states' compliance with the law's requirements and allocation of incentive funds. Appendix VI lists the external experts we consulted.

To help ensure the comprehensiveness of this review, the ranking minority members asked us to structure it around a comparative evaluation framework we developed in a previous assignment for the select committee (see appendix III).[2] This framework consists of a standard format for describing a program (or program component) and 10 general criteria for evaluating the need, implementation, and effects of that program. It is intended as a way to formulate questions about a program and organize evidence on it.

In reviewing how the reforms have been carried out, we examined whether they have been implemented as the Congress and the responsible federal agency intended (program fidelity) and in a cost-efficient manner (administrative efficiency), as well as what the nature and

[2]In a previous report, Children's Programs: A Comparative Evaluation Framework and Five Illustrations, GAO/PEMD-88-28BR (Washington, D.C.: August 31, 1988), we presented the framework we developed and illustrated potential indicators of the general criteria for five specific programs serving children and families.

extent of relationships are between this program and others and the constraints or advantages that are created for program operations (interrelationships).

To determine whether the reforms have worked, we reviewed whether the program has reached its intended target groups (targeting success), whether it has achieved its intended purposes and outcomes (achievement of intended objectives), how the value of these effects relate to program costs (cost-effectiveness), and whether the program has had effects—desirable or not—on other congressional concerns (other effects).

To address whether there is a continued need for the incentives, we examined whether an important and sizable problem still exists (problem magnitude); the possible consequences for children, families, and society of not addressing that problem (problem seriousness); and whether other available resources, public or private, are sufficient to adequately address the problem (duplication).

In coordination with our requesters, we selected two to five indicators for each of the framework's criteria on which to focus our evaluation of the section 427 incentive funds. Table 1.1 lists the indicators we selected.

Table 1.1: Indicators of the 10 Criteria Selected for Review

General criterion	Indicator for the section 427 protections
Implementation Program fidelity	State compliance with written case plan, 6-month review and 18-month dispositional hearing
	Adequacy of permanency planning (reunification) services
	Conformance of Administration for Children, Youth, and Families (ACYF) compliance standards with the law
Interrelationships	Extent to which state laws and regulations affect implementation of federal reforms
	Extent of coordination with and dependence on other agencies and the court system
	Adequacy of state and local agency resources to carry out the requirements
Administrative efficiency	Degree to which ACYF enforces state compliance
	Efficiency of state and local operations
Effects Targeting success	Extent to which the distribution of grants rewards states in compliance
	Extent to which states direct funds to the problem
	Extent to which protections are focused on foster care problems
Achievement of intended objectives	Decrease in placement difficulties
	Increase in receipt of needed care and services
	Improvement in facilitating permanent placements
Cost-effectiveness	Costs and benefits of additional case protections
	Costs and benefits of different types of review boards
Other effects	Achievement of long-term goals: decreased length of stay and caseload size, increased family reunification and well-being
	Reduction in state spending on foster care relative to preventive and reunification services
	Unintended side effects: increased recidivism, extent of burden on court system, establishment of national standards
Need Problem magnitude	Incidence of procedural problems
	Incidence of foster care placement problems
	Demand for foster care placement and services
Problem seriousness	Consequences of inadequate child welfare procedures and services and of foster care placement problems
Duplication	Availability and adequacy of other programs and resources that support improvement in family functioning
	Availability and adequacy of other child and family protections

Initially we selected our indicators from the previous report's list of illustrative indicators of the criteria for the Child Welfare Services grants as a whole. We revised this tentative list by adapting some

indicators and adding others, to reflect the issues of greatest concern to the committees and the specific components of the section 427 reforms.

We reviewed the documents identified in the literature search to determine both their relevance to the selected indicators and the quality of the evidence they provided. We scanned all documents to identify the information they contained concerning any of a large number of potential measures of each criterion. We then assessed the quality of the information we judged relevant against commonly agreed-upon social science standards, the issues we considered depending on the nature of the evidence. In judging research and evaluation studies, for example, we focused on the quality of sampling procedures and methods for controlling alternative explanations of the findings. In judging statistical information systems, we focused on the use of standardized data collection procedures.

To develop an empirically based conclusion, if possible, on each indicator of each criterion, we synthesized all the relevant information available that met minimum scientific standards of quality.[3] In turn, we combined these conclusions—or the absence of them—to render a judgment first on each criterion and then on each of our three basic evaluation questions regarding the implementation, effects, and continued need for the section 427 reforms. Throughout, we conducted this review according to generally accepted government auditing standards.

HHS provided written comments on a draft of this report. The comments are presented and evaluated in chapter 6 and are included in appendix VII. Technical comments have been incorporated throughout the text.

Strengths and Limitations of Our Approach

We believe that structuring this review around the comparative evaluation framework has resulted in a balanced and comprehensive picture of the status of the 1980 reforms in foster care. The multidimensional nature of the framework forces attention to issues that might otherwise be overlooked, such as the need for the states to revise their laws and policies to comply with the federal requirements. Using the framework has led us to consider aspects of the program that have been successful as well as those that have not. It has also identified and made prominent areas in which good-quality information is sorely lacking, although it is critical for considering decisions aimed at improving the program.

[3]Program Evaluation and Methodology Division, U.S. General Accounting Office, The Evaluation Synthesis, methods paper 1 (Washington, D.C., April 1983).

However, the indicators we selected for review are, of course, only a subset of those that could have been reviewed, and some important indicators may have been overlooked. Judging from experts' comments on our previous assignment, the indicators we selected appeared to be among the most important, although they were adapted to reflect the focus of our review on the section 427 reforms rather than the whole program. Our overall judgments are therefore limited to the indicators we chose for examining issues flowing from the framework.

Finally, time constraints on our review made it impossible to both review and supplement the existing literature with new data collection. Therefore, our ability to draw conclusions in some areas is considerably hampered by the meager quantity of credible research existing in those areas as well as by the limited amount of publicly available information on program operations.

The Structure of the Report

The remainder of this report presents the results of our review of existing evidence on the section 427 reforms. Chapter 2 describes the incentive funds and their requirements and the context in which they operate. Chapters 3 through 5 provide our evidence and conclusions about the reforms on the framework's criteria, organized around establishing whether the reforms have been carried out, whether they are working, and whether there is a continuing need for the reform incentives. Chapter 6 provides our recommendations to the secretary of Health and Human Services, matters for consideration by the Congress to improve progress in this area, and a description of the agency's major comments on a draft of this report.

The Foster Care Protections Required for Child Welfare Incentive Funds

Authorization

The Child Welfare Services grants program, since 1967 under title IV-B of the Social Security Act, was permanently authorized in 1935 to assist the states in the delivery of child welfare services to children and their families. The Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272) added section 427 to the act, requiring the states to implement certain foster care protections in order to receive their full share of subsequent increases in Child Welfare Services appropriations over $141 million.

Problems

Beginning in the mid-1970's, congressional hearings and investigations identified widespread abuses in the foster care system, that many children, for example,

- were unnecessarily placed in foster care,
- spent long periods of time in a succession of temporary arrangements, and
- had little hope of returning to their families or finding another permanent home.

These problems were believed to result from

- inadequate services provided to strengthen families and prevent their separation and
- significant weaknesses in program management that had adverse effects on the types of care and services provided to foster children.

Purposes and Goals

The Child Welfare Services grants (title IV-B) assist the states and local governments in providing services to children and their families in order to protect and promote the welfare of children; prevent or remedy the abuse, neglect, exploitation, or delinquency of children; prevent unnecessary separation of children from their families; return children in foster care to their families or place them in suitable adoptive homes; and ensure adequate care of children in foster placement.

Section 427 provides an incentive to the states to set permanent placement goals for each child in foster care, provide the services needed to achieve those goals, and periodically monitor each case to determine the continued necessity of placement and appropriateness of placement and services—in order to facilitate returning a child home or finding another suitable permanent placement.

Program Operation

The IV-B Grants

The IV-B grants provide federal matching funds to state agencies for the provision of child welfare services for the above-mentioned program purposes. Funds provided to the states under title IV-B may be used only to a limited extent for foster care maintenance or adoption assistance services (for which matching funds are available under title IV-E). However, an additional incentive to lessen the emphasis on using foster care and to increase the emphasis on providing alternative types of services is available: the states may transfer unused title IV-E funds to their title IV-B programs, provided the required protections (specified in section 427) are in place.

Although title IV-E funds are limited to cases eligible for AFDC, title IV-B funds are not. There are no federal client income eligibility requirements for the receipt of child welfare services. Each state's share of the appropriations for which it is eligible is allocated on the basis of, among other factors, the state's per capita income and population younger than 21. Grants are, in any case, to represent no more than 75 percent of state and local program costs, up to the amount of their allotment.

The Section 427 Requirements

Section 427 provides that for each fiscal year after 1979, a state cannot receive incentive funds—that is, its share of the appropriations for Child Welfare Services exceeding $141 million—unless it has met the following conditions:

1. completed an inventory of children in foster care for a period of 6 months prior to the inventory and determined the appropriateness of and necessity for the current placement;

2. established a statewide information system from which the status, demographic characteristics, location, and placement goals of each child can be determined;

3. established a case review system for ensuring that

a. each child has a case plan designed to achieve placement in the least-restrictive (most family-like) setting available, in close proximity to the biological parents;

b. the status of the child is reviewed at least every 6 months to determine the continued necessity of the placement and the extent of compliance with the case plan and progress toward mitigating the need for the placement; and

c. a dispositional hearing is held, no later than 18 months after the initial placement (and periodically thereafter), to determine the future status of the child;

4. implemented a system of services designed, where appropriate, to facilitate the child's return home or other permanent placement.

Additionally, after the full authorization ($266 million) is appropriated for 2 consecutive fiscal years, a state's allotment is to be reduced to its fiscal year 1979 level (its share of $56 million) unless it has met these requirements and has implemented a system of preplacement preventive services.

Administration

The program is administered by the Children's Bureau of the Administration for Children, Youth, and Families (ACYF) of the office of human development services within the U.S. Department of Health and Human Services. The bureau helps the states develop their program plans, reviews those plans, certifies the states' compliance with the section 427 requirements, and allocates funds to them accordingly. State agencies are then responsible for administering the funds, including their distribution within a state.

The bureau determines a state's compliance and eligibility for the incentive funds through both review of state policies and administrative procedures and a periodic joint federal-state reading of a random sample of case records. The administrative procedures review ascertains whether or not the states have developed adequate policies and procedures to implement each section 427 requirement. The case record survey determines the extent to which the case review system requirements are applied consistently throughout the caseload. This case record review looks for evidence of a case plan, a periodic review, a dispositional hearing, and the 18 elements HHS identified from sections 427 and 475 of the act, which detail the specific components of these three major requirements. Appendix IV shows the correspondence between the law's requirements and ACYF's compliance review scheme.

Compliance standards for the case record survey are graduated, rising regularly as a state receives incentive funds over the years. Once a state certifies itself as having the procedural protections in place, the bureau conducts an initial (case record) review. To pass this review, the states must have established case plan and review procedures and family reunification services. Additionally, at least 66 percent of the sample cases must contain case plans and indicate that reviews were conducted, and at least 13 of the 18 specific elements of case planning and review cited in section 427 must be present in the cases. In the year after a state successfully passes this review, the bureau conducts a subsequent review, in which the percentage of cases required to pass is increased to 80. Three years after a state passes the subsequent review, the bureau conducts a triennial review—its highest compliance standard—in which at least 90 percent of the sampled cases must show evidence of a plan, periodic review, dispositional hearing, and at least 15 of the 18 elements required of them. Thereafter, compliance reviews are conducted only every 3 years. States failing a review are generally reviewed again the following year.

ACYF considers that states are eligible for their share of the incentive funds for a given fiscal year if they have certified compliance and not failed a compliance review for that year. Those that do not pass are informed by the commissioner of ACYF that they must return the section 427 funds received for that year and that they may appeal ACYF's decision to the departmental appeals board.

Relationships With Other Programs

Three other programs authorized under the Social Security Act support services to children in foster care and their families. The title IV-E Foster Care program is a permanently authorized, open-ended entitlement program providing federal matching funds for state expenditures on foster care maintenance and related administrative costs for the care of children who are eligible for the AFDC program. State eligibility for funds under title IV-E is linked to the implementation of certain of the section 427 reforms and, under certain circumstances, the availability of preventive preplacement services. Title IV-E also authorizes matching funds for financial adoption assistance and for services to lessen the barriers to the adoption of children with "special needs." Through temporary authorization, the title IV-E independent living initiatives assist states and local governments in providing services to prepare youths older than 16 to leave foster care.

Title XX of the Social Security Act authorizes social service block grants, which support a variety of social services directed at the needs of the entire age range. The states may spend a portion of their block grant allocation on certain child welfare, foster care, adoption assistance efforts, or other social services. It is estimated that the states spend about $500 million of the $2.7 billion appropriated for these block grants (less than 20 percent) on child welfare, foster care, and adoption activities.

Funding and Recent Participation Levels

The full authorization level for the IV-B program is $266 million, but appropriations have never reached this level. After fiscal year 1980, appropriations increased from $66.1 million to $239.4 million in fiscal year 1988, providing $98.4 million for the section 427 incentive funds in that year (see table 2.1). In fiscal year 1982, 35 states were found in compliance and received incentive funds under section 427; 49 states received funds in fiscal year 1988.

Table 2.1: Annual 1980-88 Appropriations for the Child Welfare Services Grants[a]

Fiscal year	Appropriations	IV-B incentive funds
1980	$66.1	$0
1981	163.6	22.6
1982	156.3	15.3
1983	156.3	15.3
1984	165.0	24.0
1985	200.0	59.0
1986	198.1	57.1
1987	222.5	81.5
1988	239.4	98.4

[a]Millions

Because of the limited reporting requirements, the total number of children receiving child welfare services—whether in foster care or not—is not known. The American Public Welfare Association, aided by a grant from HHS, operates the Voluntary Cooperative Information System (VCIS), in which states provide information about foster care and adoption. Although data collection procedures have reportedly improved greatly in recent years, the absence of certain items for some states, and the use of different reporting periods and definitions across states, has limited the utility of those data. However, the VCIS data are the most reliable available at the national level, since HHS has yet to promulgate

final regulations regarding a mandatory national information system. According to VCIS estimates, at least 276,000 children were in foster care at the end of 1985, more than 180,000 having entered, and at least 170,000 having exited, during that year. Unpublished VCIS estimates indicate that 282,000 children were in care at the end of 1986 (Gall, 1989).

Adoption and Foster Care Information System

Section 479 of the Social Security Act (as added by Public Law 99-509, enacted October 21, 1986) mandated that by January 1987, HHS was to establish an advisory committee on adoption and foster care information to study the various methods of establishing, administering, and financing a system for the collection of data on foster care and adoption in the United States. The advisory committee's report, delivered to the Congress and the secretary of HHS on October 1, 1987, as required, recommended the development of parallel mandatory foster care and adoption information systems, based on individual child case information (without personal identifiers).

The committee also recommended that VCIS be maintained during the transition period; legislation be enacted to restrict the use of these data for purposes other than those for which they were collected, yet make public use data files (designed to safeguard confidentiality) available for research purposes; and additional federal funds be provided to cover the additional costs incurred by the states. The recommended data items for the foster care system include demographic information about a child as well as information about the type of placement and previous stays in foster care, service goals, availability for adoption, duration of care, funding sources, what happens to the child after concluding his or her stay in foster care, and relevant information about the child's biological and foster parents. While these information items are similar to those currently in VCIS, the proposed system would represent a great improvement over VCIS by standardizing definitions and permitting case-level analyses.

Section 479 further requires that (1) the secretary of HHS report to the Congress by July 1, 1988, on proposals for financing and operating such an information system; (2) the secretary promulgate final regulations for implementation by December 31, 1988; and (3) the regulations provide for the system to be fully implemented by October 1, 1991. The report was submitted to the Congress on May 26, 1989, but the agency, in commenting on our draft report on May 24, indicated that proposed regulations were still in the final stages of preparation.

Have the Reforms Been Carried Out?

The evidence on whether the reforms have been carried out in the states is mixed. All but 3 states have brought their laws and policies into line with federal case plan and review requirements. However, implementation at the individual case level varies considerably across the states. Federal reviews have revealed problems in the case review system, most frequently involving the lack of timeliness in conducting reviews, that are often traced to inadequacies in state court performance. Limited evidence suggests that the availability of services in certain areas may be insufficient.

Although ACYF's graduated federal compliance standards rewarded the states for early improvements in implementing the federal reforms, its highest standard does not require full compliance with the law. This removes the incentive for improvement for the 31 states that have met that standard. ACYF's enforcement of the incentive funds sanctions has generally met legal requirements, but delays in determining the states' compliance may also have weakened the incentives for state reform. Table 3.1 summarizes our findings on the implementation indicators.

Table 3.1: Implementation of the Foster Care Reforms

Criterion	Indicator	Finding
Program fidelity	State compliance with written case plan	Most states meet this requirement; only 1%-10% (3% on average) of cases in 7 states were out of compliance
	State compliance with 6-month review	The states have established this protection, but 2%-68% (median of 8%) of case reviews in 29 states were not timely
	State compliance with 18-month dispositional hearing	The states have established this protection, but 3%-38% (median of 9%) of case reviews in 27 states were not timely
	Adequacy of reunification services	Little information, although services are seen as insufficient
	ACYF compliance requirements	Compliance reviews permit flexibility in implementation; standards do not require full compliance with the law
Interrelationships	State laws and regulations affecting implementation	Most, if not all, states have modified some aspect of state law or policy to conform to the federal mandate
	Agency coordination	Information is generally lacking, but where courts are involved, coordination seems to have strained their capacities
	Adequacy of resources	Anecdotal reports suggest caseworker overload and inadequacies in services and caseworker training
Administrative efficiency	ACYF compliance enforcement	Reviews probably helped states improve their compliance but, by requiring less than full compliance, standards are currently not high enough to ensure continued improvement
		Only 1 of 21 payments made to states found ineligible has not been recovered
		Delays in resolving state appeals, and in conducting follow-up reviews, permit continued payments to 6 states that failed their most recent review
	State efficiency	Little information is available

Program Fidelity

The states implemented the requirements specified in section 427 by making legislative and policy changes in areas dealing with case plans, case reviews, and services to promote permanent placements. Most states have established the basic procedural requirements and have thus probably improved the monitoring of their handling of children in foster care. However, data from ACYF compliance reviews and other sources indicate that the completeness of these procedural reforms varies considerably across the states. Further, ACYF's compliance certification process, as currently configured, does not require evidence of compliance with all 18 protections specified in the law.

