

EXECUTIVE SUMMARY
Final Report: New Mexico Child and Family Services Review
August 2007

This document presents the findings of the Child and Family Services Review (CFSR) for the State of New Mexico. The CFSR is the Federal government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring the Department of Health and Human Services to promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families (ACF), within the U.S. Department of Health and Human Services.

The New Mexico CFSR was conducted the week of May 7, 2007. The period under review for the case reviews was from 4/1/06 to 5/07/07. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the New Mexico Children, Youth and Families Department (CYFD).
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2004, FY 2005, and the CFSR 12-month target period ending March 31, 2006.
- Reviews of 65 cases at three sites throughout the State: 31 cases in Bernalillo County, 17 cases in Lea County, and 17 cases in Santa Fe County.
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders including, but not limited to, children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel and attorneys.

Information from each resource is presented for all of the items reviewed.

Background Information

The CFSR assesses State performance on 23 items relevant to 7 outcomes and 22 items pertaining to 7 systemic factors. In the Outcomes Section of the report, an overall rating of Strength or Area Needing Improvement is assigned to each of the 23 items. An item may be assigned an overall rating of Strength if 90 percent of the applicable cases reviewed were rated as a Strength. State performance on the seven outcomes is evaluated as Substantially Achieved, Partially Achieved, and Not Achieved. In order for a State to be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having substantially achieved the outcome. A State that is not in substantial conformity with a particular outcome must develop and implement a Program Improvement Plan (PIP) to address the areas of concern within that outcome.

ACF has set very high standards of performance for the CFSR Review. The standards are based on the belief that because child welfare agencies work with our country's most vulnerable children and families, only the highest standards of performance should be acceptable. The focus of the CFSR process is on continuous quality improvement; standards are set high to ensure ongoing attention to the goal of achieving positive outcomes for children and families with regard to safety, permanency and well-being.

It should be noted, however, that States are not required to attain the 95 percent standard established for the CFSR onsite review at the end of their PIP implementation. CB, ACF, recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often are time-consuming to implement. Also, improvements are likely to be incremental rather than dramatic. Instead, States work with CB to establish a specified amount of improvement or implement specified activities for their PIP. That is, for each outcome or item that is an area needing improvement, each State (working in conjunction with CB) specifies how much improvement the State will demonstrate and/or the activities that it will implement to address the areas needing improvement, and determines the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of its PIP and still not perform at the 95 percent (for outcomes) or 90 percent (for items) level as required by the CFSR.

The second round of the CFSR assesses a State's current level of functioning with regard to child outcomes by once more applying high standards and a consistent, comprehensive case-review methodology. This is intended to serve as a basis for continued planning in areas in which the State still needs to improve. The goal is to ensure that program improvement is an ongoing process and does not end with the closing of the PIP.

Because many changes have been made in the onsite CFSR process based on lessons learned during the first round, and in response to feedback from the child welfare field, a State's performance in the second round of the CFSR is not directly comparable to their performance in the first round, particularly with regard to comparisons of percentages. Key changes in the CFSR process that make it difficult to compare performance across reviews are the following:

- An increase in the sample size from 50 to 65 cases.
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items.
- Changes in criteria for specific items to increase consistency and to ensure an assessment of critical areas, such as child welfare agency efforts to involve non-custodial parents.

CFSR Findings Regarding Outcomes

The 2007 CFSR identified several areas of high performance in New Mexico with regard to achieving outcomes for children. New Mexico meets the National standards for two of the National data indicators—Permanency Composite 2: Timeliness of adoptions, and Permanency Composite 3: Achieving permanency for children in foster care for extended time periods. In addition, although New Mexico did not achieve substantial conformity with any of the seven CFSR outcomes, the State did achieve overall ratings of Strength for the individual indicators pertaining to timeliness of initiating investigations (item 1), foster care re-entry (item 5), placing children in close proximity to their parents (item 11), and meeting children's physical health needs (item 22).

The CFSR also identified areas of concern with regard to achieving outcomes for children and families. The State did not meet the National standards for National data indicators pertaining to the absence of recurrence of maltreatment, the absence of maltreatment in foster care, the timeliness and permanency of reunification (Permanency Composite 1), and placement stability (Permanency

Composite 4). In addition, Permanency Outcome 1 (Children have permanency and stability in their living situations) was determined to be substantially achieved in only 37.5 percent of the cases reviewed; Well-Being Outcome 1 was determined to be substantially achieved in only 63.1 percent of the cases. Concerns also were identified with regard to Safety Outcome 2 (Children are safely maintained in their homes when possible and appropriate), which was determined to be substantially achieved in only 70.8 percent of the cases. In general, well-being outcomes were somewhat more likely to be substantially achieved in foster care cases than in in-home services cases.

The State's low performance in these areas may be due in part to the lack of services in the State to meet the needs of the children and families served by the child welfare system. As indicated in the Statewide Assessment, service array is a major challenge in the State as there are multiple service gaps, particularly in the rural areas. In addition, stakeholders suggested that the gaps in services have increased in the past few years with the advent of the managed care system operated by ValueOptions, the State's single-entity provider for behavioral and mental health services. Although information from the case reviews suggests that many agency caseworkers were highly resourceful and creative in accessing services for children and families, the general scarcity or absence of services often had negative implications for children's placement stability, the ability of the agency to ensure that parents meet their case plan requirements for permanency, and the capacity of the agency to adequately meet the service needs of children, parents and foster parents.

