

Suffer the Children: State may look to private providers to ease CPS crisis_30705

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About three-fourths of foster children in the Child Protective Services system are placed by private agencies, many of them faith-based.

(Photo courtesy of South Texas Children's Home)

SUFFER THE CHILDREN:

State may look to private providers to ease CPS crisis

By Ken Camp

Managing Editor

More than 500 Texas children died of abuse or neglect in a 2 1/2-year period. One-fourth of them had been investigated by Child Protective Services caseworkers. In response, Gov. Rick Perry issued an executive order last summer directing the Texas Health and Human Services Commission to review and recommend reforms in the system.

Faced with the challenge of implementing those reforms, some lawmakers in Austin now see private providers—including faith-based agencies such as child and family services affiliated with the Baptist General Convention of Texas—as an answer to the crisis in Child Protective Services.

Representatives of those agencies welcome the proposed privatization of some Child Protective Services functions—sort of.

“One day, I feel like this is a time of unlimited opportunity for us to make the system better. The next day, I think I see a train wreck coming,” said Don Forrester, executive director of STARRY, a community-based agency of Texas Baptist Children's Home & Family Services in Round Rock that provides services to children, youth and parents in crisis. “Privitization is a good idea, but there are a lot of unknown variables. There's so much that's still up in the air.”



Some Austin lawmakers see faith-based providers—such as child and family services agencies affiliated with the Baptist General Convention of Texas—as an answer to the crisis in Child Protective Services. (Photo courtesy of South Texas Children's Home)

A variety of legislative proposals are on the table, and agencies and lawmakers alike seem unsure exactly what may develop. But prominent voices in Austin have called for outsourcing two functions of Child Protective Services—foster care placement and the case management of families in crisis—so the governmental agency can concentrate on investigating and intervening in cases of suspected abuse or neglect.

“The state needs to focus on investigations and ensuring the safety of the kids,” said Felipe Garza, vice president and general manager of Buckner Children & Family Services.

Currently, about three-fourths of foster children in the Child Protective Services system are placed by private agencies, many of them faith-based.

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Agencies fall into two broad categories—for-pay providers who receive government money and no-pay providers who do not.

Generally speaking, among Texas Baptist institutions, Buckner Children & Family Services and Baptist Child & Family Services are for-pay providers. Texas Baptist Children's Home is a no-pay provider, but its sister STARRY entity is a for-pay provider. South Texas Children's Home accepts no state or federal funds.

Agency representatives agreed the state demonstrates a strong bias toward placing children in private foster homes rather than residential cottage settings. Child Protective Services views residential campuses as “institutional,” even though house parents often care for fewer children per cottage than foster parents who operate group homes.

That's just one of the flaws in the current system, some provider agency personnel asserted.

“There's an inherent conflict of interest in the current system, where the state is charged with overseeing, licensing and regulating the care of children while at the same time the state is in charge of the house. The state does not make a good parent,” said Randy Daniels, director of operations for Buckner Children & Family Services. “Shifting the entire foster care responsibility to the private sector makes sense, but the revenue has to come with it.”

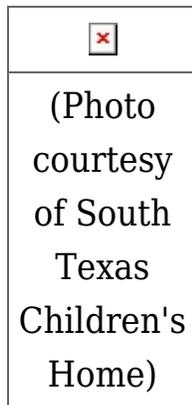
If lawmakers think they will save money by moving foster care responsibility to private providers, they are mistaken, Daniels said.

“The shift to privatization is not even cost-neutral. It will cost more,” he said, pointing to the example of Kansas, where a similar initiative was implemented.

In part, that's because the system has been underfunded for years, said

Nanci Gibbons of Baptist Child & Family Services. It is difficult to provide quality programs because of the difference in the amount the state pays to providers and the actual cost incurred by agencies, she explained. However, she added, reputable private agencies are committed to providing quality of care that exceeds state-mandated minimum standards.

“CPS also will have to monitor for quality,” she added, noting this has been a criticism of the agency in the past, and the responsibility will be even greater-and the cost higher-if additional tasks are outsourced to private providers.



“Around our house, I like to remind staff that we can be very professional and unapologetically Christian with those we serve,” said Jerry Bradley, president of Texas Baptist Children's Home & Family Services. “Our Christian beliefs are not restricted by any relationship with government. We have a greater responsibility to be sure that we are providing quality care, while striving to exceed any regulation imposed by the state of Texas. That can be a dilemma at times, especially when legislation aimed at a problem hits us. Thus far, there has been no restriction on our exercising Christian principles, but we are concerned about attempts to improve the service delivery system through regulation.”

One thorny issue revolves around creating a level of mid-management to determine which agencies receive contracts.

“I have real concerns about how the decisions will be made about where the children will go,” Gibbons noted.

Another concern is a proposed “no reject/no eject” clause that could put some agencies in a position of accepting children whose specialized needs are beyond what a particular provider could offer, Forrester noted.

In addition to the foster care component of Child Protective Services, some legislative proposals recommend outsourcing case management—working not only with children, but also with families in crisis.

Several Baptist agencies already have multiple services to families, ranging from offering access to individual therapy and counseling to providing parent-education programs.

But agency representatives said the greater the involvement with troubled families, the greater the risk of legal liability, and they want lawmakers to offer some protection.

“There needs to be caps on liability when it comes to case management,” Garza said. “A couple of big lawsuits could put an agency out of business.”

“Would we even be able to get the insurance to do it? That's yet to be determined,” Forrester added.

To a large degree, it all comes down to allocating money, and Texas has a poor track record in financing services to abused and neglected children, Daniels observed.

In response to the governor's executive order, the inspector general's office at the Texas Health and Human Services Commission reviewed 2,221 Child Protective Services cases. The study found that in more than half of the cases where action was needed, caseworkers failed to maintain contact with the child, failed to review the case with a supervisor or failed to

provide needed services.

In the 2003 fiscal year, Child Protective Services failed to investigate more than 55,000 reports of neglect and abuse—roughly 30 percent of all reports.

Observers agree that's due primarily to being understaffed. In 1998, then-Gov. George W. Bush declared the system “in crisis” when investigators' caseloads averaged 24. Now, monthly caseloads are between 72 and 75—the highest in the nation.

At the same time, funds for prevention programs have been cut and in many cases eliminated. Private providers, such as Baptist agencies, have tried to fill at least part of that void by offering a variety of mentoring, parenting, after-school, school-based and community-based programs.

But if private agencies accept the additional financial burden of more foster care and greater involvement with families in crisis, it will stretch their resources.

“Will we ever have to make a choice between prevention and caring for children who are in the system?” Daniels asked. “I don't want to be in the position of having to make that decision.”

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