To evaluate the fidelity of federal and state agencies' compliance with the law, we supplemented our review of the publicly available literature with a review of ACYF compliance standards and procedures, as well as the results of their state section 427 compliance reviews.

State Compliance With Section 427

Most states have established the basic procedural requirements of the law, although the completeness of their application of the various protections at the case level varies. ACYF has certified all but 3 states as having the policies, procedures, and services in place to comply with section 427. Table 3.2 presents the results of the most recent ACYF compliance review of each state. Forty-eight states have passed the agency's lowest level of compliance (information and service systems in place and case protections applied to at least 66 percent of cases), and 31 states have reached its highest compliance level (case protections applied to at least 90 percent of cases). (The outcomes of the states' compliance reviews are in the table in appendix V.)

Table 3.2: Number of States in Compliance With Section 427 Requirements 1983-87[a]

Action	Percent of cases required for compliance	Number of states	Cumulative number
Review type			
Triennial	Up to 90%	31	31
Subsequent	Up to 80%	12	43
Initial	Up to 66%	5	48
Certified compliance[b]		2	50
Withdrew certification		1	51

[a]As determined by HHS for fiscal years excluding the territories

[b]Two states certified their compliance with the law and await ACYF review while another state has withdrawn its application for the incentive funds

ACYF case record reviewers frequently mention in their reports aspects of state policy and procedures that are relevant to our concern for improved compliance with federal requirements. For instance, these reports have frequently made recommendations for greater automation, regular updating of the required statewide information system on foster care cases, clarification or revision of state policies, additional staff training and monitoring of compliance, and establishing systems to set and track target dates for the case reviews and hearings.

ACYF compliance reports provide the most comprehensive information on program operations and are the primary data sources for our program fidelity indicators. From these reports, we found that written foster care case plans are fairly universal among the states, although many states have had difficulty in conducting the periodic reviews and dispositional hearings within the time periods specified by law. However, ACYF reports do not characterize the adequacy of the protections or services provided to meet the needs of children in foster care. Information from

selected states and projects does not permit us to systematically characterize the adequacy of reunification services, although it does suggest that families' access to reunification services is limited.

Case Plan Requirements

The existence of a written case plan is a major requirement in the law, and almost all the states have ensured that case plans are developed for all children. However, the literature rarely addresses the conformance of the case plans with the relevant requirements of sections 427 and 475. The majority of information on this indicator came from ACYF compliance reports.

The results of the most recent round of ACYF compliance reviews (for all stages of review) indicate that sample cases failed in only 7 states (from less than 1 to 10 percent, 3 percent on the average) because of the absence of a written case plan. However, federal reviewers noted that in 18 states, there were deficiencies in the case plans they reviewed, the most common of which was that the plan was not a discrete document. Other reviewers' comments in a few states indicated that there was no system to project dates or milestones or that the plans were not updated routinely.

In terms of contents, the case plan identifies, among other things, the goals for the child and family, the action to be taken by all parties, the services to be provided, and dates for the completion of objectives. In a prior study of early state implementation (GAO, 1984), we found that in 5 of 7 states in which case records were reviewed, the contents of the case plan were generally in accordance with federal requirements. We determined that in states with written case plans, 98 percent of the case records met the 9 criteria identified by ACYF as components of the case plan. (Two states had not prepared a written case plan for foster children at this time, although the report indicated that these states were in the process of implementing the requirement.) More-recent data from VCIS in 1985 indicate that 6 percent of the cases had no goal specified, while another 19 percent had "long-term foster care" as a case goal (Maximus, 1988a). It is unknown what proportion of these cases represent stable placements—with relatives, for example—or failures of case planning.

Data from other sources have raised questions about various other substantive aspects of the case plans, such as the appropriateness of the plan and adequacy of progress toward permanency, whether specified services have been provided, whether parent-child contacts were adequately documented, and the overall usefulness of the information in

case plans (Maryland Citizen Board for Review of Foster Care of Children, 1986b; Stein, n.d.(a); Yoshikami and Emlen, 1983). Limitations in these sources preclude us from quantifying the extent of these problems more accurately or generalizing these findings across the states.

Case Review System Requirements

The limited evidence on the implementation of the case review system requirements suggests that since 1980, the states have formalized the periodic review procedures already in place and have developed dispositional hearing procedures in line with federal requirements. As a result of state implementation of federal requirements, the role of state courts in case reviews has increased, and state policies and procedures have become more uniform. However, the evidence from ACYF compliance reviews and selected state data indicates that many states have recurring problems with conducting the periodic reviews and dispositional hearings within the time periods specified in the law.

The case review system is quite complex, because the law grants the states flexibility in deciding which type of review body to use when conducting foster care reviews. Section 475(5) specifies that the states may use internal or external review for the 6-month review and judicial or court-approved administrative body review for the 18-month dispositional hearing. Internal reviews are conducted by persons employed by the agency, including at least one reviewer with no direct responsibility for the case. External reviews are typically conducted by a body separate from the agency. They might include the following types of review: judicial, in which a judge reviews all cases; court-administered, in which staff members of the court or court-approved, trained volunteers conduct reviews; and those that are conducted by an independent board of citizen volunteers ("citizen review") (Moses, 1987). A 1986 survey of the 50 states indicated that 28 states combined more than one method (Smith, 1986), and a 1984 survey of states (with 37 respondents) indicated that 14 states had two review systems in which reviews were alternately or concurrently conducted (Moses, 1987). The extent of court involvement in the case review system is exhibited in the 1986 survey, which found that 44 states employed court (external) reviews, 34 states had administrative (internal) reviews, and 17 states used citizen (external) reviews (Smith, 1986).

The inclusion of the case review system requirements in state law or policy has been fairly complete among the states. Indeed, a 1982 study of the periodic review of foster care cases reported that all the states had some form of review mandated by state agency policy, statute, or regulation before the federal reforms in 1980. But by 1982, a majority of

states reported having formalized their periodic review procedures in state policies and statutes and added specific policy directives concerning the timing and conduct of case reviews (JWK, International, 1982). A study of the dispositional hearing requirement in 1983 found that 14 states reported having all the components of the dispositional hearing requirements in place in 1980. By 1983, 38 states reported having modified either law or policy to meet the federal requirements (Cahalan, Cook, and Dodson, 1983). A study by JWK, International, found that (1) state courts had come to play an increasingly important role in case reviews and (2) differences between the states in terms of review requirements had begun to diminish; that is, their requirements had become more uniform as they came into compliance with the provisions of federal legislation (JWK, International, 1982).

Problems With the Timeliness of Reviews and Hearings. Federal compliance reviews found, and selected state data indicate, that many states have not conducted the reviews and hearings in the time periods specified in the law. Data from 3 states prior to 1988 indicated that 20-25 percent of the children did not have a periodic case review within the required 6 months, some 24 percent, on the average, across these states (Arizona Supreme Court and State Foster Care Review Board, 1987; Lowry, 1988). However, the validity of these data could not be determined from the source material, and the number of states is too small to permit generalization.

Data from the latest round of ACYF compliance reviews indicate that the most common cause for failing a compliance review was not conducting the reviews and hearings within the specified periods. In 29 states, at least one sample case had not had its periodic review within the required 6 months.[1] The percentage of cases that failed in these states ranged from 2 to 68 percent, with a median of 8 percent. In 27 states, at least one sample case failed the compliance review because the 18-month dispositional review was not held on time. Three to 38 percent of sampled cases failed in these states, with a median of 9 percent.

Federal reviewers made various recommendations in their compliance reports to change state procedures, which they thought would enable the states to meet the federal requirements. They included developing case tracking systems, negotiating with juvenile and family courts to improve their timeliness, encouraging state courts to empower advisory

[1] ACYF instructs case reviewers to consider a case out of compliance when a review or hearing is at least 1 month late.

boards to act in their behalf, coordinating the various review efforts where there is more than one review body, and reducing and standardizing the forms and procedures.

Problems Relating to Thoroughness of Reviews and Hearings. The ACYF compliance review reports indicated problems with the thoroughness of reviews that touched on some of the more specific requirements of the law. These problems concerned whether the reviews projected a likely target date for a child's return home or an alternative permanent placement, were open to the parents' participation, determined the extent of progress made on the causes of placement, and included a neutral third party in administrative review panels.

Federal review reports rarely mentioned the procedural safeguards pertaining to dispositional hearings, although recommendations for corrective action were made in specific instances. ACYF found that some states were not holding periodic dispositional hearings for children after their designation to long-term foster care. Other states had inappropriately excluded from these review requirements special populations that HHS considered to be eligible for them, such as refugee minors, children in preadoptive placements, and children voluntarily placed in foster care. In addition, one study found that parents who voluntarily placed their children were more likely not to be allowed to play a part in deciding a child's placement, were restricted to few visits with the child, and were not kept abreast of the child's progress, location, or change in placement (Cox and Cox, 1984).

Reunification Services Requirements

We were unable to accurately determine the extent of state implementation of reunification services because of the absence of systematic evidence in the published literature and ACYF compliance review reports. Limited evidence suggests that services may be insufficient in some areas. The paucity of information about reunification services, in our opinion, can be attributed in part to the fact that these services have not been described in ACYF compliance review guidelines, are only vaguely defined in practice, and have myriad designations. In addition, reunification services are frequently lumped together in the literature with prevention placement services and are not studied separately.

One study examined case record and caseworker data from early 1983 relating to placement prevention and reunification services in 5 states that had been certified on September 1, 1982, as meeting the basic requirements of section 427 (Yoshikami et al., 1984). In spite of the fact that these states had met the ACYF criterion for the system of family

reunification services, caseworkers reported high availability of services to reunify families in only one third of the agencies. Indeed, the caseworkers' reports indicated that services directed toward reunification were less available than those directed toward placement prevention. Also, caseworkers reported that cases receiving reunification services were more likely than placement prevention cases to have various types of disabling conditions, conditions that may have been less amenable to help from existing services.

Recent anecdotal and other information from selected states and child welfare advocates and practitioners suggests that services to facilitate family reunification continue to be inadequate. A 1985 survey of counties in Minnesota, for instance, indicated that family-based services (both placement prevention and family reunification) were provided in only 75 percent of the counties (Minnesota Department of Human Services, 1987). The Arizona foster care review board also noted the absence or shortfall of certain reunification services. Finally, several child welfare advocates testified at hearings before the Select Committee on Children, Youth, and Families in the spring of 1988 about the inability of some states and communities to expand or maintain effective efforts to promote reunification (Lowry, 1988; Babcock, 1988; Weinberg, 1988; Allen, 1988; Liederman, 1988).

Indirect evidence from ACYF's compliance reviews indicates that the record of implementation in the states is mixed. ACYF reviewers look for evidence of a system of services only during the administrative reviews and only occasionally note perceived strengths and weaknesses of such services in their case record review reports. Federal reviewers praised the efforts being made in 17 states to help children remain in their own homes or be placed for adoption. However, reports in 5 states noted that cases they reviewed reflected weaknesses or inadequacies in reunification services.

Other subnational studies indicate that barriers to parent-child contacts exist, without determining the precise causes of these barriers. In a review of research, Hess (1987) found the relationship between caseworker practices to promote parental visitation and actual visiting inconclusive. For instance, Hess cited a study in which only 70 percent of the cases had actual or inferred visitation contracts in the case plans, in spite of the agency's policy requiring visitation when the goal is family reunification. Parents who did not have a visiting schedule, or who

were told to request a visit when they wanted one, did not visit. However, Hess also noted that another study found that low parent motivation was a primary factor in the low frequency of visits.

Only one study addressed the goal of permanency (or reunification) services of preparing the child and family in advance for return home (see Rzepnicki, 1987). In a survey of parents in a project in Oregon, only 57 percent reported receiving advice from caseworkers in preparation for their children's returning home, and 59 percent felt that their caseworkers had inadequately prepared them. The author also noted that there are no data regarding the quality of such services when they do exist.

ACYF Compliance Review Standards and Procedures

Today, 8 years after the reforms were enacted, even ACYF's highest compliance standard does not require the states to show evidence of providing all the protections specified in the law. In the triennial review, ACYF does not consider a case to be out of compliance—that is, to "fail" a review—unless (1) it is missing a case plan altogether, (2) the periodic review or hearing was not held within the time required, or (3) 4 or more of the remaining 18 protections are missing. Thus, ACYF reviews place more emphasis on whether the required case plans exist and reviews are held on time than on how well they are carried out. In a 1984 report, we concluded that the 1980 act required the states to apply all the section 427 requirements to their caseloads before they qualify for any incentive funds and that HHS must enforce these requirements (GAO, 1984). Now, as then, we do not believe the secretary of HHS has discretion to allow a state to provide fewer than all 18 protections to the caseload. The secretary does, however, have discretion to determine the percentage of cases that must include all 18 protections before a state can be found in compliance.

Apparently in recognition of the gradual process of implementing change, ACYF devised a graduated series of compliance standards that require the states to exhibit stricter adherence to the law over time. In the first years after the reforms, when the states were beginning to change their laws and practices to comply with the federal requirements, this graduated series of standards may have encouraged them to keep improving their performance. Now that 31 states have already passed the standard of the triennial review, ACYF has no higher standard to require of them. But, since this standard falls short of requiring complete conformity with the law, ACYF's certification process provides little

incentive for improvement beyond the level of that standard to achieve full conformance with the law.

It should also be recognized that ACYF compliance reviews focus on the procedural aspects of the foster care system (that is, on whether the required plans exist and reviews are timely) rather than on the substance of the protections (that is, on how effective they are in improving outcomes for children). ACYF guidelines for conducting the compliance reviews, consistent with the law, emphasize the form and presence of case documentation, the existence of reviews, and matters of due process. The federal reviewer is directed only to ascertain whether, during the periodic case review, for example, the review body addressed the appropriateness of the child's foster care placement, not to independently ascertain the appropriateness of that placement. Thus, in its section 427 compliance reviews, ACYF does not attempt to judge how effective the periodic case review has been for ensuring the child's appropriate care and placement or how competent the review body was in making its own determination.

Interrelationships

Limited research is inconclusive regarding state implementation in such areas as coordinating state law with federal requirements; adding to existing, and developing new, administrative linkages between state agencies; and developing additional child welfare service components. The literature does not address these issues in any detail, and that which is available tends to be primarily qualitative. For instance, the greater involvement of state courts in the child welfare system has encouraged the closer monitoring of children in foster care, although this involvement has reportedly created problems and strained capacities. Questions have been raised, but not definitely answered, about whether the states have sufficient resources to adequately meet the needs of children in care and their families.

State Laws Affecting Implementation

The incentives contained in the Adoption Assistance and Child Welfare Act of 1980 led the states to implement extensive changes in law and procedure in order to meet the new legislative mandate. For example, a 50-state survey conducted in 1986 found that from 1983 to 1986, the states enacted nearly 1,000 laws relating to child abuse and child welfare. However, this figure is only an indirect measure of the states' responses, because it encompasses legislation that spans the full range of issues from improved treatment of child victims in courtroom proceedings to the establishment of foster care review boards (Smith,

1986). We were unable to identify any comprehensive studies detailing the state legislative changes following the enactment of the federal legislation; information about the extent to which state laws promote or hinder actual implementation of the reforms tends to be piecemeal.

One study that evaluated the implementation of the dispositional hearings requirement mentioned that there were disparities with state law in this area. One disparity arose over the absence of an 18-month hearing requirement in state law. Another disparity concerned the court's role in placement decisions because some state laws dictated that once the court determined custody, it was the agency's responsibility to determine placement (Cahalan, Cook, and Dodson, 1983). In another area, a federal compliance review raised questions about the adequacy of reviews in a state that required hearings more frequently than federally required. The state was advised to lengthen its hearing periodicity in line with federal requirements in order to improve the thoroughness with which reviews were conducted. In addition, the procedural protections for terminating parental rights in order to free a child for adoption can lengthen a child's stay in foster care, accounting for an average of 21 months (Maryland Citizen Board for Review of Foster Care of Children, 1986a).

Coordination With and Dependence on the Court System

Supporting documentation for a resolution passed by the American Bar Association (ABA) concludes that with the advent of required reviews and hearings, the courts have become more involved in the child welfare system, and procedural changes in the states have brought a new level of complexity to the system. For instance, ABA commented that juvenile court cases involving child abuse and neglect have become much more complex because there is frequently a whole series of hearings as the child moves through the system and because law and procedure in this area have become more detailed and individual cases are more demanding.

New demands generated by Public Law 96-272 have been placed on the state court system that are reported to have strained the capacity of some courts to assimilate and effectively manage the changes. The result is that the performance of state courts in meeting federal requirements has become an important factor in the determination of state compliance. ABA concludes that some courts have not kept up with advances in court procedures that might help avoid unnecessary court-related delays and inefficiencies, noting that most court systems have

not yet comprehensively examined their court procedures in foster care cases (American Bar Association, 1988).

Federal reviewers of state compliance with the reforms found that some states that rely on the courts to conduct periodic reviews were out of compliance because of repeated failures of the courts to conduct timely or thorough reviews. Those states were advised to institute administrative review boards in order to gain more control over the timely conduct of reviews.

Coordination With Other Service Agencies

The literature we reviewed does not examine the issue of services coordination between the various health and welfare agencies. While it is not uncommon for the states to operate distinct child welfare, juvenile justice, and mental health systems for different populations of children with separate residential programing for each, how this has affected the implementation of federal reforms could not be determined.

Adequacy of Resources to Meet Needs of Families and Children

We found no recent national data regarding state and local agency resources to carry out the federal requirements. However, inadequacies in local resources have been mentioned by various social workers and child welfare activists, which, if widespread, have compromised implementation (Gallup, 1988; Allen, 1988; Babcock, 1988).

Instances of resource inadequacies, which have been reported in the literature, include the following:

- The American Bar Association asserts that the family court system is overburdened, and there is a concern about the effects high judicial caseloads are likely to have on the quality of decisionmaking about removing children from their homes. According to ABA, the federal government has contributed to the problem of inadequate judicial resources because the federal requirements make substantial demands upon the courts. Yet, financial incentives are directed to the child welfare agencies rather than to the courts (American Bar Association, 1988).
- One legal activist mentioned that in 25 percent of the cases reviewed in Louisiana in which the children were in placement and the plan was to return them home, there were no resources available to meet the needs identified for these families (Lowry, 1988).
- Some caseworkers complained of being burdened by paperwork associated with permanency planning (Maryland Citizen Board for Review of Foster Care of Children, 1986a; Hurst, 1988).