In addition, the lack of services appears to affect the State's performance with regard to addressing risk of harm issues while children remain in their homes. Case review findings indicated that many children remain at risk of harm because services are not being provided to address the potential safety issues in the home. However, case reviewers also noted that in many of these cases, parents were not engaging in services and, rather than petitioning the court to mandate services, the agency was closing the case, leaving children at risk.

Throughout the onsite CFPSR, particular concerns were identified with regard to youth in foster care. These included the following: Stakeholders noted a lack of sufficient independent living services to meet the needs of these youth, particularly those who were expected to transition from foster care to independent living. Stakeholders also said that many youth do not receive independent living services until they are 17 years old.

- Case reviewers voiced concern about the agency practice of allowing youth in foster care who are 16 years of age or older to find their own placements and giving them the money on a monthly basis to pay for the placements. This practice was described in the Statewide Assessment as semi-independent living and it was noted that the practice allows children at the age of 16 or older to be a vendor, receive foster care maintenance payments and live with limited supervision to support transition into adulthood. However, in two of the cases reviewed, youth who were receiving these funds were noted to be in highly unstable placements and did not inform the agency regarding their living situations in a consistent and timely manner. CB is concerned that the agency is not always aware of where the youth are living and therefore may not have opportunities to complete background checks and home visits to ensure that the living arrangements selected by the youth are safe and will provide for their needs on a long-term basis.

- Case reviewers and stakeholders expressed concerns regarding the practice of dismissing the goal of adoption for a child age 14 or older if the child says that he or she does not want to be adopted. Although this is permissible under State statute, case reviewers and stakeholders reported that often, once a child makes this decision, no efforts are made to ensure that the child has a comprehensive understanding of the benefits of adoption or to work with the child to better understand his or her reasons for the decision. In addition, the possibility of adoption is not revisited with the child. As a result, during the onsite CFSR, some youth age 16 and 17 reported regretting their decision not to be adopted and asked their caseworkers to change their case goal to adoption.

CFSR Findings Regarding Systemic Factors

With regard to systemic factors, New Mexico was found to be in substantial conformity with the factors of Statewide Information System and Quality Assurance System. Both of these systems were highly praised by all stakeholders. They noted that the Quality Assurance System, which for the most part replicates the Federal CFSR, conducts quality assurance reviews, analyzes findings and prepares reports to ensure continuous quality improvement with regard to achieving positive outcomes for children and families. The Statewide Information System was reported to support all quality assurance efforts as well as other agency functions. New Mexico also was found to be in substantial conformity with the systemic factor of Agency Responsiveness to the Community. Stakeholders reported that the State seeks input from all relevant stakeholders regarding the provisions of the Child and Family Services Plan and in preparing the Annual Progress and Services Report.

New Mexico was not in substantial conformity with four of the seven systemic factors—Case Review System, Training, Service Array, and Foster and Adoptive Parent Licensing, Recruitment, and Retention. With regard to the Case Review System, the key concern identified by stakeholders and case reviewers pertained to the inconsistent involvement of parents in developing the case plan. In addition, although the State has a process in place for filing termination of parental rights (TPR) for children who have been in foster care, in both the Statewide Assessment and the on-site review, stakeholders identified concerns with timely filing or achievement of TPR. These delays were attributed for the most part to court practices, such as delays in scheduling, a lengthy TPR process, and the refusal of some judges to pursue TPR unless there is an identified adoptive home for the child.

The specific findings with regard to the State’s performance on the safety and permanency outcomes are presented in table 1 at the end of the Executive Summary. Findings regarding well-being outcomes are presented in table 2. Table 3 presents the State’s performance with regard to the seven systemic factors assessed through the CFSR. In the following section, key findings are summarized for each outcome and systemic factor.

I. KEY FINDINGS RELATED TO OUTCOMES

Safety Outcome 1: Children are first and foremost protected from abuse and neglect

Safety Outcome 1 incorporates two indicators. One pertains to the timeliness of initiating a response to a child maltreatment report (item 1), and the other relates to the recurrence of substantiated or indicated maltreatment (item 2).

New Mexico did not achieve substantial conformity with Safety Outcome 1. The outcome was determined to be substantially achieved in 87.8 percent of the applicable cases, which is less than the 95 percent or higher required for a rating of substantial conformity. There was little variation in performance on this outcome across counties. New Mexico also did not meet the National standards for the two data indicators pertaining to Safety Outcome 1—the absence of maltreatment recurrence and absence of maltreatment of children in foster care by foster parents or facility staff. New Mexico was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The State met its target goals for this outcome by the end of the PIP implementation period.

Additional key findings for this outcome were the following:

- Item 1 (timeliness of initiating investigations) was rated as a Strength in 94 percent of the cases.
- Many stakeholders expressed the opinion that the State is making concerted efforts to reduce maltreatment recurrence, but because some families are resistant to accessing the services, there is an ongoing risk of maltreatment recurrence.

Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate

Performance on Safety Outcome 2 is assessed through two indicators. One indicator (item 3) addresses the issue of child welfare agency efforts to prevent children’s removal from their homes by providing services to the families that ensure children’s safety while they remain in their homes. The other indicator (item 4) pertains to the child welfare agency’s efforts to reduce the risk of harm to the children.

