

Memorandum

To: Clair Ayer, Chair of Senate Health & Welfare
From: Karen Vastine, Senior Advisor to the DCF Commissioner
Re: H.686 – Child Fatality Review Team
Date: March 22, 2018

Thank you for the opportunity to speak to the committee about H.686. We believe that codifying the Child Fatality Review Team (CFRT) will provide the Team the authority it needs to review cases, identify potential trends and work with AHS to curb preventable childhood deaths. This bill has the full support of DCF.

Background:

Although the CFRT is comprised of a group of committed professionals who have been meeting for years (since the 80s) to discuss cases, it currently lacks the needed clarity and definition in statute. This means that the CFRT lacks the authority to analyze trends and other concerns in *all* cases of child fatalities resulting from unnatural causes. This in turn prevents the CFRT from making policy or public education recommendations to prevent child fatalities because they are not authorized to request the records needed in all child deaths that may be attributed to unnatural causes. This bill would add language to Title 18 codifying this group and creating its own empanelment authority and confidentiality.

Role of CFRT and Child Abuse and Neglect Cases:

In the interest of ensuring a well-coordinated, non-duplicative approach where child welfare and child fatalities can overlap, it is important to consider the role of the Vermont Citizens Advisory Board (VCAB) in relation to the CFRT. VCAB serves a distinct and separate function from the CFRT, however, we see great value in there being strong collaboration between these two entities.

The Federal Child Abuse Prevention and Treatment Act (CAPTA) requires that every state child protection agency have a citizen advisory board. The Commissioner of DCF appoints and empanels members to two-year terms on this board. The composition of VCAB is defined by CAPTA to include *members who are broadly representative of the community, including members who have expertise in the prevention and treatment of child abuse and neglect.* The By-laws for VCAB further defines that the board *will seek to have people from such fields as law enforcement, the legal profession, the medical community, victim advocacy, domestic violence, substance abuse, clergy, mental health, public health, social work, education, child abuse prevention, resource parents, families and youth.* *DCF staff shall not be counted as voting members and may not be considered for any board position.* Please find the current membership of VCAB on the last page of this memo.

The role of VCAB, which has been in existence since 1995, is to *examine policies, practices and procedures of Vermont's child protection agency and, where appropriate, VCAB is to review specific cases to evaluate the extent to which the agency is discharging its responsibilities.*





As defined, VCAB has an important role to play with respect to advising DCF in its child protection policies. In Title 33, the DCF Commissioner has the authority to empanel a group to review issues or cases related to child abuse or neglect, including childhood fatalities that involve child maltreatment. CAPTA allows the DCF Commissioner to use that authority to empanel VCAB or the Commissioner could empanel a different entity, such as the CFRT or another group such as DCF's human trafficking workgroup. Should the Commissioner empanel the CFRT, it would only be in the case of a death of a child where maltreatment was the cause. This is considerably narrower than the scope of the CFRT, which looks at all child deaths to identify whether there needs to be improved policy or public education to address prevention.

The CFRT can inform practices of DCF, especially in how DCF trains foster parents and how it frames case plans for parents who are engaged with the child welfare system. An example of this would be safe sleep practices. However, those recommendations would be framed in a public health lens. We view that as separate and distinct from the role of VCAB, which is to ensure that DCF's child welfare policies are effective and are keeping with best practice.

Communication and, as needed, coordination between the two entities is an important service to Vermont's children and families. Currently, the CFRT has two members who work in the child welfare realm: an Assistant Attorney General and DCF's Child Safety Manager. Additionally, a member of VCAB is part of the CFRT and vice versa. The intention behind this is to ensure strong coordination of these critical resources.

In closing, H.686 has language directing the CFRT to delay its review of child fatality cases involving abuse and/or neglect until the conclusion of the DCF investigation. This provision is essential for ensuring that the role of the CFRT remain distinct and separate from VCAB and the child welfare agency. The DCF investigation looks at the specific incident and may result in a person being substantiated for child maltreatment. VCAB reviews the case to ensure DCF policies and practices are being followed. The CFRT review is important for gathering information that could lead to the prevention of future similar incidents for public education and awareness.

Should the committee have additional questions, please direct those to me by emailing: Karen.vastine@vermont.gov.



Vermont Citizens Advisory Board			
33 VSA 4917 EMPANELMENT LIST			
First Name	Last Name	Title	Organization
Elizabeth	Barker	Director of Special Education	Hartford School District
Stephen G.	Berry	Pastor	The Ridge Assembly of God
Sally	Borden	Executive Director Chair	KidSafe Collaborative VCAB
Lance	Burnham	Vermont State Police	Vermont Dept. of Public Safety
Shirley	Carlson	Director of Special Programs	Franklin Northeast Supervisory Union
Kim	Coe	Director of Residential and Community Treatment Services	Lund VT, Foster/Adoptive parent
Luciana	DiRuocco	Exec. Staff Asst., Records Officer, Media Liaison	VT Department for Children and Families
Tom	Fontana	LCMHC, LADC, Living Well Center	University of Vermont, Center for Health and Wellbeing
Lynn	Granger	Kinship caregiver, Volunteer	Community Member
Joseph F.	Hagan	MD FAAP, Pediatrician	Hagan, Rinehart, Connolly Pediatricians
Linda E.	Johnson	Executive Director	Prevent Child Abuse Vermont
Patiance	Johnson	Community Member	Community Member
Sally	Kerschner	RN, MSN, Coord. MCH Planning and Programming	VT Dept. of Health
Raenetta	Liberty	SANE Nurse	University of Vermont
Wendy	Loomis	Executive Director	VT Children's Alliance
Michele	Olvera	JD, Supervising Attorney	Vermont Network Against Domestic and Sexual Violence
Karyn	Patno	Board Certified Child Abuse Pediatrician	Saint Johnsbury Pediatrics, NVRH
Ken	Schatz	Commissioner	VT Department for Children and Families
Karen	Shea	MSW, Deputy Commissioner, Family Services Division	VT Department for Children and Families
Edward	Soychak	Sergeant, Prevention Services Division	South Burlington Police Department
Debra	Taylor	Superintendent of Schools	Rutland Central Supervisory Union
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