- Some commentators have warned that when a caseworker leaves the system—and apparently a high turnover rate is not unusual—a case may go an extraordinarily long time before being reassigned.

Some experts expressed concern about the qualifications and adequacy of training for caseworkers. One recent survey of 5,000 child welfare workers indicates that in 1987, only 28 percent of the respondents had a bachelor's degree or higher in social work. However, this study noted that there was a slight shift in the distribution of caseworkers, compared to 1978, toward more advanced training among the respondents (Liebermann, Hornby, and Russell, 1988). In addition, although in-service training and support seem to be limited, one study reported that the majority of caseworkers had received recent training in reunification services (Yoshikami et al., 1984).

Another concern raised in the literature is that the size of caseworkers' caseloads is prohibitive, although the evidence is inconclusive about whether these figures actually indicate that resources are inadequate. One report mentioned that caseload figures ranged as high as 40 to 80 cases at a time (Edna McConnell Clark Foundation, 1985). Another source mentioned 40 active cases when the professional standard is 20 (Gallup, 1988). However, there are no reliable national figures on average caseload size. Studies of individual projects have reported much lower caseloads, in keeping with their focus on providing intensive family services, but they are probably not representative (Yoshikami et al., 1984; Fraser, Pecora, and Haapala, 1988; Maryland Citizen Board for Review of Foster Care of Children, 1986a; Nelson et al., 1988).

Administrative Efficiency

ACYF's enforcement of the incentive funds sanctions has met legal requirements but, through delays in determining states' compliance, may have weakened the incentive these funds provide for states to fully implement the section 427 protections. Although ACYF has not issued final regulations providing detailed guidance to the states on the requirements created by the law, the current federal compliance review mechanism has probably helped the states improve their performance in the early years. Our conclusions about the efficiency of state and local operations must remain tentative because of the very limited information about state operations.

ACYF Enforcement of State Compliance

ACYF has been diligent about recovering incentive payments once a state has been finally determined to be ineligible for those funds. However, delays in ACYF reviews of states' compliance, and in HHS decisions in appeals of ACYF compliance decisions, have permitted some states to continue to receive payments for which they may not be eligible.

Recovery of Incentive Funds From Noncomplying States

After a state is finally determined to have failed to meet compliance standards for a given fiscal year, ACYF declares the state ineligible for section 427 funds for that year and typically recovers them by subtracting them from the funds for which the state was eligible in a succeeding year. In only 1 of the 21 instances in which a final determination was reached did ACYF fail to recover the funds ($832,216 to Ohio for fiscal year 1984). When we brought the Ohio case to their attention, ACYF officials stated their intent to promptly correct this oversight and recover the funds.

Timeliness of ACYF Compliance Reviews

In recent years, the process of reviewing states' compliance has slowed down, in large part because of the numerous appeals of ACYF's decisions on states' compliance. This has led to a weakening of the intended link between states' application of the protections and their receipt of the incentive funds. Through 1988, the states have appealed ACYF's decision in 17 of the 25 instances in which they failed their compliance reviews. ACYF has been upheld in an overwhelming majority (14 of 17) of these appeals, but the appeals process can take up to 2 years before a final decision is reached. Because ACYF does not consider the compliance decision final until after the appeals process has been completed, it can take up to 5 years after the fiscal year at issue for the funds to be recovered.

Moreover, ACYF—particularly in recent years—has elected not to review a state's performance for the years succeeding the failure of a compliance review while a state's appeal is in process. Thus, some states have continued to receive funds for up to 4 years after failing a compliance review without ACYF's assessing their eligibility for those funds. As we detailed in another report, this has resulted in payments of about $24.7 million since 1984 to 6 states that may not have been eligible for those funds (GAO, 1989b). In discussions of these matters, ACYF officials indicated that a follow-up review is currently under way in 2 of these 6 states and that they now plan to schedule 2 more states for review, because those states' appeals were dismissed or overturned by the departmental appeals board in April 1989. In the report referred to above, we recommended that ACYF promptly rereview states that fail compliance reviews—regardless of their appeals status—in order to

protect the integrity of program funds and the incentive fund mechanism.

ACYF Guidance on the Requirements

Since the enactment of federal legislation, concerns have been raised about the specificity and clarity of the guidance ACYF provides to the states regarding compliance standards. In an earlier report, we criticized HHS for providing little guidance through regulation in the first few years after the enactment of the legislation (GAO, 1984). We found that the regulations regarding compliance review guidelines were largely a restatement of the statute and provided little additional guidance to help the states understand the requirements.

ACYF subsequently issued program instructions and policy announcements that have provided additional guidance to the states. A handbook for conducting section 427 reviews was compiled from these instructions and announcements in August 1988, but more-detailed regulations have yet to be issued. In addition, the comments in the review reports indicate that federal case readers were sometimes quite flexible in their interpretation of the guidelines. For example, the law requires a written case plan, and the review guidelines instructed reviewers to ascertain whether there was a discrete case plan document. Yet, review reports for 4 of the 31 states that passed the triennial review noted that case files were missing a discrete case plan document that could be shared with the child's parents.

Incremental Standards as an Incentive for Early Improvements

The current federal compliance review mechanism evidently has provided useful guidance to the states, which has probably helped them improve their procedural compliance but is no longer an efficient incentive to improve. The agency's application of graduated or incremental standards to measure state compliance rewarded gradual improvements in the early phase of implementation. Of the 7 states that failed the first review and whose funds were initially disallowed, 6 ultimately improved their performance sufficiently to pass a later review; 4 of 8 states whose funds were disallowed in a subsequent review ultimately passed. However, 31 states have already passed ACYF's highest compliance standard. In view of our finding that this standard requires less than full compliance with the law, we believe that continuing to test those states for this standard may be an inefficient use of the agency's resources.

Efficiency of State and Local Operations

Very little of the published literature deals directly with the efficiency of state and local operations. However, federal agency officials expressed their concern about the effects of increased paperwork on casework. The concern was that paperwork rather than children's needs may now be driving the child welfare system and leading to conditions in which the caseworkers are overworked, which reduces their ability to manage their caseloads.

A study of social workers' perceptions of administrative review found their perceived benefits to be that they facilitated family participation and reunification, reinforced goal-setting and planning, ensured case monitoring, provided an objective and thorough review of plans, identified needs and resources, and pressured the family to cooperate (Leashore, 1986). The limitations they perceived in the administrative review were the panel's unfamiliarity with case histories, insensitivity to child and family issues, unrealistic goals or recommendations, and insensitivity to workers. Other problems mentioned by the social workers in that study concerned the limited resources to implement recommendations and the time-consuming nature of the reviews.

What Are the Effects of the Reforms?

Although the case plan and review requirements are reasonably well focused on the performance of the system as it copes with the problems of children's experiencing lengthy unplanned foster care stays, information is unavailable to determine how well the incentive funds are targeted within the states to improve services or procedures. The absence of conclusive evidence precludes our attributing the reductions in institutional placements and in children's experiencing multiple placements, or the dramatic national reductions in lengthy stays and caseload size, to the reforms. There is little information on whether placements and services are more appropriate to the needs of these children and families and on the full costs of these protections. However, the federal requirements have set a standard and thus provided an avenue for the courts to at least monitor the treatment of children in state care. Table 4.1 summarizes our findings on each indicator of the effects criteria.

Table 4.1: Effects of the Foster Care Reforms

Criterion	Indicator	Finding
Targeting success	Distribution of state grants	Gross levels of state compliance are rewarded, particularly over time
	Focus on problems	Case reviews are well focused on the problem of extended unplanned stays
	State distribution of funds	Unknown, but funds do not compensate courts for increased responsibilities
Achievement of intended objectives	Decrease in placement difficulties	Reductions in institutional placements and in multiple placements may stem from the reforms It is unknown whether unnecessary and other inappropriate placements have been reduced
	Receipt of needed care and services	Little information is available
	Facilitation of permanent placements	Increased proportions of children have permanent placement goals
Cost-effectiveness	Additional protections	Unknown, burden of reforms has not been quantified
	Different review bodies	No clear advantage, but citizen volunteers may be less expensive and provide additional perspective
Other effects	Long-term goals	Speedier departures from foster care and reduced caseload sizes may stem from the reforms Reviews may have increased adoption as well as reunification It is unknown whether children and families are better off
	Spending on services versus maintenance	Little information is available
	Unintended side effects	Speedier departures may have increased returns Courts' additional burdens have not been quantified A new legal avenue has been created for monitoring foster care

Targeting Success

Distribution of State Grants

The allocation of incentive funds among the states reflects gross differences in their compliance. The amounts of incentive funds dispersed in a year to the states eligible for them do not reflect the graduated levels of compliance ACYF recognizes, because these funds are allocated through a formula based on population size and per capita income. However, to the extent that the federal eligibility certification process described in chapter 2 identifies acceptable levels of compliance, the allocation of incentive funds properly rewards performance, particularly over time. That is, states slow to certify compliance and meet ACYF standards received incentive funds over fewer years than other states. In a notable exception, however, incentive funds have continued to be paid to 6 states while they appealed their compliance review failures.

Reform Focus on Foster Care Problems

The design of the required protections is well focused to reach the most problematic cases—those in foster care for extended periods of time. The 18-month dispositional hearing, if held on time and in the required manner, is a well targeted way of combating lengthy unplanned stays in foster care. However, states that exempt from these hearings children assigned to long-term foster care, but not to a permanent placement, or children who have been freed for adoption but not yet adopted are poorly targeting these resources to the identified problem. These arrangements may also require monitoring to ensure that the anticipated permanency is achieved. The national data available on the reduced percentage of children who stay in care for a very long time suggest that these protections may have been well targeted for this group of children, but the evidence is not conclusive.

Distribution of Funds Within States

The financing structure precludes identifying whether the incentive funds are being spent specifically on additional case management activities (for example, preparing for and conducting case reviews) or for providing additional services. These funds do not have a legislatively prescribed use different from the rest of the title IV-B funds. The data the states provide to the federal agency indicate only the anticipated use of federal, state, and local funds for a range of child protection, foster care, and adoption-related activities. According to agency officials, these

data do not provide reliable information on either the actual state allocation of funds to case management and services or the total funds expended.

In at least one respect, the funds are not targeted to one party that shares responsibility for the intended behavior change: the courts. Although the IV-B grants may fund activities associated with carrying out the section 427 requirements, these funds are provided to the state child welfare agencies and not to the courts, which in many states are responsible for conducting both the periodic reviews and the dispositional hearings. Claiming that these reviews require significant, but unestimated, amounts of court time, the American Bar Association has proposed amending the legislation to provide fiscal incentives for the courts to reduce or limit delays in foster care litigation and to improve their rules governing foster care cases (American Bar Association, 1988). However, the federal agency, in commenting on a draft of this report, stated its belief that directing a portion of these funds to the court system would be a poor targeting of the scarce resources available for improving the states' capacity to provide services to children and families.

Achievement of Intended Objectives

Data are not available for judging whether unnecessary or inappropriate placements have been reduced or whether children and families are receiving more or more-appropriate services. Similarly, the sparse data available on improvement in steps taken to facilitate children's permanent placement cannot be solely attributed to the effects of these reforms.

Most of the objectives defined in the section 427 requirements are procedural, such as determining the appropriateness and necessity of placement and services, rather than oriented toward observable outcomes for children and families. Other outcomes, either those that are specifically defined in the law or those that may be reasonably assumed, such as the child's proper care in placement, do not directly address child and family behavior or welfare. This is primarily because the focus of our review is the section 427 provisions rather than the title IV-B grants or foster care-related services, more generally, which aim to promote the welfare of children. Therefore, following the structure of the evaluation framework, we address the long-term effects, such as reducing children's length of time in foster care and improving the well-being of families and children, under the criterion "other effects."

The statewide information systems required by section 427 do not include the qualitative data on placements and services necessary to address the issues of necessity and appropriateness of placements, nor would the national system recommended by the Advisory Committee on Adoption and Foster Care Information. The current state systems are only required by law to include data on a child's status, demographic characteristics, location, and placement goals. The additional items recommended for the national system concern prior stays in care, duration of care, funding sources, and their biological and foster parents.

None of this information directly addresses the necessity of placement or the appropriateness of the type of placement or services provided, which must be determined in reference to each child's specific situation. The advisory committee recognized this limitation and recommended encouraging ACYF to conduct special studies to complement the proposed national system. They suggested a follow-up study to collect in-depth information for individual children as the unit of analysis (rather than, as now, services to them) and a feasibility study of a comprehensive child welfare information system that would include such issues as prevention services, administrative issues, and linkages with other public service agencies where children are placed.

Decrease in Placement Difficulties

Necessity of Placements

It is likely, but not verifiable, that regular external monitoring of agency decisions to continue placement has reduced the proportion of children who remain in care unnecessarily. No available data directly addresses the difficult professional judgment implied by this outcome. Available measures, such as increased exit rates, shortened stays, and increases in prevented placements, might reflect an improvement in this area or, instead, inappropriate efforts to end or prevent placement. Other measures, such as an increase in the number of children freed for adoption, might indicate improvements in determining the necessity of foster care placement.

Inappropriate or Overly Restrictive Placements

Indirect evidence suggests that the reforms may have reduced, but not eliminated, the number of inappropriately restrictive placements. Nationally, fewer children were placed in institutions in 1985 than in 1977 (10 percent versus 14 percent), although the figures were stable—despite wide differences across states—between 1984 and 1985 for the

19 states reporting in both years (Maximus, 1988a). However, the change cannot be confidently attributed to the reforms. Indeed, these figures may reflect not inappropriate placement but, rather, the need among some children in foster care for more supervision than is available in foster care families.

The American Civil Liberties Union (ACLU) has provided direct evidence that reviews alone have not eliminated this problem in at least one state. Through analysis of Louisiana case reviewers' checklists in the mid-1980's, ACLU found that 50 percent of the children in institutions were judged to be there unnecessarily, according to the state's criteria. Additionally, it found that more than 10 percent of the state-supervised foster homes exceeded the state's limitation on the number of children that can be in a particular home (Lowry, 1988). However, it may be that introduction of the case review system was instrumental in identifying these problems and, thus, effective in its short-term procedural objectives.

Limited data suggest little improvement in meeting the requirement to locate placements in close proximity to a parent's home. Only one state review board evaluation addressed this question, and it found no significant difference between cases it reviewed and those it had not reviewed in the proportion of children placed within the county of their parents' residence (Nebraska State Foster Care Review Board, 1986). Moreover, since 42 to 44 percent of each group was placed outside the county, in that state, the reforms were apparently not effective in placing children near their parents. However, data from a special project involving careful case planning and intensive case monitoring for older adolescents (who had already experienced several placements) showed large improvements in moving children out of institutions to placements with their own families, relatives, or foster families or to independent living arrangements (Taber and Proch, 1987).

Multiple Placements

A child's experiencing several placements may indicate the inappropriateness of the match with a foster family or the absence of services to successfully manage difficulties that may arise during a placement. Although one intensive project had good results, evidence of the success of more-typical implementation of the reforms is less promising.

One post-1980 special project found that the mean number of moves, after intensive case monitoring and services, was reduced from 4.8 to 1.8 (Taber and Proch, 1987). Before the intervention, placements were significantly more restrictive for older children. After the intervention,

placements tended to become, instead, less restrictive over time or to end in family reunification.

Evidence from state evaluations, however, is less promising. One state evaluation of a review board found no significant differences in the number of placements experienced by reviewed cases compared with those not reviewed by the board (but by some other review body) (Nebraska Foster Care Review Board, 1986). Moreover, both groups showed quite high numbers of placements (50 percent had four or more placements) compared with the VCIS data for 1985, which reported that 53 percent of children in foster care were in their first placement (Maximus, 1988a). Similarly, another state that compared the effects of citizen participation in the review board found no effect on either the number or type of placements (Minnesota Department of Human Services, 1986). Yet, the Nebraska board did find that the proportion of the entire caseload with four or more placements had declined from 31 percent in 1986 to 27 percent in 1987. Available national data on change found these figures stable between 1984 and 1985 for the states that reported (Maximus, 1988a).

Receipt of Needed Care and Services

The lack of data on the services provided to families is particularly distressing, given the emphasis placed in the legislation on ascertaining the appropriateness, and ensuring the delivery, of needed services. We found no study that looked specifically at whether the reviews resulted in children and families' receiving more or more-appropriate services. Evaluations of special projects simply considered case monitoring and the provision of needed services as part of the undifferentiated treatment when examining effects on length of stay and type of permanent placement achieved.

However, indirect evidence suggests that case reviews alone have not ensured that needed services are provided. ACLU testified that although Louisiana case reviewers had identified services that had not been provided as ordered (for example, children in one third of the sampled cases had not had a physical exam in the last 12 months), little or nothing had been done to correct these omissions (Lowry, 1988). ACLU was also the only source to report evidence of abuse in placement, claiming—from a review of a random sample of 25 Kansas City cases—that 25 percent had been the subject of abuse or inappropriate punishment.

The availability of agency funds for supplying basic necessities, such as housing, has been noted in the descriptions of two projects considered

successful (Children's Defense Fund, 1988; Nelson et al., 1988). We could not establish, however, whether either study assessed the direct contribution of either these services to the reunification process or the reviews to the provision of these services. Moreover, it is surprising in light of the variety of reasons for placement that studies have not addressed whether the services provided are appropriate to the precipitating cause of family separation—for example, financial assistance for families separated because of inability to provide support or mental health counseling for those charged with child abuse.

Facilitating Permanent Placement

We found little information concerning whether case plans and review reforms have facilitated the permanent placement of children in foster care. Prior to our examination of effects on length of stay, we examined a variety of process and outcome measures, such as setting placement goals and target dates for leaving foster care, increasing parental visitation, or terminating parental rights, where indicated. Data available on 19 states show an increase from 47 percent to 55 percent between 1983 and 1985 in the proportion of children with the goal of reunification and a corresponding decrease in the proportion with the goal of long-term foster care (22 percent to 19 percent) or with no goal (9 percent to 6 percent) (Maximus, 1988a), but we cannot attribute this to the reforms. The Maryland Citizen Board for Review of Foster Care of Children (1986a) reported that for 80 percent of the exiting children it reviewed, the reason for exit matched the placement goal, presumably attesting to the success of the permanency planning process.

Although many pre-1980 studies found that frequency of parental visiting was associated with shorter stays in foster care and a greater likelihood of returning home, we did not find any evaluations that addressed parental visitation. One state evaluation did, however, report that children whose cases were reviewed by the board, compared to some other entity, were 2.6 times more likely afterward to have had a parental rights termination filed or completed against their fathers, 3.5 times more likely against their mothers (Coyne, 1986). They were also more likely to have been relinquished for adoption by either their mothers or their fathers than were children whose cases had not been reviewed by the board. Although the cases the board reviewed may not have represented the caseload, this finding suggests that the board's review may have facilitated placement for children unable to return home.