New Mexico did not achieve substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 70.8 percent of the cases reviewed, which is less than the 95 percent or higher required for a rating of substantial conformity. Performance on this item varied across counties. The outcome was substantially achieved in 82 percent of Santa Fe County cases, compared to 67 percent of Bernalillo County cases and 65 percent of Lea County cases. New Mexico was in substantial conformity with this outcome for the 2001 CFSR and, therefore, the outcome was not addressed in the State’s PIP.

Additional key findings pertaining to this outcome were the following:

- Although in many cases, children and families were receiving services to prevent the child’s entry into foster care, these efforts were inconsistent (item 3).
- There was a lack of consistent practice with regard to providing sufficient services to children and families to address risk of harm issues (item 4). In particular, in several cases, children were left in unsafe situations or at risk of harm in their homes because no services were provided, the services provided were insufficient to ensure the children’s safety, and/or the case was closed without ensuring that areas of risk were addressed and resolved. Case reviewers expressed the opinion that in some of these cases, risk of harm concerns might have been better addressed if the agency had filed a petition in court to mandate services, particularly when the family was not cooperating and the agency had received multiple child maltreatment reports involving the family.
- There were safety-related concerns regarding the agency’s practice of giving money directly to some foster care youth who were age 16 and older and allowing them to find their own living situations. Case reviewers observed that in those cases, there appeared

to be little monitoring of this process and that the young people were not always making appropriate decisions with regard to safe residences.

- Many stakeholders interviewed during the onsite CFSR expressed concern about children remaining in unsafe or high risk home situations and attributed this primarily to a lack of services in the State to meet the needs of these children and families.

Permanency Outcome 1: Children have permanency and stability in their living situations.

There are six indicators incorporated in the assessment of permanency outcome 1, although not all of them are relevant for all children. The indicators pertain to the child welfare agency’s efforts to prevent foster care re-entry (item 5), ensure placement stability for children in foster care (item 6), and establish appropriate permanency goals for children in foster care in a timely manner (item 7). Depending on the child’s permanency goal, the remaining indicators focus on the child welfare agency’s efforts to achieve permanency goals (such as reunification, guardianship, adoption, and permanent placement with relatives) in a timely manner (items 8 and 9), or to ensure that children who have “other planned living arrangements” as a case goal are in stable placements and adequately prepared for eventual independent living (item 10).

New Mexico did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 37.5 percent of the cases, which is less than the 95 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that for the CFSR 12-month target period, the State did not meet the National standards for Permanency Composite 1: Timeliness and permanency of reunification, and Permanency Composite 4: Placement stability.

However, the State did meet the National standard for Permanency Composite 2: Timeliness of adoptions, and Permanency Composite 3: Permanency for children in foster care for extended time periods.

Although New Mexico’s performance on this outcome was fairly low in all sites, there was variation across sites. The outcome was found to be substantially achieved in 50 percent of Santa Fe County cases compared to 40 percent of Lea County cases and 30 percent of Bernalillo County cases. New Mexico was not in substantial conformity with this outcome in its 2001 CFSR and the outcome was addressed in the State’s PIP. The State met its target goals for this outcome by the end of the PIP implementation period.

Additional key findings pertaining to this outcome were the following:

- The rate of reentry into foster care was found to be a strength for the State (item 5).
- Placement stability appears to be a considerable challenge for the State, with placement changes often attributed to foster parents being unable to manage children’s behaviors (item 6).
- The agency was not consistent with regard to establishing appropriate permanency goals in a timely manner, and some goals remain in place even when there is no evidence that they are attainable (item 7).

- The agency was not consistent with regard to making concerted efforts to achieve reunifications, guardianships or permanent placements with relatives in a timely manner (item 8).
- The agency was not consistent with regard to making concerted efforts to achieve adoptions in a timely manner. Barriers to timely adoptions were both court-related (i.e., scheduling, continuances, appeals) and agency-related (i.e., delayed TPR filing and requests for court hearings and insufficient efforts to find adoptive homes) (item 9).
- In two cases, the agency did not make concerted efforts to ensure that the child was in a living arrangement that would be permanent until the child reached the age of majority.

Key concerns expressed by stakeholders with regard to permanency were the following:

- There is a scarcity of services in the community to support placement stability and efforts to reunify families or to prepare youth in making the transition from foster care to independent living.
- There are not enough adoptive homes for the children in foster care, particularly older children and children with special needs.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children.

Permanency Outcome 2 incorporates six indicators that assess the child welfare agency’s performance with regard to, (1) placing children in foster care in close proximity to their parents and close relatives (item 11); (2) placing siblings together (item 12); (3) ensuring frequent visitation between children and their parents and siblings in foster care (item 13); (4) preserving connections of children in foster care with extended family, community, cultural heritage, religion, and schools (item 14); (5) seeking relatives as potential placement resources (item 15); and (6) promoting the relationship between children and their parents while the children are in foster care (item 16).

New Mexico did not achieve substantial conformity with Permanency Outcome 2. The outcome was rated as substantially achieved in 75.0 percent of the cases, which is less than the 95 percent or higher required for substantial conformity. Performance on this outcome varied across sites. The outcome was determined to be substantially achieved in 85 percent of Bernalillo County cases, compared to 70 percent of Lea County cases and 60 percent of Santa Fe County cases. New Mexico did not achieve substantial conformity with this outcome in its 2001 CFPSR and addressed the outcome in its PIP. The State met its target goals for this outcome by the end of the PIP implementation period.

