

# Joint Justice Oversight Committee

## September 28, 2022

Sean Brown, Commissioner, DCF

Aryka Radke, Deputy Commissioner, FSD

# Impact on System of Care

The Department for Children and Families is committed to serving youth within a system that supports their success, including supporting staff with the tools and training they need to serve youth in care and custody of the Department.

- FSD staff work hard to ensure our youth have the support and stabilization needed for their care, and to ensure the staff that serve them can do so in a safe and well-supported manner.
- The COVID-19 pandemic has caused significant staffing shortages in all our high-end programs, which has exacerbated the challenge before us.
- There are currently 97 residential treatment beds (actual capacity) in the state of Vermont. Prior to October 2019, FSD had roughly 200 licensed residential program beds in Vermont (actual capacity). This reflects a reduction in residential treatment bed capacity of 51% when compared to previously contracted capacity.

# Residential Capacity

Pre-Pandemic Capacity	Current Licensed Capacity	Running at – August 2022	Percent of Pre-Pandemic Contract	Percent of Current Licensed Capacity
196	154	97	49%	63%

Of the approximately 30 providers, 16 are running at their full licensed capacity.

The facility in Newbury is still under appeal in the Environmental Court.

# Youth in the System of Care

There is a developing trend in the youth that DCF are now serving. Since September 2020, 13 youth who reside outside Vermont have engaged in illegal activity in Vermont. The charges have included Aggravated Assault with a Deadly Weapon, Trafficking Heroin, Fentanyl, Cocaine, Kidnapping, and Burglary. The youth have had known gang affiliation and weapons in their possession which has increased the concern for public safety.

While there have always been youth from out-of-state, the change has been the severity of violence in the crimes.

- Youth from other states committing crimes in Vermont:
  - DCF has obligations pursuant to the Interstate Compact on Juveniles to hold youth who have warrant from their home state securely until they can be returned to their home state. If the youth agrees to return the home state has 10-days to pick them up. If they do not agree, they may remain for up to 90-days while appropriate court orders are secured.
  - Concurrent to any warrants from the home state, these youth often incur charges in the Criminal and/or Family Divisions in Vermont. Where the charges are filed, the ultimate outcome of the case, and any decisions related to the case are at the sole discretion of the State's Attorney. Custody to DCF can also be requested over the objection of DCF.
- Youth committing violent crimes:
  - More cases are requiring DCF custody and secure placement due to public safety concerns.

# System of Care Stabilization Efforts

FSD has undertaken the following efforts to stabilize the system of care for youth with acute of specialized needs. The system is often called the high-end system of care.

- Maintaining the existing residential/stabilization placements:

**High-End Staffing Team** - FSD has a team of staff volunteers that is 47 members strong. This team consists of staff who have experience performing duties such as working in a residential care program, who have stated their willingness to be called upon to staff high-end youth (in addition to their full-time work duties).

**High-End Placement Meetings** - FSD utilizes a robust protocol in which a high-end meeting convenes for every high-end youth that has disrupted from placement (either due to youth behavior or due to the constant triaging that is occurring in the high-end system of care).

**Staff Safety Workgroup** - The Staff Safety Workgroup meets ongoing. District offices bring problematic or concerning incidents to the group for discussion and further development. This workgroup has reviewed and provided input on all high-end staffing documents and planning tools.

**De-escalation and Self Defense Training Exploration** - The high-end staffing team was provided with additional crisis and de-escalation training from ProAct in July and August of 2021.

# System of Care Stabilization Efforts

FSD has undertaken the following efforts to stabilize the high-end system of care.

- Extraordinary Relief Payments:

**Extraordinary Relief Payments**— Providing substantial emergency relief to residential programs in Vermont to support ongoing services for youth in need of an intensive level of care.

- *SFY22 - \$1,447,373 to support system of care*
- *SFY23 (to date) - \$404,000 to support system of care*

The funding has supported financial hardship payments, increased wages for workers, capital improvements, and increase to benefits.

# System of Care Stabilization Efforts

FSD has undertaken the following efforts to stabilize the high-end system of care.

- Maintaining the existing residential/stabilization placements, continued:

**Funding of Health Care Travelling Staff** - FSD has expended substantial funds from its budget to fund traveling health care workers. They have been utilized to staff youth developmental disabilities in high end staffing situations, including at Brattleboro Retreat, as well as to fortify SEALL and Windsor Youth Services Bureau services. Our efforts allowed SEALL to repair and fortify their physical facilities, as well increase their bed count. The program has recently gone from a low of 3 beds up to 8 beds, with more expansion plans pending.

**Waiver of Cash OT prohibition for Managers Providing High-End Staffing** - A waiver was sought and granted for FSD staff PG 25 and up to receive cash OT for participating in the staffing of high-end youth, coordinating scheduling of high-end youth, and traveling across the state to place high end youth in residential level care. This change will go a long way to preserving our staffing efforts and district management team morale.

# System of Care Stabilization Efforts

FSD has undertaken the following efforts to stabilize the high-end system of care.

- Increasing treatment bed capacity:

**Stabilization Foster Homes** - Efforts were made to internally recruit for stabilization foster homes and to contract for stabilization foster homes, to no avail. The problem was the lack of current resources in the system of care. Consequently, FSD is now engaged in paying an enhanced (\$100 per day) rate for up to 30 days of crisis stabilization foster home level care, and this effort is beginning to bear fruit. We have a cadre of foster homes who have stated a willingness to provide care for this intensive level of need youth.

**PNMI Reform Efforts** – FSD is participating in discussions with AHS departments, led by DVHA, on reforming the rate setting system. DVHA issued a report at the beginning of the month detailing some of this work.

**Washington County Mental Health (WCMH)** - FSD met with WCMH to collaborate for additional placement opportunities for our most challenging-to-place youth. Out of that meeting came an agreement for FSD to fund up to 7 travelers who will provide staffing in 2 crisis programs, allowing them to re-open the two ICAP beds that have been closed due to lack of staff.

**Secure Transport and Sheriff Supported Staffing** - FSD has developed contracts with Lamoille and Windham County Sheriffs to include supervision details when Deputies are requested to support staff in situations where FSD must staff youth in alternative settings. Sheriff Offices are also impacted by staffing concerns.



# System of Care Stabilization Efforts

FSD has undertaken the following efforts to stabilize the high-end system of care.

- Increasing treatment bed capacity:

**Windham Facility** - We have been working with the Windham County Sheriff's Department and a member of the Department's provider network to develop two programs: one, a Sheriff-supported, non-licensed space, and the second a staff-secure, licensed, two bed program that can safely accommodate the needs of youth in crisis. The non-licensed program, now called "The Rest Stop," is now in use for very short-term transitional purposes, pending placement.

As mentioned in the previous slide, Windham County Sheriff Department has staffing constraints.

The licensed program will primarily serve youth with more acute mental health needs. Construction delays have hindered opening this part of the facility. Negotiations with the treatment provider for the program are in the final stages.

# Statewide Collaboration

DCF is participating in the Governor's Violence Prevention Taskforce created by the Ten-Point Public Safety Enhancement and Violence Prevention Action Plan.

Link to [Ten-Point Plan](#)