Cost-Effectiveness

We did not identify any reliable studies of the cost-effectiveness of the case management reforms. This is partly because of the lack of reliable information on the effectiveness of the reforms, as discussed above, but also because of the meager quality of information on the costs of implementing these reforms. For instance, although the additional reviews the legislation required were often claimed to be burdensome for both welfare agencies and the courts, we found no empirical analyses of the additional caseworker staff time costs created by the need to develop and update case plans and prepare materials for reviews and hearings.

The additional time spent on case reviews may be cost-effective if it yields substantial reductions in placement length. Some state reports provided per unit costs for foster care maintenance, institutional care, and some in-home services but did not provide the additional information needed to analyze cost-effectiveness. For example, estimates of the cost of home-based services per child ranged from $2,300 to $5,000, while estimates of foster care maintenance ranged from approximately $2,500 to $10,000 a year. However, it was not clear whether the reductions in workers' caseloads (which have been claimed to be required in order to provide such services) were factored into these calculations, and neither service use nor effects data were provided.

This type of data on cost per type of service was used in several instances to make cost-avoidance claims for the foster care review process. These cost avoidance "analyses" were frequently anecdotal, based on the hypothetical cost-savings associated with removing from placement a child who might have lingered in care for several years. Yet, the empirical data—such as studies demonstrating decreased entry rates or increased exit rates—did not include comparison bases that would permit attribution to the improved reviews and services (for example, Maryland Citizen Board for Review of Foster Care of Children, 1986a).

The data we reviewed also do not recommend one type of review board composition as more cost-effective than another. Volunteer citizen reviewers may be less expensive than paid professionals but not necessarily more effective. The costs of operating citizen review boards were described in one article as limited to minor administrative and training expenses from the use of citizen volunteers. Another state estimated that citizen review boards would be less cost-effective because of the additional costs (not estimated) that would be incurred in creating a duplicate case tracking system independent of the agency's (Minnesota Department of Human Services, 1986). That state also found no difference in the number, type, or length of placements by the composition of

the board, whether it was made up of agency personnel or citizens. However, some concern was expressed by caseworkers, in at least one survey, about the competence of citizen review board members.

Other Effects of Interest to the Congress

Although the legislation's goals and purposes are primarily procedural, other goals surfaced in congressional discussions of the reforms or are implied by the procedural objectives. The data available do not permit us to attribute observed reductions in "foster care drift" (or the tendency of children to spend long, unintended periods of time in foster care), increased rates of family reunification, or reduction in the size of the caseload to the section 427 requirements. No direct information was found on whether spending on services had increased relative to foster care maintenance or on whether—within the general purpose of the IV-B grants—the well-being of these children and families had improved.

However, concerns have arisen about unintended side effects of the reforms, including whether children have been returned prematurely to abusive or neglecting families and whether state and local courts have been unfairly burdened by the imposition of federal requirements without compensation. Additionally, the reforms have served as standards guiding both state legislation and litigation brought by private parties to ensure the proper treatment of children in foster care.

Long-Term Goals

Children's length of stay in foster care and the size of the foster care caseload have been reduced substantially, but it is not clear whether these reductions have been achieved through the procedural reforms.

Length of Stay

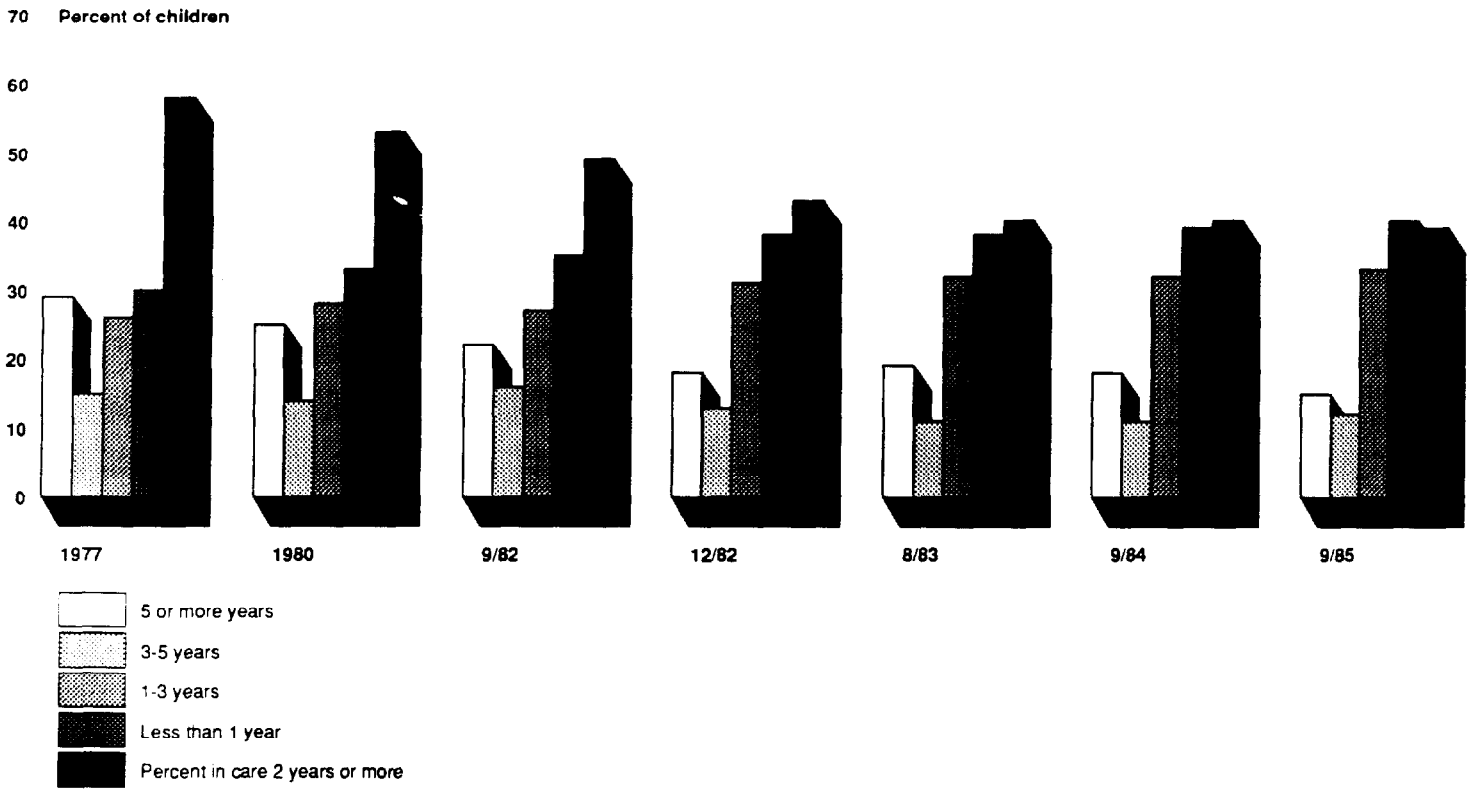
Nationally, the median length of foster care stay has decreased dramatically since 1977, as has the percentage of the caseload with very long stays. Estimates of the median length of time in care for the caseload at a given point in time decreased from 31 months in 1977 to 17 months in 1985, and the proportion of cases that were in care 5 years or more declined from 29 to 15 percent of the caseload (see figures 4.1 and 4.2). The median length of stay in care for children who left care during 1985 was 8 months, reflecting the greater representation of children with short stays in this measure than in caseload measures (Maximus, 1988a).

Figure 4.1: Median Length of Time in Foster Care 1977-85

Source: Adapted from Maximus, Inc., Child Welfare Chart Book 1985 (Washington, D.C., 1988a). Data for 1977 are from a 1977 survey; for 1980 from an HHS Office of Civil Rights survey, for December 1982 from a Child Welfare Indicator survey, and for the remainder, from the Voluntary Cooperative Information System.

These figures may not reliably estimate change because they were derived from different sources. The changes they show may not be attributable to implementing the procedural reforms, because the rate of decline began before 1980 (when the estimated median was 27 months) and other factors may be partially responsible. In addition, this reduction seems to have leveled off since 1983 (see figure 4.1). Other VCIS data show that rates of exit from foster care have been fairly stable since 1982 (the earliest data available) at about 40 percent of the population in care (Maximus, 1988a).

Figure 4.2: Distribution of Time in Foster Care 1977-85



Source: Adapted from Maximus, Inc., Child Welfare Chart Book 1985 (Washington, D.C., 1988a). Data for 1977 are from a 1977 survey, for 1980 from an HHS Office of Civil Rights survey, for December 1982 from a Child Welfare Indicator survey, and for the remainder from the Voluntary Cooperative Information System.

Although 1982 was only the second year after the enactment of the reforms, a few states had previously implemented review systems similar to those required by section 427, and 35 states had passed ACYF's initial or subsequent review for fiscal year 1982. Therefore, it is possible, but by no means conclusive, that the introduction of these reforms helped remove children unnecessarily remaining in foster care. However, in the absence of a systematic evaluation that rules out other contributors—such as noncomparable data or the simultaneous introduction of adoption assistance—we are not able to confidently attribute these changes to the section 427 reforms.

Several pre-1980 studies of special case management projects claimed to shorten placement stays and increase the rates of children exiting care (reviewed in Murray, 1984; in Rzepnicki and Stein, 1985; and in Seltzer and Bloksberg, 1987). But, once again, results from more typical implementation have been less promising. One state review board discovered that the cases it reviewed were less likely to leave care than those it had not reviewed (Nebraska State Foster Care Review Board, 1986). In addition, although that board reviewed only about a quarter of the caseload, the proportion of cases with long stays actually increased from 1986 to 1987 (Nebraska State Foster Care Review Board, 1987). The author suggested two possible explanations for these findings: (1) the review board's sample was heavily weighted with children who had already been reviewed and not discharged to their families and (2) in some cases, citizen reviewers asked for additional services before returning a child home (Coyne, 1986).

Both the Maryland and Delaware foster care review boards reported decreases in 1986 in lengths of stay over the past few years, accompanied, at least in Delaware, by a sharp increase in the proportion leaving within 1 year and a 50-percent decrease in the proportion staying more than 7.5 years (Davidson, 1986; Maryland Citizen Board for Review of Foster Care of Children, 1986a). However, these improvements cannot be confidently attributed to the section 427 reforms. In fact, since half the children entering care in Maryland exited within 6 months, they may not even have experienced the required 6-month periodic review.

A study of administrative and service factors affecting the proportion of children in Wisconsin county caseloads who leave within 1 year of entry uncovered some interesting dynamics that may explain these contradictory findings (Sosin, 1986 and 1987). The counties' use of review boards to monitor decisions to continue care was associated with more short stays, while the board's review of changes in placement or permanency goals was associated with fewer short stays. This suggests that when the board disagrees with the caseworker's decision, when the caseworker recommends exit from care, the board's review may lengthen the child's stay.

Sosin's study was unusual in that it attempted to identify the relative effectiveness of the different administrative and service components of agency practice. Caseworkers' discussions of a variety of topics with the biological family were associated with lengthier stays, apparently because these discussions tended to concern terminating parental rights. No characteristic of court reviews was found to be significantly related

to length of stay, perhaps, the author hypothesized, because the court's review was no more effective than the caseworkers' behavior in preparation for it. Sosin also found that after controlling for these and other administrative requirements, providing parental supports such as respite care was not associated with shorter stays. It should be noted, however, that many of the special projects considered successful tended to accompany case management procedures with intensive family services.

Family Reunification

There is some controversy in the literature about whether the case review and hearing requirements (particularly in combination with other 1980 reforms providing adoption assistance) have increased exits through increased family reunification or through other means. National data from VCIS do not provide long-term information about the outcomes for children exiting care but show little change in the destination of children leaving care between 1984 and 1985. In 1985, 66 percent of exiting children were recorded as having been reunited with their families or placed in the homes of relatives, 8 percent were adopted (down from 10 percent in 1984), and 8 percent left through emancipation (Maximus, 1988a).

Two state foster care review board evaluations found that larger proportions of children they reviewed left care through adoption (19 percent versus 3 percent and 27-28 percent versus 13-15 percent) and through reaching the age of majority (12 percent versus 2 percent and 20-22 percent versus 15-16 percent) than did children they had not reviewed (Maryland Citizen Board for Review of Foster Care of Children, 1986a; Coyne, 1986). This may help explain why children reviewed by such boards tended to have longer stays. Placement goal and length of stay are interdependent, partly because of the additional legal protections states impose on adoptions. Because of these protections, as well as the difficulty in finding adoptive placements, it can take up to 5-1/2 years, on the average, between removing a child from home and making an adoptive placement final (Maryland Citizen Board for Review of Foster Care of Children, 1986).

Other special studies have also shown increased exit rates achieved through higher rates of emancipation or adoption. However, very few of these studies include appropriate comparison groups that would permit attributing any causality to the review process. Several analysts, in reviewing the literature published before and after 1980, have concluded that limited evidence suggests that permanency planning appears to have been successful in increasing the rate at which children are

adopted but not reunified and, thus, may have its greatest effect on children who are unable to return home (Maluccio and Fein, 1985; Seltzer and Bloksberg, 1987).

Caseload Reductions

The reported size of the national caseload declined dramatically, from an estimated 502,000 in 1977 to 276,000 in 1985 (Maximus, 1988a), but other factors besides the reforms may be responsible.[1] Moreover, the greatest declines occurred before the enactment of the reforms, and, in recent years, caseload size has increased slightly (see table 4.2). Unpublished VCIS estimates for 1986 show an increase to 282,000 (Gall, 1989).

Table 4.2: Estimates of the 1977-85 National Foster Care Caseload

Year	Caseload	Source of estimate
1977	502,000	Westat, Inc
1978[a]		
1979[a]		
1980	303,697	HHS Office of Civil Rights
1981[a]		
1982	279,886	VCIS
1983	264,579	VCIS
1984	274,141	VCIS
1985	276,266	VCIS

[a]No estimate available

Source: Adapted from Mark F. Testa, Data Necessary to Support National Policy Functions in Foster Care and Adoption, technical appendix, Report of the Advisory Committee on Adoption and Foster Care Information (Washington, D.C.: Administration for Children, Youth, and Families, August 1987)

Several factors influence foster care caseload sizes and could be partially responsible for these reductions. One analyst suggested that the decline reflects the inflation of state estimates of caseload size, in that early period, by the presence of inactive cases that were subsequently purged in anticipation of the federal compliance reviews. Additionally, the size of the overall population of children and youths declined in the past decade. Finally, even if the reforms were facilitating permanent placements, caseloads might not be reduced.

This is because caseload size is a dynamic function of both entry and exit rates. For example, the national caseload has increased slightly since 1982 (as it has for about half the states), primarily through increased entry rates into foster care (Maximus, 1988a). The increased

[1]In the absence of mandatory reporting, no reliable national census exists of the children in care at a given point in time or of those entering care within a given period. However, more-recent estimates are considered more reliable than earlier ones.

entry rates, in turn, are believed to reflect the documented increase in reports of child abuse and neglect in this period. Indeed, the proportion of children entering care for protective service reasons increased nationally from 58 to 61 percent between 1984 and 1985 (Maximus, 1988a).

Services Versus Maintenance

We found no direct information on state expenditures that would permit identifying whether spending on services has increased relative to spending on maintenance. However, indirect evidence suggests that it has. The administrative expenses reimbursed by the federal IV-E Foster Care program (which partially reimburses maintenance payments for children eligible for AFDC in foster care) have increased tremendously, at a rate much higher than that of foster care maintenance payments, since 1981 (U.S. Department of Health and Human Services, 1987). Although the costs of developing and reviewing case plans, for example, are defined as administrative expenses in the IV-E program, they are included as child welfare services in the IV-B program and, therefore, are not separately accounted for at the federal level, according to federal agency officials. In 1987, the HHS inspector general identified increased claims for reimbursing service costs as one contributor to this increase in title IV-E administrative expenses but could not ascertain to what extent this increase reflected changes in actual service delivery or changes in state reimbursement accounting practices. Anecdotal evidence concerning the increase in home-based service programs suggests that the balance of expenditures may have changed in at least some areas of the country.

Child Well-Being

We found no evaluations of the effect of the state reforms on improvement of children's physical, educational, psychological, or emotional growth and development in foster care. One comprehensive search of the literature on permanency planning from 1960 to 1983 found "no study . . . in which the health and safety of the child was the primary outcome examined" (Seltzer and Bloksberg, 1987, p. 66). Using a variety of measures of adjustment, the authors also concluded that most pre-1980 research found no difference in psychological adjustment between children who were placed in homes intended to be permanent and those who remained in "temporary" placement. Other studies found no difference in later adult functioning between children in foster care and their peers who remained in homes that had contact with the child welfare agency.

Unintended Side Effects

Return to Foster Care

Limited evidence has raised the concern that the rush to move children into permanent placement may have resulted in inappropriate placements. This literature suggests that at least for the short time periods studied, adoptions tend to be more stable than family reunifications. Three special projects and research studies reported 0 to 2 percent of adoptions disrupted within 6 to 16 months, while 9 to 32 percent of the children reunited with families returned to care within 16 months (see Rzepnicki, 1987).

Using a different measure, an ACYF analysis of the number of reentries among new entries to care found reentry rates varied between 0.07 and 0.56 in the 18 states reporting in 1983 (Gershenson, 1986a). While additional information was not available to analyze whether the higher reentry rates reflected greater agency, family, or ecological (for example, financial) problems, these rates were believed to be related to the states' rates of family reunification. The author suggested that the higher reentry rates may reflect agencies' use of a higher-risk strategy than states having lower family reunification rates. However, the validity of this claim is questionable because (1) dramatic changes in these rates were observed for several states over a year and (2) the reentry rates reflect not only placement disruptions but also the rates of new referrals to foster care.

A few studies investigating recidivism have suggested that lack of aftercare services is to blame. Turner (1984a) found that families that remained reunited had received more months of case management and more social services upon reunification. Other literature reviews have noted the importance of combining services and case management for success in preventive preplacement programs (see Nelson et al., 1988). In an analysis of Baltimore's higher-than-average reentry rates (one fourth versus one eighth of entries), those who returned were found to have had substantially shorter-than-usual stays in foster care (11 versus 20 months, for those returned to their families). The reviewers hypothesized that the absence of aftercare services for children with very short stays may have been responsible for their higher recidivism (Maryland Citizen Board for Review of Foster Care of Children, 1986a).