Additional findings pertaining to performance on this outcome were the following:

- Children were routinely and consistently placed in close proximity to parents or potential permanent caregivers (item 11).
- Most children were placed with their siblings, unless there was a valid reason for separating siblings (item 12).
- The agency is generally consistent in exploring a family’s Native American heritage and complying with ICWA, when relevant (item 14).
- There was a lack of consistency in promoting visitation between or among siblings in foster care (item 13).

- There was a lack of consistency with regard to efforts to maintain the child’s connection with extended family, culture and community (item 14), and with regard to efforts to maintain and strengthen the parent child relationship while children are in foster care (item 16).
- The agency was not consistent with regard to seeking and evaluating relatives as potential placement resources (item 15).

Well Being Outcome 1: Families have enhanced capacity to provide for their children’s needs.

Well Being Outcome 1 incorporates four indicators. One pertains to the child welfare agency’s efforts to ensure that the service needs of children, parents and foster parents are assessed and that the necessary services are provided to meet identified needs (item 17). A second indicator examines the child welfare agency’s efforts to actively involve parents and children (when appropriate) in the case planning process (item 18). The two remaining indicators examine the frequency and quality of caseworker’s contacts with the children in their caseloads (item 19) and with the children’s parents (item 20).

New Mexico did not achieve substantial conformity with Well-Being Outcome 1. The outcome was rated as substantially achieved in 63.1 percent of the cases reviewed, which is less than the 95 percent required for a determination of substantial conformity. Performance on this outcome varied across sites. The outcome was determined to be substantially achieved in 74 percent of Bernalillo County cases, compared to 53 percent of Lea County and Santa Fe County cases. Performance also varied slightly based on the type of case. The outcome was found to be substantially achieved in 67.5 percent (27 cases) of the 40 foster care cases compared to 56 percent (14 cases) of the 25 in-home services cases. New Mexico did not achieve substantial conformity with this outcome during its 2001 CFSR. For the 2001 CFSR, all four items incorporated in the outcome were rated as Areas Needing Improvement and were addressed in the State’s PIP. The State met its target goals for this outcome by the end of the PIP implementation period.

Additional key findings of the 2007 CFSR were the following:

- Although the ratings for the item assessing caseworker contact with children (88 percent rated as a Strength) did not meet the 90 percent Strength requirement for an overall rating of Strength, they were very close to this percent and for the most part, contacts were noted to be of sufficient frequency and quality to meet the needs of the child.
- The agency has made concerted efforts to ensure that children are able to maintain contacts with parents who are incarcerated.
- There was a lack of consistency with regard to adequately assessing and meeting the needs of parents, particularly fathers.
- The agency was inconsistent in involving parents and children in case planning.
- There was a lack of sufficient contact with fathers.

Well-Being Outcome 2: Children receive appropriate services to meet their educational needs.

There is only one indicator for Well-Being Outcome 2. It pertains to the child welfare agency’s efforts to address and meet the educational needs of children in both foster care and in-home services cases (item 21).

New Mexico did not achieve substantial conformity with Well-Being Outcome 2. Reviewers determined that the outcome was substantially achieved in 80.8 percent of the cases reviewed, which is less than the 95 percent or higher required for substantial

conformity. The outcome was determined to be substantially achieved in 87.5 percent of the Bernalillo County cases, 79 percent of the Santa Fe County cases, and 71 percent of the Lea County cases. Also, the outcome was determined to be substantially achieved in 84 percent of the applicable foster care cases compared to 71 percent of the applicable in-home services cases. The State was not in substantial conformity with this outcome in the 2001 CFSR and it was addressed in the PIP. The State met its target goals for this outcome by the end of the PIP implementation period.

Additional key findings were the following:

- There was a lack of assessment of educational needs even when there was clear evidence that the child was experiencing school-related problems. This included children who were failing courses and children who were not attending school regularly.
- Educational needs were identified and noted in the case record, but no services were provided to address those needs and educational issues were not included in the case plan (2 foster care cases).

Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs.

This outcome incorporates two indicators that assess the child welfare agency's efforts to meet children's physical health (item 22) and mental health (item 23) needs.

New Mexico did not achieve substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 81.2 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. The outcome was determined to be substantially achieved in 87 percent of Bernalillo County cases and 88 percent of Santa Fe County cases, compared to 62.5 percent of Lea County cases. Performance on the outcome did not vary substantively based on the type of case reviewed. New Mexico did not achieve substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The State met its target goals for this outcome by the end of the PIP implementation period.

Additional findings of the 2007 CFSR were the following:

- The agency was highly effective in meeting the physical health needs, including dental health, of children in foster care and in the in-home services cases.
- The agency was not consistently effective in meeting children's mental health needs.
- Stakeholders and case reviewers expressed concern about the use of psychotropic drugs for treating children and youth. In response to this concern, the State is in the process of implementing a project to provide individualized secondary psychiatric consultation in cases in which children are prescribed psychotropic medication.

II. KEY FINDINGS RELATED TO SYSTEMIC FACTORS

Statewide Information System

Substantial conformity with the systemic factor of Statewide Information System is determined by whether the State is operating a Statewide information system that can identify the status, demographic characteristics, location, and goals for children in foster care.

