



September 18, 2014

To: Members of the Health Care Oversight Committee
From: Sheila Reed, Associate Director
Re: Proposed Office of the Child Advocate

We in the child advocacy community often receive calls from members of the public when they are dissatisfied with actions of the Department for Children and Families. Due to important confidentiality requirements placed on the state of Vermont, our community does not and cannot know what actions have been taken by the state on behalf of children at risk. In short, we don't know what happened and we have no independent way of finding out.

The recent deaths of two young children due to alleged abuse from parents who had a history with DCF resulted in agonized soul searching by all of us. The facts will be determined by at least three different investigative bodies. We are hopeful that these investigations will result in needed changes in the system to prevent such tragedies from ever happening again.

Voices for Vermont's Children supports a proposal that will add outside and continuous oversight and monitoring to the child welfare system. This proposal was introduced as a bill, H.73, last session by Representative Ann Pugh.

(<http://www.leg.state.vt.us/docs/2014/bills/Intro/H-073.pdf>)

The bill will establish an office of the Child Advocate in the state of Vermont. Currently, we are the only New England state that does not have such an office.

The office of child advocate would provide an independent, impartial individual with authority and responsibility to identify, investigate, and resolve complaints on behalf of children and families receiving services from the Agency of Human Services. It would be important to carefully select a strong policy thinker with expertise and experience in the fields of social services, advocacy and law to fill the position. The office would assist service recipients with the filing and pursuit of complaints and appeals. The Child Advocate would have the authority to intervene on behalf of the child or family when appropriate. The office will be set up in a nonprofit and will act independently of any state agency. Two similar advocates or ombudsmen come to mind – the Health Care Advocate and the Long Term Care Ombudsman. Both of these offices are set up at Vermont Legal Aid and provide

independent advocacy and policy work for those Vermonters accessing the health care or the nursing home systems.

Under the bill as drafted the Child Advocate will be appointed by the Governor for a term of four years.

In addition to work on behalf of individuals, the Child Advocate would be responsible for setting up a uniform reporting system for collecting and analyzing complaints. The office would also analyze and monitor child welfare policy and recommend change when appropriate. The Advocate would prepare a yearly report to the Governor and the Legislature.

With an independent agency having access, yet also required to honor confidentiality, there is an added layer of transparency and oversight. We have requested that the Legislative Committee on Child Protection propose an Office of the Child Advocate as one of the partial solutions to this crisis in our child welfare system. We will work toward the passage of legislation to create the office.