Effects on State Courts

Requiring periodic case reviews and dispositional hearings and specifying how they are to be held has undoubtedly increased the responsibilities of the state court systems, as well as state child welfare agencies.

Depending on previous practice, these requirements may also have increased their workloads. Although ABA has claimed that the federal requirements have increased court workloads, it is the states that have generally opted for a judicial 6-month review, as the federal legislation is flexible about where these reviews may be held. Similarly, the states are free to set the periodicity of the dispositional hearings subsequent to the first hearing, which federal law requires be held 18 months after a child is placed in foster care. While increased procedural complexity can be considered an integral part of the intended safeguards for the rights of parents and children, the resulting strain on the courts' resources may not have been foreseen.

The federal requirements also have served to set a standard for state practice and have created a basis for private enforcement of the law that is recognized in certain courts. The U.S. Courts of Appeals for the First and Fourth Circuits have concluded that section 427 may be enforced by private right of action (Lynch v. Dukakis, 719 F.2nd 504 (1st Cir. 1983); L. J., An Infant v. Massinga, 838 F.2nd 118 (4th Cir. 1988) cert. denied, 109 S. Ct. 816 (1989)). The U.S. Court of Appeals for the Sixth Circuit and certain other lower courts have concluded, however, that section 427 does not authorize a private right of action (Lesher v. Lavrich, 784 F.2nd 193 (6th Cir. 1986); In re Scott County Master Docket, 672 F. Supp. 1152 (D. Minn. 1987); In re Cynthia A., 514 A.2nd 360 (App. Conn. 1986)). Thus, one result of section 427 has been that an additional avenue for monitoring agency handling of foster care placements is available in certain courts. The availability of this remedy in other federal and state courts is uncertain and will depend upon decisions rendered by those courts in the future.

Are the Federal Incentives for Reform Still Needed?

Although procedural protections have generally been instituted, present conditions suggest a continuing need for incentives to fully implement the reforms, perhaps with additional efforts to strengthen them. Problems continue in foster care placement—such as lengthy stays and multiple placements—that may require at least monitoring and vigorous services to resolve. For example, of the over 276,000 children in foster care at the end of 1985, 15 percent had been there at least 5 years.

Some of the problems identified have been linked with negative consequences for children. In addition, changes since 1980 in reports of child abuse and neglect, drug use, and homelessness, increasing the number of children at risk, have raised the demand for foster care and family services. Despite sizable contributions from private sources, federal legislative and fiscal incentives are apparently still needed to bring about improvements in the delivery of services to children and their families. Table 5.1 summarizes our findings on each indicator of the need criteria.

Table 5.1: Continued Need for the Federal Incentives for Reform

Criterion	Indicator	Finding
Problem magnitude	Procedural problems	The quality of case planning and monitoring is questionable; medical, dental, and mental health services are claimed insufficient
	Placement problems	One fourth of children in care had been there at least 3 years; 21% had 3-5 different placements
	Increased demand	Increases in drug use, births to unmarried teenagers, and homelessness may contribute to increased demand for services
Problem seriousness	Consequences of procedural problems	Case planning and monitoring of questionable quality may increase length of stay in care
	Consequences of placement problems	Longer stays may inhibit reunification efforts
Duplication	Alternative resources	Private funds attempt to enhance, not duplicate, federal and state funds, through funding innovative approaches and strategies
	Alternative protections	Federal law provides protections not in all state laws and extends them to all foster care cases

Problem Magnitude

Available evidence suggests that problems remain in the management of foster care cases. For example, 25 percent of the children in care in 1985 either had no placement goal specified or had long-term foster care as a placement goal; 27 percent had been in care at least 3 years; 21 percent had three to five different foster care placements (Maximus, 1988a). A study in one county found that fewer than half the cases reviewed received regular medical and dental care (Mushlin et al., 1986). Further,

the demand for services appears to have increased in recent years, although reliable estimates of the magnitude of that change are unavailable.

Representative national surveys and reliable empirical studies that report present conditions in the child welfare system are, at best, scarce. The interpretation of reported conditions is further complicated by the lack of standards or outcome objectives (for example, how long in care is "too long"?) specific to the IV-B program. Section 471 of the Social Security Act (as added by the 1980 act) requires states participating in the title IV-E Foster Care program to establish numeric goals regarding the number of children who will remain in care longer than 24 months. We must note, however, that other concerns may have taken precedence over the promulgation of specific outcome goals that may not be attainable or useful for state and local agencies (Forsythe, 1989).

Problems have been cited that can generally be characterized as (1) procedural, or problems in the management of foster care cases; (2) placement difficulties, or problems with conditions of the placement; and (3) increased demand for services.

Procedural Difficulties

Quality of Case Plans and Supervision

Difficulties cited in the management of foster care cases include but are not necessarily limited to (1) the quality or appropriateness of case plans; (2) the suitability of foster homes; and (3) caseworkers' contact with the natural parents—a general indicator of case monitoring and reunification efforts.

Despite the emphasis on permanency planning, 1985 VCIS data indicate that 6 percent of cases had no goal specified, while another 19 percent had long-term foster care as a case goal (Maximus, 1988a). While we acknowledge that more-permanent plans may not be desirable in all cases, these figures seem to speak to the need for periodic review. An ACLU case filed on behalf of foster care children in one county in Missouri reported that only 9 percent of a small but random sample of cases had adoption as a case plan, and most of the children in those cases (89 percent) were younger than 6 (Mushlin et al., 1986).[1] This implies that adoption may not be as frequently planned for older children, those generally considered among the most difficult to place.

[1]Cases (N = 194) were sampled from all children entering the system during the previous 5 years.

The suitability of the homes in which children are placed may also be a concern. A foster home may be deemed unsuitable if the foster parents have a known history of abuse or neglect, if placement in the home represents a danger to the child, if the foster parents fail to provide essential care for a child, or if the foster family is known to lack the skills required to care for a particular child. Using these criteria, Mushlin et al. (1986) found over 40 percent of the Missouri cases sampled were in "unsuitable" homes.

The monitoring of cases once a child is placed may also be problematic, at least as evidenced by reports of the frequency of caseworker-family contacts. For example, a study commissioned by ACYF shortly after the 1980 reforms were implemented reported a high frequency (three or more times per month) of caseworker-family contact in only 23 percent of the cases (Yoshikami et al., 1984).[2] Twenty-seven percent of families met with the worker less than once a month. Further, families receiving reunification services were generally not happy with their caseworkers. The ACLU case discussed above indicated that in 77 percent of the cases reviewed, there was no record of the caseworker's contacting the biological parents within the past year. Fewer than 30 percent of the cases had any written agreement with the parents regarding the services planned (Mushlin et al., 1986).

Addressing Health and Educational Needs

Available information regarding the adequacy with which children's health and educational needs are being addressed suggests a need for improved services. A screening of children entering foster care in Cook County, Illinois (which includes Chicago), during 1 month in 1984 found that 87 percent had some physical problem. Reportedly, half those with difficulties were found to have multiple problems, the most frequent difficulties involving physical growth, development, behavior, and the skin (Hochstadt et al., 1987). Mushlin, Levitt, and Anderson (1986) reported that many lacked medical records, and 59 percent of the case files they reviewed lacked evidence of recent medical examinations. Eighty-seven percent lacked indications of recent dental examinations. The House Select Committee on Children, Youth, and Families reports that the early periodic screening, diagnosis, and treatment exam was completed for only 30 percent of newly enrolled cases and only 18 percent of long-term foster care cases in one major city (U.S. Congress, 1988b).

[2]Data were collected July 1982 to July 1983. Eighteen local agencies from 5 states were included

It also appears that children entering foster care bring educational deficiencies that may not be addressed while they are in care. A 1977 comparative analysis showed that while 80 percent of children nationwide were at their modal or age-appropriate grade level, only 69 percent of the children receiving child welfare services at home and 59 percent of those in foster care were at modal grade (Gershenson, 1986b). Seventy-three percent of the 6-year-olds in foster care were in first grade, compared with 93 percent nationally. Thirty-two percent of 17-year-olds in foster care and 27 percent of those in home care were in the 12th grade, compared with 70 percent nationally. The author concluded that these data suggested that the educational deficiencies of foster care children existed prior to their entry into the program and that improvements were only marginal.

Later studies also suggest the continued educational deficiencies of foster care children, although post-1985 reviews on this issue were unavailable. Of the children entering foster care in Cook County, Illinois, during 1 month of 1984, one third of those eligible for school had not yet been enrolled or were thought to require some type of special educational service (Hochstadt et al., 1987). While not claiming currency or the ability to generalize nationally, these data do suggest conditions that may not have improved substantially after the 1980 reforms.

Other Services Lacking

Our review also identified the following areas among those in which more services are claimed to be needed but with no specific estimates of the shortfall:

- services to address the behavioral or emotional problems of children in foster care. Studies indicate that in some cases, workers were aware of reported difficulties but did not (or could not) provide the needed services (Besharov, 1986; Mushlin, Levitt, and Anderson, 1986).
- services to help prepare youths for self-sufficiency who are soon to leave the system by virtue of age ("emancipation") (Maluccio and Fein, 1985).

Placement Difficulties

Lengthy Stays in Foster Care

Foster care is intended to provide temporary shelter for dependent children, as evidenced by the requirements of section 471 of the Social Security Act. Data from the Voluntary Cooperative Information System, however, indicate that in 1985 at least 27 percent of the more than

276,000 children in foster care—that is, about 74,000 children—had been there 3 or more years. Fifteen percent, or about 41,800 children, had been there for 5 or more years (Maximus, 1988a). These estimates, like most found in the literature, are based upon samples of children in care at a fixed point in time. Estimates based on samples of children entering care over a period of time tend to generate lower estimates of length of stay because of the substantial number of children who were in care for less than 1 year and therefore not available for assessment by a once-a-year census, for example. These and other differences complicate the interpretation of such data.[3]

Multiple Placements

VCIS reports that in 1985, 50 percent of the children in foster care experienced at least two placements; 21 percent had three to five different placements; 6 percent had six or more placements (Maximus, 1988a). For some of these children, their first placement may be brief—made in an emergency—while a more permanent foster home is located. In general, older children seem to be more likely to be shifted through a number of foster homes (Besharov, 1986), although this finding may be confounded with their longer tenure in care.

Restrictiveness of Placements

A review of the statutes of 19 states that reportedly encompassed 75 percent of the foster care population at the time of the review concluded that those 19 states were not complying with the least restrictive, most family-like setting requirement outlined in section 475 (Proch and Howard, 1984). Analyses based upon individual case reviews corroborate this conclusion. In a survey of 18 agencies across 5 states, Yoshikami et al. (1984) reported that 32 percent of sampled cases were more than a 30-minute drive from the biological parents. This survey reported further that only 40 percent of the children placed had known or met the substitute caregiver prior to the placement. In 70 percent of the cases sampled, some obstacles to parent-child visiting existed. One state reported that 68 percent of the children were placed in the same or a neighboring county, another 19 percent being placed in counties further from home or in another state. Distance from home was unknown for 13 percent of the cases (Nebraska State Foster Care Review Board, 1986).

Frequency of Parental Contact

We found few studies that reported the frequency of parental contact with children placed in foster care and none that were recent or appeared to be nationally representative. In a 5-state study, Yoshikami et al. (1984) reported that 38 percent of cases showed frequent parent-

[3]The states may require a case to have been in the system anywhere from 24 hours to 30 days before including it in aggregate statistics (Gershenson, 1987).

child visiting (three or more times per month), 32 percent showed parent-child visits with moderate frequency (one or two times per month), 29 percent having contact with parents less than once a month (low frequency). We were unable to determine whether these findings could be generalized to present conditions in foster care placements.

Increased Demand for Foster Care Placements

Beyond the difficulties within the system noted above, external pressures appear to place additional burdens on the system (Massinga, 1988). Changes that have emerged since 1980 have resulted in increases in the number of families requiring services, including increased reporting of child abuse and neglect, greater numbers of families in poverty—many of whom are homeless—and increased substance abuse (Children's Defense Fund, 1988).

A 1987 House Select Committee on Children, Youth, and Families survey shows increases in reported child abuse and neglect between 1981 and 1985 in all but 1 state that reported. Although aspects of the survey's methodology have been questioned, other reports supported this conclusion. VCIS data show that the number of cases entering foster care for protective services increased from 58 to 61 percent between 1984 and 1985 (Maximus, 1988a).

With recent increases in the number of infants born to unmarried teenage mothers, more children are at risk of growing up in poverty (GAO, 1986). Families may also find themselves in poverty for a number of other reasons. For some families, these financial difficulties may result in homelessness. As the homeless population grows, so does the number of children for whom parents and advocates may seek foster placement as a means, perhaps temporarily, of meeting these children's needs (William T. Grant Foundation, 1988).

Increases in substance abuse have also contributed to the number of children requiring foster care placement (William T. Grant Foundation, 1988). Testimony before the House Select Committee on Children, Youth, and Families claimed that 70 to 80 percent of children entering placement have some history of drug use in their family (Olson, 1988; Haveman, 1988). In New York City, parental drug use has been cited as the most common allegation in abuse and neglect petitions (McLaughlin, 1988). At the end of February 1987, as many as 300 infants medically ready for discharge remained in hospitals awaiting placements in New York City. These "boarder babies" were the offspring of drug-addicted

mothers who were unable to care for them (Children's Defense Fund, 1988).

Problem Seriousness

Studies identified no more than descriptive associations between various procedural problems and service inadequacies noted above and certain characteristics of children's placements. In the absence of more empirically sound, longitudinal studies targeted toward these issues, causality cannot be clearly attributed.

Consequences Linked With Procedural Difficulties

Poor case planning is believed to contribute to lengthy stays, primarily on the basis of pre-1980 studies of special case management projects (Sosin, 1987). Poor planning has also been claimed to contribute to higher recidivism rates (Rzepnicki, 1987).

Poor or inadequate supervision of placements has been cited as contributing to less frequent parental contact (Hess, 1987) and longer stays in foster care (Sosin, 1987). Higher recidivism rates have also been reported in cases of unplanned discharges, or situations in which a child is removed from foster care by the parents, courts, or child welfare agency (Block and Libowitz, 1983). Poor case monitoring may also contribute to the discharge of older children without adequate preparation. The number of placements a child experiences has been linked with the failure to deliver required or intended services, especially for older children (Besharov, 1986).

However, to fully evaluate the child welfare services program, further research is necessary on the effect of the quality of case plans and supervision on outcomes for children, including maintaining parental contact, the number of different placements and other placement difficulties a child experiences, and progress toward permanent placements.

Sources that investigate the purported effect of the inadequate availability of health and educational services for children in foster care and their families are rare. It would be helpful if future investigations would explore the relationship between reports of abuse and neglect and psychological maladjustment and the paucity of health and educational services in a given community, county, or state.

Consequences Resulting From Placement Difficulties

It should not be assumed that all foster care experiences are damaging or that lengthy stays in and of themselves hold negative consequences for children (Seltzer and Bloksberg, 1987). One advocate claimed that former foster care children populate our mental hospitals, jails, and welfare rolls as adults (Lowry, 1986). However, Barth (1987) reports that there are no significant differences between former long-term foster care children and the nonfoster care population in marriage, divorce, incarceration, parenthood, and marital satisfaction later. A review of the notable pre-1980 literature found no significant differences in psychological adjustment between children placed in homes intended to be permanent and those who remained in temporary placements (Seltzer and Bloksberg, 1987). However, procedural difficulties that frequently emerge during lengthy stays in substitute care have been linked with a number of negative consequences.

Studies indicate that the longer a child is in placement, the less contact with the biological parents the child is likely to have, which may diminish future chances for successful reunification (Gibson, Tracy, and DeBord, 1984; Hess, 1987). Further, the longer children are in placement, the greater chance they have of being moved from one foster home to another. Lengthy stays may also increase the probability of caseworker turnover (Mushlin, Levin, and Anderson, 1986). Runyan and Gould (1985) suggested that the number of different placements a child experiences is positively correlated with later criminality. However, because of the lack of experimental controls, these results could also be accounted for by the behavioral difficulties of children in long-term care.

No sources have been identified that investigate the effects of overly restrictive placements on children in foster care. While it would seem that restrictive placements would tend to decrease parental contact and increase lengths of stay in care, no available sources have investigated these relationships.

Duplication

Other existing federal and state laws may not be sufficient to ensure that the reforms discussed above continue to be applied. While some states have incorporated them into law, federal efforts may still be needed to enforce adherence to policies and procedures.

Availability and Adequacy of Alternative Funding Sources

Beyond the impetus to reform provided by the 1980 act, the fiscal aspects of the title IV-B funding structure are important for the future of child welfare services. Although this is not the only source of support for these services, alternative sources do not appear sufficient to satisfy the demands of the system.

Funding for social service block grants—reportedly the largest source of funding for child protective and child welfare services—was cut in the Omnibus Budget Reconciliation Act of 1981 (U.S. Congress, 1987). The fiscal year 1988 block grants appropriation was $2.7 billion, less (even without adjusting for inflation) than the fiscal year 1981 appropriation of $2.9 billion. Further, many other social service programs are funded by these grants. It has been estimated that less than 20 percent of these funds are spent on protective services for children (U.S. Congress, 1988a; GAO, 1988).

Evidence suggests that while some services are provided to families in programs funded by private or charitable organizations, these efforts are generally intended to supplement or enhance, not replace, federal support. Officials of two of the major sources of private foundation support in this area indicated that they try to support innovative techniques or approaches to child protection with their grants. Further, once programming is under way, grantees may be expected to take over the financial support or find alternative funding sources (Harper, 1986). For example, the Edna McConnell Clark Foundation reported spending $4 million, more than 20 percent of its 1988 awards, on public law 96-272-related programming; the Annie E. Casey Foundation reported spending $5 million. However, these sources alone cannot and are not intended to fully address the needs of foster care children and their families.

Availability and Adequacy of Other Protections

Although the federal legislation followed some state and local efforts (see chapter 3), the 1980 federal reforms implemented general standards toward which all states could strive. Others have cited the federal reforms as having provided the support necessary for child advocates to demand services and conditions important for the adequate care of children in placement (Lowry, 1986).

Further, the reforms extended foster care protections to all children in placement. While the title IV-E Foster Care program also requires the section 427 and other protections, that program applies only to children who are eligible for AFDC, only about 37 percent of the children in foster

care (U.S. Congress, 1988a). Section 427 extends these protections to children in foster care not eligible for AFDC.