New Mexico achieved substantial conformity with the systemic factor of Statewide Information System. New Mexico was in substantial conformity with this outcome in the 2001 CFSR. Stakeholders noted that the New Mexico statewide information system, known as FACTS, provides information on client demographics and the location and current status of children in foster care. FACTS also generates management reports to track outcome measures and statistical client information. FACTS, which received extensive praise from stakeholders, has met Tier One status for the SACWIS requirements and provides staff with an effective, automated, case management tool. Each worker has a desktop to electronically manage case tasks, access structured decision making tools and receive reminders of upcoming events and due dates.

Case Review System

Five indicators are used to assess the State's performance with regard to the systemic factor of a Case Review System. The indicators examine the development of case plans and parent involvement in that process (item 25), the consistency of 6-month case reviews (item 26) and 12-month permanency hearings (item 27), the implementation of procedures to seek TPR, in accordance with the timeframes established in the Adoption and Safe Families Act (ASFA) (item 28), and the notification and inclusion of foster and pre-adoptive parents and relative caregivers in case reviews and hearings (item 29).

New Mexico is not in substantial conformity with the systemic factor of Case Review System. New Mexico was rated as being in substantial conformity with this factor during its first CFSR and was not required to address this factor in its PIP.

New Mexico was found to ensure that periodic reviews of the status of each child in foster care are held at least every 6 months and usually more often. Court reviews are held every 6 months as required by New Mexico's Children's Code and reviews by the Citizen Review Board (CRB) are held prior to the court's first permanency hearing (item 26). In addition, permanency hearings are being held in the State 11 months from the point of the child's removal from the home, and at least every 12 months thereafter (item 27).

Despite these areas of Strength, the following concerns were noted:

- Although case plans were reported to be developed for all children and many efforts (such as the Team Decision Making model) have been implemented in the State to increase engagement of families in the case planning process, information from stakeholder interviews, the Statewide Assessment, and the onsite case reviews, indicates that child and family involvement in case planning remains a challenge for the State in general (item 25).
- Although policy and State statute require TPR proceedings to be evaluated at each permanency hearing, there are court-related delays in the TPR process, and in some areas of the State, hearings to terminate parental rights are not being held if there is no identified adoptive family for a child (item 28).
- Although foster parents and relative caregivers are provided notice of court hearings as well as CRB reviews, they are not consistently given the opportunity to provide input in the court hearings (item 29).

Quality Assurance System

Performance with regard to the systemic factor of Quality Assurance System is based on whether the State has developed standards to ensure the safety and health of children in foster care (item 30), and whether the State is operating a statewide quality assurance system that evaluates the quality and effectiveness of services, and measures program strengths and areas needing improvement (item 31).

New Mexico was in substantial conformity with the systemic factor of Quality Assurance System. The State also was in substantial conformity with this factor in its 2001 CFSR. The State has developed and implemented licensing standards and other provisions to ensure the safety and health of children in foster care (item 30). In addition, the State has implemented a quality assurance case review system similar to the Federal CFSR. Reviews are conducted for individual counties and formal program improvement plans are developed and completed by every county for any outcome areas that are not in substantial conformity. The Quality Assurance System received very high praise from all stakeholders (item 31).

Training

The systemic factor of Training incorporates an assessment of the State's new caseworker training program (item 32), ongoing training for child welfare agency staff (item 33), and training for foster and adoptive parents (item 34).

New Mexico is not in substantial conformity with the systemic factor of training. The State was in substantial conformity with this systemic factor in its 2001 CFSR. The State was found to have an effective training program for foster and adoptive parents as well as kinship caregivers. The State uses a formal curriculum (PRIDE) that was perceived by stakeholders as effective. In addition, ongoing training was noted to be readily available for foster parents, with much of the ongoing training offered as part of local and statewide foster parent meetings.

Despite this strength, the CFSR determined that CORE training is not sufficiently preparing new caseworkers who will not be assigned as investigators (item 32). As indicated in the Statewide Assessment and from interviews with agency staff at multiple levels, CYFD currently is in the process of restructuring CORE training to improve the skill levels of new workers in all areas of the agency and to include more on-the-job training and mentoring. The CFSR also determined that there is insufficient ongoing training available to staff in all areas of the State (item 33). Stakeholders within the agency indicated that CYFD also is in the process of restructuring ongoing training to expand training availability throughout the State. (pg 78)

Service Array

The assessment of the systemic factor of Service Array addresses three questions: (1) Does the State have in place an array of services to meet the needs of children and families served by the child welfare agency (item 35)? (2) Are these services accessible to families and children throughout the State (item 36)? (3) Can services be individualized to meet the unique needs of the children and family served by the child welfare agency (item 37)?

New Mexico is not in substantial conformity with the systemic factor of Service Array. The State also was not in substantial conformity with this factor in its 2001 CFSR and, as noted in the Statewide Assessment, service array is one of the State's greatest challenges. Stakeholders attributed many of the service array problems to the State's new managed care services system, which is operated by a private for-profit agency ValueOptions. The general finding of the CFSR was that, although there are many praiseworthy services available in the State and many caseworkers make concerted efforts to access services for the children and families in their caseloads, the array of services is not sufficient to address the needs of children and families served by the child welfare system (item 35). Key services gaps were noted to be in the areas of behavioral health, substance abuse treatment, domestic violence services, services for monolingual Spanish-speaking families and services for youth making the transition from foster care to independent living. In addition, although services tended to be somewhat available in the major metropolitan areas of the State, many rural areas were without adequate services (item 36). Finally, despite the resourceful and creative efforts of many agency caseworkers to meet the unique needs of children and families, these efforts were not consistently effective because of the scarcity of key services (item 37).