Conclusions, Recommendations, and Evaluation of Agency Comments

Conclusions

The Adoption Assistance and Child Welfare Act of 1980 requires the states to implement all 18 elements of the case review system specified in the law before qualifying for any incentive funds, and HHS must enforce these requirements. Despite our previous recommendation that HHS amend its certification process (GAO, 1984), HHS continues to provide incentive funds to states that it has determined have not completely met these requirements. Almost all the states have instituted policies and procedures to meet the requirements of section 427, but many are still not consistently applying all the required protections. In particular, we believe that permitting states to omit elements of the required protections to a case, beyond a stated tolerance, is not consistent with the law. Moreover, certifying states as eligible when they are not reduces the incentive for the states to improve their performance toward complete compliance with the law.

A national data collection system, such as the one recommended by the Advisory Committee on Adoption and Foster Care Information, would offer a great improvement over the current voluntary system, and HHS should proceed immediately with its development, as required by law. Given the findings of our review, demonstrating the general inadequacy of data in the current voluntary data system for identifying problem magnitude and program achievements, timely progress in the development of a national information system is essential for sound policymaking. On May 26, 1989, the secretary's mandatory report (due July 1, 1988) responding to the advisory committee's report proposing such a system was delivered to the Congress. The department, in commenting on a draft of our report, noted that a draft notice of proposed rulemaking (due December 31, 1988) is in the final stages of preparation.

The absence of reliable information about whether the procedural requirements in section 427 have improved the delivery of services and, therefore, the cost-effectiveness of the program raises unanswerable questions about the merits of expanding program resources. The limited evidence available suggests—but is not of sufficiently high quality to conclude—that the incentive funds have been effective in reforming state practice and that the reforms may have improved the treatment of children in foster care. It is not known, however, whether the reforms have improved the appropriateness of placements and services delivered to these children and their families or whether they have promoted the ultimate goals of these grants to promote and protect the welfare of children.

Recommendations to the Secretary of Health and Human Services

We recommend that the secretary reexamine the department's standards for certifying states' compliance with the section 427 requirements to ensure that receipt of incentive funds is contingent, from 1989 onward, on the states' meeting all the law's requirements. In particular, we recommend requiring the states to demonstrate the implementation of all the required elements of the case review system.

We further recommend that the secretary promptly comply with the legislative mandates of Public Law 99-509 regarding the development of an adoption and foster care information system.

Matter for Consideration by the Congress

The Congress may want to consider funding additional information development to improve the knowledge base about how case monitoring and delivery of services can best promote the goals of the Child Welfare Services grants in total. Specifically, it might be more desirable to target any additional money for the federal agency to conduct sound evaluations of promising state and local programs and to disseminate the guidance resulting from those evaluations to the states.

Agency Comments and Our Evaluation

The Department of Health and Human Services provided written comments on a draft of this report (they are reproduced in appendix VII). The agency commended the objectivity and thoroughness of the report and concurred with our recommendations to enforce state documentation of the protections required by section 427 and to comply with the mandates regarding the development of a national foster care and adoption information system.

The agency did not concur with a proposed recommendation to authorize the states to transfer a portion of the section 427 funds to the state courts or with our conclusions about the effects of these reforms. Because the courts are not required to conduct the periodic reviews and because the additional burden claimed for the federal requirements has neither been demonstrated nor quantified, we no longer propose that recommendation. We acknowledge that concerns about targeting the use of the title IV-B funds for providing child welfare services may override concerns about targeting the incentives for ensuring the protections.

HHS expressed the opinion that we have understated the effect of the reforms on improvements in state child welfare systems because we have not acknowledged the anticipatory effects in the states that implemented the reforms prior to the passage of the 1980 act. However, the

timing of the reforms' enactment compared with the onset of the observed changes is not the only reason why we believe that reductions in national caseload size and length of stay, in particular, cannot be confidently attributed to the reforms. First, because of the differences over time in data collection, the changes may not have been accurately estimated. Second, comprehensive evaluations have not been conducted that could rule out alternative explanations for the changes observed, such as the simultaneous introduction of adoption assistance in the 1980 reforms. In addition, caseload size and the number, or proportion, of children in institutional foster placement are complex indicators, changes in which may reflect a number of other influences, such as the volume and character of the population entering foster care, in addition to the effects of the procedural reforms. We have altered the text to clarify this issue.

HHS also noted that in several places in the draft we incorrectly stated that the agency does not require the states to include all 18 protections in order to receive incentive funds. We intended these statements to refer to HHS's case record compliance review standards and have altered the text accordingly. We believe that not requiring a case to demonstrate all 18 protections is not as insignificant as the agency has portrayed it by characterizing this as "a tolerance level only." While we acknowledge that the secretary may apply a tolerance level in judging the states' compliance, the current compliance review procedures contain two separate tolerances. Each case may omit up to 3 of the 18 protections (in the triennial review), and 10 percent of the sampled cases may fail that standard or be missing a case plan or timely periodic review or dispositional hearing. When combined, these tolerances could permit the certification of state compliance in a situation in which no sampled case actually met the full requirements of the law.

Other technical comments from HHS have been incorporated in the final report.

Request Letter

DAN COATS
4TH DISTRICT, INDIANA

1417 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4436

DISTRICT OFFICE
326 FEDERAL BUILDING
FORT WAYNE, IN 46802
(219) 424-3041

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEES
ENERGY AND COMMERCE
SUBCOMMITTEES
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TELECOMMUNICATIONS, CONSUMER PROTECTION, AND FINANCE
COMMERCE, TRANSPORTATION, AND TOURISM
SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES
RANKING MINORITY MEMBER
REPUBLICAN POLICY COMMITTEE

December 18, 1986

The Honorable Charles Bowsher
Comptroller General
U.S. General Accounting Office
441 G St., N.W.
Washington, D.C. 20548

Dear Mr. Bowsher:

The Select Committee on Children, Youth and Families is concerned with the operation, effectiveness and cost-effectiveness of over 70 federal programs targeted at children, youth and their families. These programs include income security programs such as Aid to Families with Dependent Children (AFDC), social services programs, such as those focused on run-away youth, preschool education programs such as Headstart, and basic needs programs such as the Special Supplemental Program for Women, Infants and Children (WIC). As is obvious, each of these programs is intended to serve potentially different segments of the U.S. citizenry. Each has different goals and objectives, making comparison difficult.

As part of the Select Committee's previous efforts, we have reviewed available evidence on these programs and have commissioned reviews of some of these programs. I am struck by the diversity of criteria that have been used in these reviews to evaluate effectiveness and efficiency of the programs under our jurisdiction. This raises several questions about the types of criteria that could be employed in making these determinations. What appears to be missing at this time is a broad framework for examining evidence across programs.

In pursuing this issue, my staff have had several conversations with members of your Program Evaluation and Methodology Division (PEMD). Those discussions have suggested several promising approaches. Therefore, I would like to request that your staff within PEMD develop, if possible, a general framework for assessing the relative merits of federal programs and the various components of these programs concerned with children, youth and families. In particular, I would like PEMD to address the following questions:

1. What criteria have been employed to assess the effectiveness of relevant federal programs?

2. What are the strengths and limitations of employing these criteria?

3. What criteria might be used to gain a more comprehensive understanding of the operations, efficiency and effectiveness of current relevant federal programs?

4. What factors should be considered to assure that comparisons across programs are fair and accurate?

Further, to gain a sense of the applicability of the framework that is developed, it would be helpful if the framework was applied to a particular policy area. I would like to suggest that your staff collaborate with Mr. Souder (Minority Staff Director) and Dr. Statuto (Minority Deputy Staff Director) in selecting the particular policy area.

While I am extremely interested in answers to these questions and the results of the case illustration, I realize that undertaking such an assignment is a major effort. However, I would hope that PEMD would initiative the work as soon as possible, but no later than Spring 1987, and that once the study is initiated, we could receive a briefing on the work plan. In addition, I would like to receive a briefing on the framework that is developed and the full report as soon as that is feasible. I request that GAO deliver the report to me at the same time it is sent to the agency (or agencies) for comment. I also request that GAO not release the report for 30 days after publication, or until I release the report.

Thank you in advance for your cooperation. I look forward to working with your staff.

Sincerely,

Dan Coats

Dan Coats
Ranking Minority Member

DC:dlc

Follow-Up to Request

GAO

United States
General Accounting Office
Washington, D.C. 20548

Program Evaluation and
Methodology Division

February 17, 1988

The Honorable Dan Coats
Ranking Minority Member
Select Committee on Children,
Youth and Families
House of Representatives

Dear Mr. Coats:

Your letter of December 18, 1986 requested that we develop a framework for assessing the relative merits of federal programs concerned with children, youth and families. You asked that we assess the strengths and limitations of criteria previously employed to assess these programs, to identify criteria that might be employed as well as factors that should be considered to assure fair and accurate comparisons across programs. Finally, you requested that we apply that framework to a particular program area, to be selected in collaboration with your staff.

After conducting a preliminary review of existing evaluation literature and developing both a framework and a plan for our study to test that framework, we met with your staff to discuss our work to date and our planned approach to addressing your questions. In the course of those discussions, your staff indicated their desire that we not pursue further the effort to identify methods for comparing programs using our framework, and that we provide instead additional illustrations of how our framework can be used. We agreed to alter the scope of the study in this manner. The purpose of this letter is to confirm the agreements reached during these discussions.

1. Our top priority assignment will be to illustrate application of the framework to five programs in all, instead of one. First, for all five of these programs, we will show how the framework can encompass the major substantive issues of a variety of programs. The product will be a listing for each program of its specific substantive issues, clustered by the general criteria of our framework. The five 'programs' selected for this form of application are: (1) the Supplemental Food Program for Women, Infants and Children (WIC), (2) the Head Start program, (3) the Juvenile Justice grants for delinquency prevention and treatment (excluding projects aimed at runaway, homeless or missing children), (4) the extension of

federal Medicaid eligibility to children and pregnant women not otherwise eligible through the AFDC and SSI programs, and (5) the Child Welfare Services grants.

On or about June 15, we will brief the Committee on the results of these applications and provide the issue lists and the evaluation framework in the form of fact sheets, i.e., excluding any findings, conclusions, or recommendations. In the interests of timely reporting, we will discuss the results of these applications with the relevant agency officials, but will not request formal agency comment on these briefing materials.

2. Our second priority assignment will be to conduct an indepth review, applying the full framework to one program, the Child Welfare Services grants. After identifying the program's substantive issues as described above, we will critique and synthesize available evaluation, program and statistical information to develop an assessment of the program on each criterion, as feasible.

The results of this indepth application will be reported in a final briefing report in November or December of 1988, which will also address more fully the development and previous applications of the evaluation framework. Per usual GAO procedures, we will request formal agency comment on this report.

3. The work on methods for cross-program comparisons will not be pursued.

We will keep your committee staff informed about our progress on the study. If you have any questions please contact me at 275-1370 or David Cordray at 275-1564.

Sincerely yours,

Lois-ellin Datta
Associate Director

Our Evaluation Framework

Development

The ranking minority member of the House Select Committee on Children, Youth, and Families expressed concern about the wide diversity of criteria that have been used to review the effectiveness and efficiency of the programs of interest to the committee. He asked us to develop a general framework of evaluation criteria that could be used to comprehensively and fairly assess the relative merits of federal programs concerned with children, youths, and families and components of such programs.

In a previous report, Children's Programs: A Comparative Evaluation Framework and Five Illustrations, we presented the framework that we developed, and we illustrated its use with five federal programs serving children and families (GAO, 1988). The framework is intended as a way of formulating questions about a program and organizing evidence on it. These questions could address decisions about whether to terminate, reduce, expand, or modify an existing program or to initiate a new one. We developed the framework from a review of literature on program evaluation methods and their use, review of the criteria used to evaluate specific federal programs, and the judgments of external methodologists and program experts.

To illustrate the use of the framework and conduct an initial assessment of the range of its utility, we prepared brief program descriptions and lists of indicators of the evaluation criteria for five specific federal programs: Head Start; the Special Supplemental Food Program for Women, Infants, and Children; the extension of Medicaid eligibility to children and pregnant women; Child Welfare Services; and the Juvenile Justice and Delinquency Prevention grants. We found the framework to be flexible enough to apply to these quite different program areas, to entire programs as well as program components, and to the varied program activities of different governmental units. Perhaps most important, most of the outside experts on these programs who were asked to comment on the comprehensiveness of the framework and illustrations thought the framework encompassed the main issues of their program.

The Evaluation Framework

The framework has two components: a description of the program and a set of 10 general evaluation criteria.

Program Description

The descriptive component provides the background for the evaluative component. We developed a standard format that identifies the authorizing legislation; the problem the program is intended to address; the program's purpose and goals; the program's operations, including eligibility requirements, if relevant; the administrative structure; the program's relationships with other programs; and recent funding and participation levels for the program. The purpose of the program and the problem it is intended to address are both derived from the authorizing legislation and related legislative history. The word "problem" refers to the precipitating reasons for authorizing the program and could include a potential condition to be prevented.

Ten General Evaluation Criteria

The evaluative component of the framework is expressed as 10 general criteria in a three-part structure that represents (1) the need for the program, (2) its implementation, and (3) its effects. This structure reflects our belief that an adequate assessment of a given program must consider its purpose, the nature of the problem it was designed to address, the context in which the program operates, and its success in addressing that problem. We developed the 10 criteria to categorize the types of issues raised about certain federal programs. We make no claim that this represents the only categorization scheme possible or that these criteria incorporate all the issues that could be raised about all federal programs.

Need for the Program

By problem magnitude we mean the current size, intensity, and geographic distribution of the actual or anticipated problem that this program (or proposed program) is designed to address. Problem magnitude also includes recent trends and future projections regarding the extent of the problem. It may also involve concentration of the problem by age, socioeconomic status, or urban or rural location.

Problem seriousness refers to what social, economic, and human consequences are anticipated if the problem is not addressed. It can be defined as the extent to which the problem is perceived as a threat to the welfare of society. Problem seriousness generally examines the anticipated effects of not providing services. Where the "problem"

defined in the legislation is a condition that is not in itself a problem (for example, lack of health insurance is the basis for extending Medicaid eligibility to certain groups), this criterion refers to the strength of the link between that condition and more serious conditions (such as not receiving needed health care).

Duplication is defined as whether other public or private resources are sufficient to adequately address this problem. The extent of duplication between these efforts and the program under study would be assessed by examining the actual availability of other public or private programs, services, or strategies that address this problem at the federal, state, and local levels and the adequacy of these resources.

Implementation of the Program

Interrelationships addresses the extent to which this program relies on (or is relied upon by) another program, institution, or facility; how well they interrelate (including the success of any required coordination); and how changes in one program might affect the other. Interrelationships refers to relationships between not only programs but also the components of a single program.

Program fidelity is defined as whether the program has been implemented at all levels of government as currently intended by the Congress and responsible federal agency; whether the program as implemented conforms to the intended program model; and the nature and causes of the deviations, if any, from the legislative intent and implementing regulations.

Administrative efficiency refers to the extent to which program resources are efficiently managed or spent. This includes assessing management performance, standards and controls, and accountability for and ability to control program costs, as well as quality control.

Effects of the Program

Targeting success assesses whether the program is effectively reaching its intended recipients, whether it is appropriately focused on the problem addressed, and whether its resources are effectively distributed among prioritized groups and across areas of the country.

Achievement of intended objectives is defined as the program's effectiveness in reaching its intended or stated objectives. Assessing a program on this criterion includes determining whether each component of the program is effective and whether some populations benefit more, or some objectives are met more effectively, than others.

Generally, program-specific objectives are found by returning to the problem, purpose, and goals (short-term and long-term) for the program. Some long-term goals may be more appropriately included under the "other effects" criterion because either (1) the program is known to be only one of several important influences on that problem or (2) several intermediate steps or links are posited between the immediate goals of that program and those long-term goals.

Cost-effectiveness refers to an assessment of the effects of a program relative to the costs (for example, resources or ingredients) associated with producing those effects. In contrast to cost-benefit analysis, cost-effectiveness analysis measures program effects in units other than dollars and is useful in comparing programs in which the effects, such as reduced infant mortality, are difficult to measure in dollar terms. Cost-effectiveness comparisons can be made of alternative strategies for achieving the same goals or objectives.

Other effects deals with how the program influences other congressional interests that are not explicitly stated intentions of the program. These include unforeseen effects—desirable or not—on the problem at hand or other social problems, goals, or objectives. This is where congressional committees and executive agencies can learn whether the program is having an effect on the long-term goals posed in the legislative intent or on general societal goals, such as the equitable treatment of individuals. Some effects might be positive, others negative.

Requirements of Sections 427 and 475 and HHS's Compliance Review Components

Requirement	Description	Review component
Inventory, sec. 427(1)	Includes all children in foster care under state responsibility for 6 months preceding the inventory	Administrative review
	State determines appropriateness of and necessity for current foster placement.	
	whether a child can or should be returned to parents or be freed for adoption.	
	services necessary to facilitate either the return of a child or the child's placement for adoption or legal guardianship	
Statewide information system, sec. 427(2)(A)	Includes status, demographic characteristics, location, and placement goals of foster children in care the preceding 12 months	Administrative review
Service program, sec. 427(2)(C)	To help children, where appropriate, return to families or be placed for adoption or legal guardianship	Administrative review
Case plan, sec. 475(1) (required under sec. 427(2)(B))	A written document that includes	Major requirement of case record review
	a plan to achieve placement in the least restrictive (most family-like) setting available;	Protection 3
	a plan for placement in close proximity to the parents' home, consistent with the best interest and special needs of the child (sec. 475(5)(A));	Protection 4
	a description of type of home or institution in which a child is to be placed;	Protection 1
	a discussion of appropriateness of placement.	Protection 2
	a statement of how the responsible agency plans to carry out the voluntary placement agreement or judicial determination made in accordance with sec. 472(a)(1);	Protection 5
	a plan for ensuring that the child will receive proper care;	Protection 6
	a plan for providing services to the parents, child, and foster parents to improve conditions in the parents' home and facilitate the return of the child home or permanent placement;	Protection 7
	a plan for services to address the needs of a child while in foster care.	Protection 8
	a discussion of appropriateness of services provided.	Protection 9
	where appropriate, for a child 16 or over, a description of programs and services to prepare for transition to independent living	Not part of 427 review
Case reviews, sec. 475(5)(B)	Status of each child is reviewed periodically but no less frequently than once every 6 months by a court or administrative review to determine	Major requirement of case record review
	continuing necessity for and appropriateness of placement.	Protection 10
	extent of compliance with case plan.	Protection 11
	extent of progress made toward alleviating or "mitigating" causes of foster placement.	Protection 12
	likely date child may be returned home or placed for adoption or provided legal guardianship	Protection 13

(continued)

Requirement	Description	Review component
Sec. 475(6)	Administrative review means	
	open to participation of the parents,	Protection 14
	conducted by panel of appropriate persons, at least one of whom is not responsible for the case management of, or the delivery of services to, the child or parents	Protection 15
Dispositional hearing, sec. 475(5)(C)	To be held	
	in family or juvenile court or other court of competent jurisdiction or by administrative body approved by the court,	Major requirement of case record review
	no later than 18 months after the original placement (and periodically thereafter during care),	Major requirement of case record review
	to determine future status of the child (return to parent, continue foster care for specified period on permanent or long-term basis, placement for adoption),	Major requirement of case record review
	to determine transition services needed for a child 16 or older (added, effective October 1, 1988)	Not part of 427 review
Procedural safeguards, sec. 475(5)(C)	Applied to	
	parental rights pertaining to removal of child from parent's home,	Protection 16
	a change in child's placement,	Protection 17
	any determination of parents' visitation privileges	Protection 18

Outcome of ACYF Reviews of States' Compliance With Section 427

State[a]	1981	1982	1983	1984	1985	1986	1987
Alabama	NA	NA	Pass	Pass			Pending[b]
Alaska	NA	NA	NA	NA	NA		Pass
Arizona	Pass	Pass			Pass		
Arkansas	Pass	Fail[c]	Pass			Pass	
California	NA	NA	Pass	Pass			
Colorado	Pass	Pass			Pass		
Connecticut	Pass	Pass			Fail[d]		
Delaware	NA	Pass	Pass	Pass			Pass
District of Columbia	NA	NA	Fail	Fail	Pass	Pass	
Florida	NA	Pass	Fail[e]	Pass			
Georgia	NA	Pass	Pass			Pass	
Hawaii	NA	NA	NA	NA	NA		
Idaho	NA	Pass	Pass			Pass[f]	
Illinois	Pass	Pass		Fail[g]			
Indiana	NA	NA	Pass	Pass			Pass
Iowa	Pass	Pass			Pass		
Kansas	Pass	Pass			Pass		
Kentucky	Pass	Pass			Pass		
Louisiana	NA	NA	Fail	Pass	Pass		
Maine	NA	NA	Pass	Pass			Pass
Maryland	Pass	Fail[h]	Fail				
Massachusetts	NA	NA	NA	NA	NA	NA	NA
Michigan	Pass	Pass			Pass		
Minnesota	NA	Pass	Pass			Pass	
Mississippi	NA	Pass	Pass			Pass	
Missouri	Pass	Pass			Pass		
Montana	Pass	Pass			Pass		
Nebraska	NA	Pass	Pass			Pass	
Nevada	NA	Pass	Pass			Pass	
New Hampshire	NA	Fail[i]	Pass	Fail			
New Jersey	Pass	Pass			Pass		
New Mexico	NA	Pass	Pass			Pass	
New York	Pass	Pass			Pass		
North Carolina	NA	Pass	Pass				
North Dakota	Pass	Pass			Pass		
Ohio	Fail	Fail	Fail	Fail	Pass		
Oklahoma	Pass	Pass			Pass		
Oregon	Pass	Pass			Pass		
Pennsylvania	NA	NA	Pass	Pass			

(continued)

State[a]	1981	1982	1983	1984	1985	1986	1987
Rhode Island	Fail	Pass	Fail	Pass			Pass
South Carolina	Pass	Pass			Pass		
South Dakota	Pass	Pass			Pass		
Tennessee	Pass	Pass			Pass		
Texas	NA	Pass	Pass			Pass	
Utah	Pass	Pass			Pass		
Vermont	Fail[c]	Pass	Fail[e]	Pending[b]			
Virginia	Pass	Fail[c]	Fail[c]	Pass			
Washington	Pass	Pass			Pass		
West Virginia	Pass	Pass			Fail	Pending[b]	
Wisconsin	NA	Pass	Pass			Pass	
Wyoming	Pass	Fail[c]	Fail	NA	NA	NA	NA

[a]Table is for fiscal years, excluding the territories. Blanks indicate that the state was not reviewed that year. However, ACYF considers a state eligible for incentive funds between reviews, as long as it certifies compliance with the law. NA means that the state did not certify compliance and apply for funds or later withdrew its certification.

[b]A case-record review was conducted, but the compliance decision has not been reached.

[c]This reflects the final decision of the HHS departmental appeals board on the state's appeal.

[d]State's appeal is pending in U.S. District court.

[e]State withdrew its appeal of ACYF's decision.

Experts Consulted

To identify work in progress and elicit nominations of the most important research, we contacted several experts in the area. They were David Fanshel, Columbia University School of Social Work; Peter Forsythe, Program for Children, Edna McConnell Clark Foundation; Charles Gershenson, Center for the Study of Social Policy; Mark Hardin, National Legal Resource Center for Child Welfare, American Bar Association; Helaine Hornby, National Child Welfare Resource Center for Management and Administration; Christina Klotz, Anne Casey Foundation; Jerry Lindskog, Minnesota Department of Human Services; Marcia Lowry, American Civil Liberties Union; Joyce Munns, Child Welfare League; Patricia Schene, American Association for Protecting Children; Shelley Smith, National Conference of State Legislatures; Toshio Tatara, American Public Welfare Association; Rachel Warren, University of Iowa School of Social Work; Ying-Ying Yuan, Walter R. McDonald and Associates.

In addition, an earlier draft of this report was reviewed by Charles Gershenson, Center for the Study of Social Policy; Mark Hardin, National Legal Resource Center for Child Welfare, American Bar Association; William Pierce, National Committee for Adoption; and Toshio Tatara, American Public Welfare Association.

Comments From the Department of Health and Human Services

DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of Inspector General

Washington, D.C. 20201

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Ms. Eleanor Chelimsky
Assistant Comptroller General
United States General
Accounting Office
Washington, D.C. 20548

Dear Ms. Chelimsky:

Enclosed are the Department's comments on your draft report, "Foster Care: Incomplete Implementation of Reforms and Unknown Effectiveness." The enclosed comments represent the tentative position of the Department and are subject to reevaluation when the final version of this report is received.

The Department appreciates the opportunity to comment on this draft report before its publication.

Sincerely yours,

Richard P. Kusserow
Inspector General

Enclosure

COMMENTS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES ON THE U.S. GENERAL ACCOUNTING OFFICE'S REPORT, "FOSTER CARE: INCOMPLETE IMPLEMENTATION OF REFORMS AND UNKNOWN EFFECTIVENESS" (GAO CODE 973643)

General Comments

This report was developed by the General Accounting Office (GAO) using a general framework of evaluation criteria which had been previously developed to fairly assess Federal programs concerned with children, youth and families. We feel that this methodology allowed GAO to approach the subject of the Section 427 protections and the implementation of the program from an objective perspective. The Office of Human Development Services (OHDS) appreciates the objectivity and thoroughness of the report.

In several places, the report indicates that some of the noted improvements in the State child welfare systems had been initiated prior to the passage of Public Law 96-272 and, therefore, could not be attributed to the effects of that law. The legislation that ultimately was enacted as Public Law 96-272 had been introduced in the Congress several times and had actually passed both Houses of Congress in the previous session. Accordingly, the States and child welfare practitioners were aware of the content and even the details of the proposed legislation several years before its passage and had begun implementation at the State and local level in the expectation of its eventual passage. Therefore, we believe that it is reasonable to assume that some of the pre-1980 improvements are attributable to the anticipation of the enactment or passage of Public Law 96-272.

In addition, we have some substantive comments related to specific statements and recommendations made in the draft report which we recommend that GAO take into consideration in preparing the final report:

Now on page 3

GAO Statement: pages ES-3-4 and in other references throughout the report:

"Because ACYF does not require States to provide all 18 protections in order to receive incentive funds, there is little incentive for the states that have met ACYF's highest compliance standard to fully comply with the law."

Department Comment

The first part of the statement is incorrect in that the States are required to provide all of the protections in the statute in order to receive additional (incentive) Title IV-B funds. In the administrative procedures review conducted by the

Page 2

Regional Offices at the time of the initial review, all Section 427 requirements must be documented in State law, regulations or policies and, if they are not, the review does not proceed to the case record survey. The review procedure which allows an individual case to pass if only 15 of the 18 protections are met is applied as a tolerance level only; we do not believe it affects a State's efforts to meet all of the protections for each child.

Now on page 28.

GAO Statement: page 3-13

"The paucity of information about reunification services . . . can be attributed in part to the fact that these services have not been described in ACYF compliance review guidelines, are only vaguely defined in practice, and have a myriad of designations. . . . In addition, reunification services are frequently lumped together in the literature with prevention placement services and not studied separately."

Department Comment

The quoted statements are accurate. We believe that many States provide some of the same services to achieve the separate goals of prevention and reunification. They do not always distinguish the services by the reason they are provided.

The focus on preventive services may result from the requirement that, prior to removing a child from the home, States must get a judicial determination that reasonable efforts were made to prevent the breakup of the family. If States do not get this determination, the child is not eligible for Title IV-E funds.

The Office of Human Development Services, Administration for Children, Youth and Families, is currently examining ways to strengthen the review of all requirements in the statute. We expect to closely follow the issue of reunification.

Now on page 31.

GAO Statement: page 3-18

" . . . in its section 427 compliance reviews, ACYF does not attempt to judge how effective the periodic case review has been for ensuring the child's appropriate care and placement, or how competent the review body was in making its own determination."

Department Comment

The statement is true. The law, however, only requires the States to provide the protections in order to be eligible for the incentive funds. It does not specify a required quality for the periodic case reviews or indicate how effective they must be. The law does not allow the Department to assess penalties based on the lack of quality or effectiveness of the required protections.

Page 3

Now on page 41.

GAO Statement: page 4-9

"Nationally, fewer children were placed in institutions in 1985 than in 1977 (10 percent versus 14 percent). . . ."

Department Comment

This statement understates a rather dramatic change that has occurred in the foster care program, both in terms of the absolute number of children in institutions as well as the percentage of children in institutions between 1977 and 1985. The number of children in institutions in 1977 was 72,000, the number in 1985 was 25,224, a decrease of almost 65 percent in the absolute number of children placed in institutions. Even relatively, it is a decrease of over 28 percent.

Now on page 66.

GAO Recommendation: page 6-3

"GAO recommends that the Secretary reexamine the Department's standards for certifying states' compliance with the section 427 requirements to ensure that receipt of incentive funds is contingent, from 1989 onward, on states meeting all of the law's requirements. In particular, we recommend requiring states to implement all the required elements of the case review system."

Department Comment

We concur with this recommendation with some reservations. The Office of Human Development Services is not opposed to changing the procedure so as to require documentation in the case record of every statutory protection. However, we believe that some clarification of the items included in the case record survey instrument is called for so that State agency staff and reviewers know exactly what is meant by each protection.

The Children's Bureau of the Administration for Children, Youth and Families is currently examining the entire Section 427 review procedure in an effort to capture a better sense of the quality and outcomes of casework services and case review processes. Through a planned restructuring of the Section 427 review procedures, the Department hopes to be able to determine the adequacy of the protections and services provided.

Page 4

Now on page 66

GAO Recommendation: page 6-3

"GAO further recommends that the Secretary promptly comply with the legislative mandates of Public Law 99-509 regarding the development of an adoption and foster care information system."

Department Comment

We concur. The Department has developed the required report to the Congress and has also developed a draft Notice of Proposed Rulemaking which would implement the substance of the report. Final negotiations and clearances, however, still must be completed prior to their release.

Withdrawn

GAO Recommendation for Consideration by Congress: page 6-4

". . .the Congress may want to amend the law to specifically authorize states to distribute a portion of these funds to the state court systems, as an incentive for the courts to fulfill the case review requirements."

Department Comment

We do not concur. This recommendation is based upon opinions in the literature that the family court is overburdened and the belief that the Federal government has contributed to the problem of inadequate judicial resources "because the federal requirements make substantial demands upon the courts." (Page 3-22)

Now on page 33

While it is true that Titles IV-E and IV-B require certain judicial determinations by the court at the time of removal of a child from his home and at a dispositional hearing within 18 months after placement, these critical points of court participation are traditional in the child welfare/court system and should not be considered additional demands upon the court. The requirement for a judicial determination within 180 days of a voluntary placement could be considered a new requirement of Federal law, but the number of such cases is not high.

There is no specific requirement in the statute for the court to conduct periodic (six month) reviews of the child's status in foster care. Such reviews have traditionally been conducted by the child welfare agency with the family in order to update the case plan and to determine next steps for the return of the child to his/her family. The requirement in Section 475 for an objective party to participate in the administrative review is an assurance to the child and family of input outside the line of authority in the foster care case.

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Further, our knowledge of the background of the law leads us to believe that agency/court functions are intended to be clearly defined--the agency as the provider of services and reviewer of case plans, with court oversight at appropriate times leading to a timely determination of the future status of the child. We have observed that in many States, duplicate and triplicate review systems, particularly those involving the court, drain limited resources. In addition, there is no evidence that court reviews are superior to other types of review systems, as noted in the GAO report.

We believe that, if the reforms intended in Public Law 96-272 are to be realized, State and local child welfare agencies must be strengthened. It is the Department's responsibility to reinforce the State agencies' ability to carry out their delegated authority to:

- o investigate child abuse and neglect,
- o provide services to prevent the separation of children from their families,
- o work with families to develop and carry out effective case plans, and
- o participate actively with parents in reviewing the plans toward the eventual reunification of the family.

We do not recommend the funding of State and local court systems, as this would further erode the ability of the public agencies to carry out their mandated functions by earmarking for the courts funds already in scarce supply for services and by encouraging the courts to assume more responsibility in this area. Instead, we recommend that any available resources be used to enhance the adequacy of public agency staff and to provide training to improve the quality of services provided.

Technical Comments

Now on page 10

Page 1-1, Footnote 1, last sentence: when a child remains in his own home, even under the supervision of the agency, he is not in foster care and should not be considered or counted as such. Therefore, the last part of the sentence should be deleted beginning with "or--sometimes--".

Now on page 10

Page 1-2, second sentence: it should read, "In addition, State's eligibility for additional Child Welfare Services funds under Title IV-B. . . ."

Now on page 16

Page 2-1, first sentence: the sentence should be changed to indicate that the child welfare services program was permanently authorized in 1935, but it did not become Title IV-B until 1967.

Now on page 17

Page 2-3, second sentence under paragraph headed The IV-B Grants: the sentence should read, "Funds provided to states under Title IV-B may be used for foster care maintenance or adoption assistance or day care related to the employment of a parent, but only to a limited extent."

Page 6

Now on page 17

Pages 2-3 and 2-4: the sentence should have the phrase "up to the amount of their allotment" added after ". . . local program costs."

Now on page 19

Page 2-8, third sentence: The sentence should more accurately read, "State eligibility for funds for Title IV-E voluntary foster care is linked to implementation of the Section 427 reforms and, under certain circumstances, the availability of preventive preplacement services."

Withdrawn

Page 6-2, middle paragraph, second sentence: this sentence should make clear that in many instances the courts themselves have elected to conduct the periodic reviews.

Major Contributors to This Report

Program Evaluation and Methodology Division

David Cordray, Assistant Director
Stephanie Shipman, Project Manager
Jo-Ellen Asbury, Project Staff
Robert Bleimann, Project Staff
Pearl Curtis, Project Staff

Bibliography

Advisory Commission on Adoption and Foster Care Information. Report of the Advisory Committee on Adoption and Foster Care Information. Washington, D.C.: October 1987.

Allen, Mary Lee. Child Welfare and Mental Health Project, Children's Defense Fund. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., May 12, 1988.

American Bar Association. "Resolution of the Board of Governors of the American Bar Association." Washington, D.C., August 1988.

Arizona Supreme Court and State Foster Care Review Board. 1988 Report and Recommendations. Phoenix, Ariz.: Arizona Supreme Court, December 1987.

AuClaire, Philip, and Ira M. Schwartz. Home-Based Services as an Alternative to Placement for Adolescents and Their Families: A Follow-up Study of Placement Resource Utilization. Minneapolis, Minn.: Hennepin County Community Services Department and the Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, June 1987.

Babcock, C. Patrick. Michigan Department of Social Services. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 28, 1988.

Barth, Richard P., and Marianne Berry. "Outcomes of Child Welfare Services Under Permanency Planning." Social Service Review, 61 (1987), 71-90.

Besharov, Douglas. "The Misuse of Foster Care: When the Desire to Help Children Outruns the Ability to Improve Parental Functioning." Family Law Quarterly, 20 (1986), 213-31.

Besharov, Douglas. "Suffer the Little Children: How Child Abuse Programs Hurt Poor Families." Policy Review, Winter 1987, pp. 52-55.

Bribitzer, Marjorie P., and Mary Jeanne Verdieck. "Home-Based, Family-Centered Intervention: Evaluation of a Foster Care Prevention Program." Child Welfare, 67 (1988), 255-66.

Cahalan, Margaret, Ronna Cook, and Diane Dodson. Comparative Study of State Case Review Systems Phase II—Dispositional Hearings, National Survey, vol. 1. Washington, D.C.: Westat, Inc., and the National Legal Resource Center for Child Advocacy and Protection, American Bar Association, 1983.

Carter, Reginald K., and Thomas P. McDonald. Child Welfare Standards for Success: Outcome Measures by Program Area. Portland, Me.: National Child Welfare Resource Center for Management and Administration, n.d.

Children's Defense Fund. A Children's Defense Budget, FY 1988: An Analysis of Our Nation's Investment in Children. Washington, D.C.: 1988.

Cox, Martha J., and Roger D. Cox. Foster Care: Current Issues, Policies, and Practices. Norwood, N.J.: Ablex Publishing Corporation, 1985.

Cox, Martha J., and Roger D. Cox. "Foster Care and Public Policy." Journal of Family Issues, 5 (1984), 182-99.

Coyne, Ann. "Evaluation of the Nebraska State Foster Care Review Board, 1986." In Nebraska State Foster Care Review Board. Special Report to the Senators. Lincoln, Neb.: December 1986.

Coyne, Ann, and Mary Ellen Brown. "Agency Practices in Successful Adoption of Developmentally Disabled Children." Child Welfare, 65 (1986), 45-52.

Coyne, Ann, and Nadine Medlin. An Evaluation of the Nebraska State Foster Care Review Board. N.p., n.d.

Davidson, Jeffrey L. "The Characteristics of Children Reviewed by the Foster Care Review Board." In Sixth Annual Report. N.p.: Delaware Foster Care Review Board, July 1986.