Agency Responsiveness to the Community

Performance with regard to the systemic factor of Agency Responsiveness to the Community incorporates an assessment of the State's consultation with external stakeholders in developing the Child and Family Services Plan (items 38 and 39), and the extent to which the State coordinates child welfare services with services or benefits of other Federal or Federally assisted programs serving the same population (item 40).

New Mexico was in substantial conformity with the factor of Agency Responsiveness to the Community. The State also was in substantial conformity with this factor in its 2001 CFSR. The general finding in the 2007 CFSR was that the State engages in ongoing consultation with key stakeholders to obtain their input regarding the goals and objectives of the Child and Family Service Plan (item 38). The State also includes the input of stakeholders in the development of annual reports of progress and services (39). However, some concerns were raised that the Tribes did not have sufficient consultation with the agency regarding the Child and Family Service Plan or the annual reports. Finally, the CFSR found that there was coordination between CYFD and other Federally assisted programs to meet the service needs of the children and families served by the agency (item 40).

Foster and Adoptive Parent Licensing, Recruitment, and Retention

The assessment of this systemic factor focuses on the State's standards for foster homes and child care institutions (items 41 and 42), the State's compliance with Federal requirements for criminal background checks for foster and adoptive parents (item 43), the State's efforts to recruit foster and adoptive parents that reflect the ethnic and racial diversity of foster children (item 44), and the State's activities with regard to using cross-jurisdictional resources to facilitate permanent placements for waiting children (item 45).

New Mexico was not in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Concerns were noted with regard to the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in foster care in the State. The CFSR found that, although the State is implementing efforts to enhance recruitment, these efforts are not fully established and there remains a significant need for foster homes and adoptive homes for Native

American, Hispanic and African American children. Concerns also were noted about the State's use of cross-jurisdictional resources to find placements and adoptive homes for children. Although processes are in place to facilitate in-State, cross-jurisdictional placements, CYFD does not have a process in place to ensure that out-of-State inquiries are appropriately considered. New Mexico was in substantial conformity with this factor during the 2001 CFSR.

Despite these concerns, the CFSR found that the State has clear standards for foster family homes and child care institutions, and these standards are implemented in a uniform manner (items 41 and 42). In particular, the same standards are applied to both non-relative and relative foster homes. In addition, there was clear evidence that the State complies with Federal requirements for criminal background clearances (item 43).

Table 1. New Mexico CFSR Ratings for Safety and Permanency Outcomes and Items

Outcomes and Indicators	Outcome Ratings			Item Rating	
	<i>In Substantial Conformity ?</i>	<i>Percent Substantially Achieved*</i>	<i>Met National Standards?</i>	<i>Rating* *</i>	<i>Percent Strength</i>
Safety Outcome 1-Children are first and foremost, protected from abuse and neglect	NO	87.8	NO		
Item 1: Timeliness of investigations				Strength	94
Item 2: Repeat maltreatment				ANI	89
Safety Outcome 2 – Children are safely maintained in their homes when possible and appropriate	NO	70.8			
Item 3: Services to prevent removal				ANI	80
Item 4: Risk of harm				ANI	72
Permanency Outcome 1- Children have permanency and stability in their living situations	NO	37.5	Met 2 Did not meet 2		
Item 5: Foster care re-entry				Strength	91
Item 6: Stability of foster care placements				ANI	72.5
Item 7: Permanency goal for child				ANI	65
Item 8: Reunification, guardianship and placement with relatives				ANI	65
Item 9: Adoption				ANI	21
Item 10: Other planned living arrangement				ANI	75
Permanency Outcome 2 - The continuity of family relationships and connections is preserved	NO	75.0			
Item 11: Proximity of placement				Strength	100
Item 12: Placement with siblings				ANI	86
Item 13: Visiting with parents and siblings in foster care				ANI	68
Item 14: Preserving connections				ANI	78
Item 15: Relative placement				ANI	65
Item 16: Relationship of child in care with parents				ANI	71

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for the State to be in substantial conformity with the outcome.

**Items may be rated as a Strength or an Area Needing Improvement (ANI). For an overall rating of Strength, 90 percent of the cases must be rated as a Strength.

Table 2. New Mexico CFSR Ratings for Child and Family Well Being Outcomes and Items

Outcomes and Indicators	Outcome Ratings		Rating**	Percent Strength
	<i>In Substantial Conformity?</i>	<i>Percent Substantially Achieved</i>		
Well Being Outcome 1 - Families have enhanced capacity to provide for children's needs	NO	63.1		
Item 17: Needs/services of child, parents, and foster parents			ANI	65
Item 18: Child/family involvement in case planning			ANI	73
Item 19: Worker visits with child			ANI	88
Item 20: Worker visits with parents			ANI	70
Well Being Outcome 2 - Children receive services to meet their educational needs	NO	80.8		
Item 21: Educational needs of child			ANI	81
Well Being Outcome 3 - Children receive services to meet their physical and mental health needs	NO	81.2		
Item 22: Physical health of child			Strength	90
Item 23: Mental health of child			ANI	84

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for the State to be in substantial conformity with the outcome.

**Items may be rated as a Strength or an Area Needing Improvement (ANI). For an overall rating of strength, 90 percent of the cases reviewed for the item (with the exception of item 21) must be rated as a Strength. Because item 21 is the only item for Well Being Outcome 2, the requirement of a 95 percent strength rating applies.

Table 3: New Mexico CFSR Ratings for Systemic Factors and Items

Systemic Factors and Items	Substantial Conformity?	Score*	Item Rating**
STATEWIDE INFORMATION SYSTEM	YES	4	
Item 24: State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.			Strength
CASE REVIEW SYSTEM	NO	2	
Item 25: Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parents that includes the required provisions.			ANI
Item 26: Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.			Strength
Item 27: Provides a process that ensures that each child in foster care under the supervision of the States has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.			Strength
Item 28: Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act			ANI
Item 29: Provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.			ANI
QUALITY ASSURANCE SYSTEM	YES	4	
Item 30: The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of children.			Strength
Item 31: The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identified strengths and needs of the service delivery system, provides relevant reports, and evaluations program improvement measures implemented.			Strength
TRAINING	NO	2	
Item 32: The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.			ANI
Item 33: The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in			ANI

the CFSP.			
Item 34: The States provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.			Strength
Table 3: (Continued)			
Systemic Factors and Items	Substantial Conformity?	Score*	Item Rating**
SERVICE ARRAY	NO	1	
Item 35: The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.			ANI
Item 36: The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.			ANI
Item 37: The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.			ANI
AGENCY RESPONSIVENESS TO THE COMMUNITY	YES	4	
Item 38: In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, services providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.			Strength
Item 39: The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.			Strength
Item 40: The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.			Strength
FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION	NO	2	
Item 41: The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended National standards.			Strength
Item 42: The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.			Strength
Item 43: The State complies with Federal requirements for criminal background			

clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.			Strength
Item 44: The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom adoptive homes are needed.			ANI
Item 45: The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.			ANI

*Scores range from 1 to 4. A score of 1 or 2 means that the factor is not in substantial conformity. A score of 3 or 4 means that the factor is in substantial conformity.

**Items may be rated as a Strength or as an Area Needing Improvement (ANI)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

Final Report
New Mexico Child and Family Services Review
August 16, 2007

U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
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Introduction

This document presents the findings of the Child and Family Services Review (CFSR) for the State of New Mexico. The CFSR is the Federal government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring the Department of Health and Human Services to promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau of the Administration for Children and Families (ACF) within the U.S. Department of Health and Human Services.

The New Mexico CFSR was conducted the week of May 7, 2007. The period under review for the case reviews was from 4/1/06 to 5/07/07. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the New Mexico Children, Youth and Families Department (CYFD).
- The State Data Profile, prepared by the Children's Bureau, which provides State child welfare data for fiscal year (FY) 2004, FY 2005, and the CFSR 12-month target period ending March 31, 2006.
- Reviews of 65 cases at three sites throughout the State: 31 cases in Bernalillo County, 17 cases in Lea County, and 17 cases in Santa Fe County.
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders including, but not limited to children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, and attorneys.

Information from each resource is presented for all of the items reviewed.

All 65 cases were open child welfare agency cases at some time during the period under review. The key characteristics of the 65 cases reviewed are presented in the table on the following page.

The first section of the report (Section A: Outcomes) presents the CFSR findings relevant to the State's performance in achieving specified outcomes for children in the areas of safety, permanency, and well-being. For each outcome, there is a table presenting the data for the case review findings and national indicators (when relevant). The table is followed by a discussion of the State's status with regard to substantial conformity with the outcome at the time of the State's first CFSR review, the State's status relevant to the current review, and a presentation and discussion of each item (indicator) assessed under the outcome. Differences in findings across the sites included in the onsite review are described when noteworthy. Variations in outcome and item ratings as a function of type of case (i.e., foster care or in-home services) also are identified when appropriate. The second section of the report (Section B: Systemic Factors) provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.

TABLE OF CASE CHARACTERISTICS

Case Characteristics	Foster Care Cases	In-Home Cases
	40	25
When case was opened/child entered foster care		
Open prior to the period under review	27	8
Open during the period under review	13	17
Child entered foster care during the period under review	10	
Child's age at start of period under review		NA
Younger than age 10	11 (28%)	
At least 10 but younger than 13	9 (23%)	
At least 13 but younger than 16	13 (33%)	
16 and older	7 (18%)	
Race/Ethnicity		
African American (Non-Hispanic)	0	
White (Non-Hispanic)	13 (32.5%)	
Hispanic (of all races)	23 (57.5%)	
Two or more races	2 (5%)	
Unknown	2 (5%)	
Primary Reason for opening case		
Neglect (not including medical neglect)	21 (52.5%)	11 (44%)
Physical abuse	5 (12.5%)	4 (16%)
Sexual abuse	3 (7.5%)	0
Medical neglect	0	2 (8%)
Substance abuse by parent	6 (15%)	8 (32%)
Domestic violence in child's home	0	0
Emotional maltreatment	2 (5%)	0
Abandonment	3 (7.5%)	0

*Information on these characteristics for in-home services cases is not provided because all children in the family are considered in these cases

SECTION A: OUTCOMES

In the Outcomes Section of the CSFR Final Report, an overall rating of Strength or Area Needing Improvement is assigned to each of the 23 indicators (items) reviewed. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed were rated as a Strength. In addition to the item ratings, States are evaluated with regard to performance on seven outcomes, each of which incorporates one or more of the individual items. The evaluation options for these outcomes are Substantially Achieved, Partially Achieved, and Not Achieved. For a State to be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having substantially achieved the outcome. Two outcomes—Safety Outcome 1 and Permanency Outcome 1—also are evaluated based on State performance with regard to seven national data indicators. For a State to be in substantial conformity with these outcomes, the national standards for each data indicator must be met as well as the case review requirements. A State that is not in substantial conformity with a particular outcome must develop and implement a Program Improvement Plan (PIP) to address the areas of concern identified for that outcome.