Edna McConnell Clark Foundation. Keeping Families Together: The Case for Family Preservation. New York: 1985.

Emlen, Arthur, et al. Overcoming Barriers to Planning for Children in Foster Care. Portland, Ore.: Regional Research Institute for Human Services, Portland State University, 1978.

Fanshel, David, and Stephen J. Finch. "Computerized Information Systems and the Quest for Permanency for Children in Foster Care: Observations from the New York Experience." In Martha J. Cox and Roger D. Cox. Foster Care: Current Issues, Policies, and Practices. Norwood, N.J.: Ablex Publishing Corporation, 1985.

Fanshel, David, Stephen J. Finch, and John F. Grundy. Collection of Data Relating to Adoption and Foster Care. Technical appendix. Report of the Advisory Committee for Adoption and Foster Care Information. Washington, D.C.: Administration for Children, Youth, and Families, September 1987.

Fein, Edith, et al. "After Foster Care: Outcomes of Permanency Planning for Children." Child Welfare, 62 (1983), 485-557.

Fein, Edith, and Anthony Maluccio. "Children Leaving Foster Care: Outcomes of Permanency Planning." Child Abuse and Neglect, 8 (1984), 425-31.

Fiene, Richard, and Thomas McDonald. Instrument-Based Program Monitoring for Child Welfare. Portland, Me.: National Child Welfare Resource Center for Management and Administration, 1987.

Finch, Stephen J., David Fanshel, and John F. Grundy. "Factors Associated with the Discharge of Children from Foster Care." Social Work Research and Abstracts, 22 (1986), 10-18.

Fink, Janet. The Legal Aid Society, Juvenile Rights Division. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 13, 1988.

Forsythe, Peter W. Personal communication, January 24, 1989.

Frankel, Harvy. "Family-centered, Home-based Services in Child Protection: A Review of the Research." Social Service Review, 62 (1988), 137-57.

Fraser, Mark W., Peter J. Pecora, and David A. Haapala. Families in Crisis: Findings from the Family-Based Intensive Treatment Project, vols. 1-2. Salt Lake City, Utah: Social Research Institute, University of Utah,

and the Behavioral Sciences Institute, Federal Way, Washington, May 1988.

Friedman, Robert M., et al. "Length of Time in Foster Care: A Measure in Need of Analysis." Social Work, 27 (1982), 499-503.

Gall, Mary Sheila. U.S. Department of Health and Human Services. Testimony before the Subcommittee on Human Resources, House Committee on Ways and Means, Washington, D.C., June 1, 1989.

Gallup, Suella. Special Services for Children, Human Resources Administration, New York City. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 13, 1988.

GAO (U.S. General Accounting Office). Better Federal Program Administration Can Contribute to Improving State Foster Care Programs, GAO/HRD-84-2. Washington, D.C.: August 1984.

GAO (U.S. General Accounting Office). Children's Programs: A Comparative Evaluation Framework and Five Illustrations, GAO/PEMD-88-28BR. Washington, D.C.: August 31, 1988.

GAO (U.S. General Accounting Office). Foster Care: Preliminary Report on Reform Effects, GAO/PEMD-89-23BR. Washington, D.C.: June 1989a.

GAO (U.S. General Accounting Office). Foster Care: Delayed Follow-up of Noncomplying States May Reduce Incentive for Reform, GAO/PEMD-89-16. Washington, D.C.: August 1989b.

GAO (U.S. General Accounting Office). Residential Care: Patterns of Child Placement in Three States, GAO/PEMD-85-2. Washington, D.C.: June 1986a.

GAO (U.S. General Accounting Office). Teenage Pregnancy: 500,000 Births a Year but Few Tested Programs, GAO/PEMD-86-16BR. Washington, D.C.: July 1986b.

Gershenson, Charles. "An Assessment of Children Re-Entering Foster Care." Child Welfare Research Notes 14. Washington, D.C.: Administration on Children, Youth, and Families, January 1986a.

Gershenson, Charles. "An Examination of the 1985 Data for the Duration of Placement for Children in Foster Care." Child Welfare Research Notes 19. Washington, D.C.: Administration on Children, Youth, and Families, October 1987.

Gershenson, Charles. "School Enrollment Status of Children Receiving Child Welfare Services at Home or in Foster Care." Child Welfare Research Notes 15. Washington, D.C.: Administration on Children, Youth, and Families, September 1986b.

Gershenson, Charles. "The Twenty Year Trend of Federally Assisted Foster Care." Child Welfare Research Notes 8. Washington, D.C.: Administration on Children, Youth, and Families, July 1984.

Gibson, Terry L., George S. Tracy, and Mark S. DeBord. "An Analysis of Variables Affecting Length of Stay in Foster Care." Children and Youth Services Review, 6 (1984), 135-45.

Graham, Joan, and Charles R. Cooper. Maryland Foster Care Review Board. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 13, 1988.

Halpern, Robert. "Home-Based Early Intervention: Dimensions of Current Practice." Child Welfare, 65 (1986), 387-98.

Harper, Jean M. "Assuring Accountability for Children in Foster Care: The Judicial Citizen Review Panel." Juvenile and Family Court Journal, 37 (1986), 21-25.

Haveman, James. Bethany Christian Services. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 28, 1988.

Hess, Peg McCartt. "Parental Visiting of Children in Foster Care." Children and Youth Services Research, 9 (1987), 29-49.

Hochstadt, Neil J., et al. "The Medical and Psychosocial Needs of Children Entering Foster Care." Child Abuse and Neglect, 11 (1987), 53-62.

Hubbell, Ruth, et al. Evaluation of Reunification for Minority Children, Final Report. Washington, D.C.: CSR, Incorporated, July 1986.

Hurst, Mona. Northern Virginia Regional Office, Virginia Department of Social Services. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 28, 1988.

JWK, International. Comparative Study of State Case Review Systems: Assessment Study of Case Review Systems. Washington, D.C.: 1982.

Kluger, Miriam, et al. An Examination of Long-term Foster Care: Final Report. Hartford, Conn.: Research Department, Child and Family Services, July 1986.

Knitzer, Jane. "Foster Care: State and Federal Legislative Initiatives." In Martha J. Cox and Roger D. Cox. Foster Care: Current Issues, Policies, and Practices. Norwood, N.J.: Ablex Publishing Corporation, 1985.

Lawder, Elizabeth, John E. Poulin, and Roberta G. Andrews. "A Study of 185 Foster Children 5 Years After Placement." Child Welfare, 65 (1986), 241-51.

Leashore, Bogart R. "Workers' Perceptions of Foster Care Review in the District of Columbia." Child Welfare, 65 (1986), 26-32.

Leeds, S. Evaluation of Nebraska's Intensive Services Project. Iowa City, Iowa: National Resource Center for Family Based Services, 1984.

Liebermann, Alice A., Helaine Hornby, and Marilyn Russell. "Analyzing the Educational Backgrounds and Work Experiences of Child Welfare Personnel: A National Study." Social Work, 33 (1988), 485-89.

Liederman, David. Child Welfare League of America. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., May 12, 1988.

Lindsey, Elizabeth W., and John S. Wodarski. "Foster Family Care Review by Judicial-Citizen Panels: An Evaluation." Child Welfare, 65 (1986), 211-30.

Lowry, Marcia. Children's Rights Project. American Civil Liberties Union. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 13, 1988.

Lowry, Marcia. "Derring-Do in the 1980s: Child Welfare Impact Litigation After the Warren Years." Family Law Quarterly, 20 (1986), 255-80.

McLaughlin, Megan. Federation of Protestant Welfare Agencies, New York City. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 28, 1988.

Maluccio, Anthony N., et al. "Permanency Planning and Residential Child Care." Child Care Quarterly, 11 (1982), 97-107.

Maluccio, Anthony N., and Edith Fein. "Growing Up in Foster Care." Children and Youth Services Review, 7 (1985), 123-34.

Maryland Citizen Board for Review of Foster Care of Children. Foster Care Review Board 1986 Annual Report. Baltimore, Md.: Maryland Department of Human Resources, 1986a.

Maryland Citizen Board for Review of Foster Care of Children. "Statistical Sampler." Baltimore, Md., October 21, 1986b.

Massinga, Ruth. Maryland Department of Human Resources and American Public Welfare Association. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families. Washington, D.C., May 12, 1988.

Maximus, Inc. Child Welfare Chart Book 1985. Washington, D.C.: Administration on Children, Youth, and Families, 1988a.

Maximus, Inc. Child Welfare Statistical Fact Book 1985, vols. 1-2. Washington, D.C.: Administration on Children, Youth, and Families, 1988b.

Miller, Katharine, et al. "Overcoming Barriers to Permanency Planning." Child Welfare, 62 (1984), 45-55.

Minnesota Department of Human Services. Report of Findings: Administrative Review of Foster Care Survey, bulletin 85-25. St. Paul, Minn.: March 1987.

Minnesota Department of Human Services. A Report to the Legislature on the Citizen Review Board Project. St. Paul, Minn.: November 1986.

Moses, Beth Silverman. A National Directory of Foster Care Review Systems. Washington, D.C.: Child Welfare League of America, Inc., 1987.

Murray, Louise. "How Child Welfare Workers in New Jersey Perceive Independent Case Review." Child Welfare, 60 (1981), 331-41.

Murray, Louise. "A Review of Selected Foster Care-Adoption Research from 1978 to Mid-1982." Child Welfare, 63 (1984), 113-24.

Mushlin, Michael B., Louis Levitt, and Lauren Anderson. "Court-Ordered Foster Family Care Reform: A Case Study." Child Welfare, 65 (1986), 141-54.

National Association of Foster Care Reviewers. Annual Report 1987-88. Phoenix, Ariz.: 1988.

National Center on Child Abuse and Neglect, U.S. Department of Health and Human Services. Study Findings: Study of National Incidence and Prevalence of Child Abuse and Neglect 1988. Washington, D.C.: Westat, Inc., 1988.

Nebraska State Foster Care Review Board. "Looking Out for the Children": Fifth Annual Report. Lincoln, Neb.: December 1987.

Nebraska State Foster Care Review Board. Special Report to the Senators. Lincoln, Neb.: December 1986.

Nelson, Kristine, et al. An Analysis of Factors Contributing to Failure in Family-Based Child Welfare Services in Eleven Family-Based Services Agencies: Final Report. Iowa City, Iowa: National Resource Center on Family Based Services, University of Iowa, April 1988.

Olson, Sydney J. Department of Health and Human Services. Testimony before the Joint Hearing on Foster Care, Child Welfare and Adoption, Subcommittee on Public Assistance and Unemployment Compensation.

and the Select Committee on Children, Youth, and Families. Washington, D.C., May 12, 1988.

Partridge, Susan, Helaine Hornby, and Thomas McDonald. Legacies of Loss, Visions of Gain: An Inside Look at Adoption Disruption. Portland, Me.: Center for Research and Advanced Study, University of Southern Maine, 1986.

Proch, Kathleen, and Peg McCartt Hess. "How the States Regulate Parent-Child Visiting." Public Welfare, 44 (1986), 12-17.

Proch, Kathleen, and Jeanne Howard. "Parental Visiting in Foster Care: Law and Practice." Child Welfare, 63 (1984), 139-47.

Proch, Kathleen, and Merlin A. Taber. "Placement Disruption: A Review of Research." Children and Youth Services Review, 7 (1985), 309-20.

Robison, Susan. State Child Welfare Reform: Toward a Family-Based Policy. Denver, Colo.: National Conference of State Legislatures, August 1987.

Ross, R. Danforth, Janice C. Reif, and John C. Farie. "An Administrative Intercase Review System That Works." Child Welfare, 66 (1987), 467-75.

Runyan, Desmond K., et al. "Determinants of Foster Care Placement for the Maltreated Child." American Journal of Public Health, 71 (1981), 706-10.

Runyan, Desmond K., and Carolyn L. Gould. "Foster Care for Child Maltreatment: Impact on Delinquent Behavior." Pediatrics, 75 (1985), 562-68.

Rzepnicki, Tina L. "Recidivism of Foster Children Returned to Their Own Homes: A Review and New Directions for Research." Social Service Review, 61 (1987), 56-70.

Rzepnicki, Tina, and Theodore J. Stein. "Permanency Planning for Children in Foster Care: A Review of Projects." Children and Youth Services Review, 7 (1985), 95-108.

Seltzer, Marsha Mailick, and Leonard M. Bloksberg. "Permanency Planning and Its Effects on Foster Children: A Review of the Literature." Social Work, 32 (1987), 65-68.

Smith, Shelley. Child Welfare in the States, Fifty State Survey Report. Denver, Colo.: National Conference of State Legislatures, November 1986.

Sosin, Michael R. "Administrative Issues in Substitute Care." Social Services Review, 60 (1986), 360-77.

Sosin, Michael R. "Delivering Services under Permanency Planning." Social Services Review, 61 (1987), 272-90.

Stein, Theodore J. "Joseph A. v. The New Mexico Department of Services: Casereading April 16-June 12, 1987." Report prepared for the Children's Rights Project, American Civil Liberties Union, n.p., n.d.(a)

Stein, Theodore J. "Joseph A. v. The New Mexico Department of Human Services: Casereading July-August 1988." Report prepared for the Children's Rights Project, American Civil Liberties Union, n.p., n.d.(b)

Stein, Theodore J., and Tina L. Rzepnicki. Decision Making in Child Welfare Services, Intake and Planning. Boston: Kluwer-Nijhoff Publishing, 1984.

Stephan, Sharon. Child Welfare, Foster Care, and Related Programs Under Titles IV-B and IV-E of the Social Security Act. Washington, D.C.: Congressional Research Service, Library of Congress, April 13, 1987.

Taber, Merlin, and Kathleen Proch. "Placement Stability for Adolescents in Foster Care: Findings from a Program Experiment." Child Welfare, 66 (1987), 433-45.

Tatara, Toshio. Characteristics of Children in Substitute and Adoptive Care: A Statistical Summary of the VCIS National Child Welfare Data Base. Washington, D.C.: American Public Welfare Association, July 1988.

Testa, Mark. Data Necessary to Support National Policy Functions in Foster Care and Adoption. Technical appendix. Report of the Advisory Committee on Adoption and Foster Care Information. Washington, D.C.: Administration for Children, Youth, and Families, August 1987.

Testa, Mark F., and Robert M. Goerge. Policy and Resource Factors in the Achievement of Permanency for Foster Children in Illinois. Final report to the Administration for Children, Youth, and Families. N.p.: U.S. Department of Health and Human Services, December 19, 1988.

Turner, John. "Predictors of Recidivism in Foster Care: Exploratory Models." Social Work Research and Abstracts, 20 (1984a), 15-20.

Turner, John. "Reuniting Children in Foster Care with Their Biological Parents." Social Work, 29 (1984b), 501-05.

Urban Systems Research and Engineering, Inc. Evaluation of Emergency Foster Care Case Practice. Washington, D.C.: December 1985.

U.S. Congress, House Committee on Ways and Means. Background Material and Data on Programs within the Jurisdiction of the Committee on Ways and Means. Washington, D.C.: U.S. Government Printing Office, March 24, 1988a.

U.S. Congress, House Select Committee on Children, Youth, and Families. Children in Foster Care: A Fact Sheet. Washington, D.C.: April 1988b.

U.S. Congress, House Select Committee on Children, Youth, and Families. Preventing Out-of-Home Placement: Programs That Work. Washington, D.C.: U.S. Government Printing Office, 1987.

U.S. Department of Health and Human Services, Office of Human Development Services. "The Foster Care, Adoption Assistance, and Child Welfare Services Programs." Briefing paper for the HHS Policy Council on the status of implementation of the April 1987 management plan for these programs, Washington, D.C., February 17, 1988a.

U.S. Department of Health and Human Services, Office of Human Development Services, Administration on Children, Youth, and Families, Children's Bureau. Section 427 Review Handbook: A Reviewer's Guide. Washington, D.C., August 1988b.

U.S. Department of Health and Human Services, Office of Inspector General. Foster Care Administrative Costs. Washington, D.C.: October 1987.

Vinokur-Kaplan, Diane, and Ann Hartman. "A National Profile of Child Welfare Workers and Supervisors." Child Welfare, 65 (1986), 323-35.

Wald, Michael. "Family Preservation—Are We Moving Too Far?" Speech given at the Second National Symposium on Urban Child Welfare, San Francisco, Calif., September 1987.

Weber, Mike. Hennipen County Social Services, Minnesota Department of Human Services. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 28, 1988.

Weinberg, Anita. Testimony before the Joint Hearing on Foster Care, Child Welfare, and Adoption, Subcommittee on Public Assistance and Unemployment Compensation, and the Select Committee on Children, Youth, and Families, Washington, D.C., April 28, 1988.

William T. Grant Foundation, Commission on Work, Family, and Citizenship. The Forgotten Half: Pathways to Success for America's Youth and Young Families. N.p.: November 1988.

Yoshikami, Rogers T., et al. Assessing the Implementation of Federal Policy to Reduce the Use of Foster Care: Placement Prevention and Reunification in Child Welfare, vol. 1. Portland Ore.: Regional Research Institute for Human Services, Portland State University, June 1984.

Yoshikami, Rogers T., and Arthur C. Emlen. A Comparison of Voluntary and Court-Ordered Foster Care: Decisions, Services, and Parental Choice, vol. 1. Portland, Ore.: Regional Research Institute for Human Sciences, Portland State University, 1983.

Young, Thomas M., Martha M. Dore, and Donnell M. Pappenfort. "Residential Group Care for Children Considered Emotionally Disturbed, 1966-1981." Social Service Review, 62 (1988), 158-70.

Related GAO Products

Better Federal Program Administration Can Contribute to Improving State Foster Care Programs (GAO/HRD-84-2, Aug. 10, 1984).

Children's Programs: A Comparative Evaluation Framework and Five Illustrations (GAO/PEMD-88-28BR, Aug. 31, 1988).

Foster Care: Preliminary Report on Reform Effects (GAO/PEMD-89-23BR, June 1, 1989).

Foster Care: Use of Funds for Youths Placed in Rite of Passage Program (GAO/HRD-87-23BR, Dec. 9, 1986).

Health and Human Services: Documentation of Funding Decisions for Child Abuse and Neglect Grants Inadequate (GAO/HRD-87-69, May 22, 1987).

Residential Care: Patterns of Child Placement in Three States (GAO PEMD-85-2, June 28, 1985).

Review of Certain Aspects of Group Home Care for Children in California (GAO/HRD-85-62, July 19, 1985).

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