ACF has established a very high standard of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our nation's most vulnerable children and families, only the highest standards of performance should be considered acceptable. The standards are set high to ensure ongoing attention to achieving positive outcomes for children and families with regard to safety, permanency, and well-being. This is consistent with the goal of the CFSR to promote continuous improvement in performance on these outcomes.

It should be noted, however, that States are not required to attain the 95 percent standard established for the CFSR onsite review at the end of their PIP implementation. ACF recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often are time consuming to implement. Also, improvements are likely to be incremental rather than dramatic. Instead, States work with ACF to establish a specified amount of improvement or to determine specified activities for their Program Improvement Plan. That is, for each outcome or item that is an area needing improvement, each State (working in conjunction with the Children's Bureau) specifies the following: (1) how much improvement the State will demonstrate and/or the activities that it will implement to address the areas needing improvement, and (2) the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of their PIP and still not perform at the 95 percent (for outcomes) or the 90 percent (for items) levels established for the CFSR.

The second round of the CFSR is intended to assess a State's current level of performance by once more applying the high standards and a consistent, comprehensive, case-review methodology. The results of this effort are intended to serve as the bases for continued Program Improvement Plans addressing areas in which a State still needs to improve, even though prior PIP requirements may have been achieved. The goal is to ensure that program improvement is an ongoing process and does not end with the closing of a PIP.

In the following sections, for each outcome assessed, there is information pertaining to how the State performed on that outcome in the first round. If the outcome was not substantially achieved during the first round of the CFSR, there is a discussion of the key concerns identified at that time and the strategies implemented in the PIP to address those concerns. This discussion also focuses on whether the key concerns that emerged in the first CFSR continued to be present in the second review, or whether those concerns were resolved, but other concerns emerged.

Because many changes have been made in the onsite CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State’s performance in the second round of the CFSR is not directly comparable to their performance in the first round, particularly with regard to comparisons of data indicators or percentages regarding Strength and Area Needing Improvement ratings. Key changes in the CFSR process that make it difficult to compare performance across reviews are the following:

- An increase in the sample size from 50 to 65 cases.
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items.
- Changes in criteria for specific items to enhance consistency and ensure an assessment of critical areas, such as child welfare agency efforts to involve non-custodial parents in planning for their children.

I. SAFETY

Safety Outcome 1

Outcome S1: Children are, first and foremost, protected from abuse and neglect.					
Number of cases reviewed by the team according to degree of outcome achievement					
	Bernalillo	Lea	Santa Fe	Total Number	Percent
Substantially Achieved	15	6	8	29	87.8
Partially Achieved	0	1	1	2	6.1
Not Achieved or Addressed	2	0	0	2	6.1
Total Applicable Cases	17	7	9	33	
Not Applicable Cases	14	10	8	32	
Total Cases	31	17	17	65	
Conformity of Statewide data indicators with national standards:					
	National Standard (%)		State’s Percentage		Meets Standard
Absence of maltreatment recurrence	94.6		91.5		NO
Absence of maltreatment of children in foster care by foster parents or facility staff	99.68		99.46		NO

STATUS OF SAFETY OUTCOME 1

New Mexico did not achieve substantial conformity with Safety Outcome 1. The outcome was determined to be substantially achieved in 87.8 percent of the applicable cases, which is less than the 95 percent or higher required for a rating of substantial conformity. There was little variation in performance on this outcome across counties.

New Mexico also did not meet the national standards for the two data indicators relevant for Safety Outcome 1. These indicators pertain to the absence of maltreatment recurrence and absence of maltreatment of children in foster care by foster parents or facility staff.

Key Concerns from the 2001 CFSR

New Mexico was not in substantial conformity with this outcome for its 2001 CFSR and was required to address this outcome in its PIP. During the 2001 CFSR, both of the items included in this outcome were rated as Areas Needing Improvement.

Key concerns from the 2001 CFSR relevant to this outcome were the following:

- In some cases, delays in initiating investigations were due to difficulties locating families.
- Some caseworkers were not clear about the State's definition of "initiation of investigation."
- There were a number of cases involving maltreatment recurrence.

To address these concerns, the agency implemented the following strategies in their PIP:

- Revised policy to clearly define "initiation" of an investigation.
- Implemented new strategies for locating families to improve response times for investigations.
- Implemented an individual investigation plan with supervisors to reduce the number of investigations initiated late.
- Maintained a worker vacancy rate of 9.5 percent or less to reduce the number of pending investigations to fewer than 10 percent of the total investigations.
- Established a Safety Committee to address screening practices at Statewide Central Intake (SCI) and to review the new training curriculum to improve investigation staff skills in assessing safety.
- Developed reports to track maltreatment of children in foster care.
- Enhanced mapping of the victim and perpetrator in the State's automated information system (FACTS) to improve identification of maltreatment recurrence incidents.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2007 CFSR

In contrast to the 2001 CFSR, item 1 (timeliness of initiating investigations) was rated as a Strength in the 2007 CFSR. The case reviews indicated that in 2007, in contrast to the 2001 CFSR, caseworkers clearly understood the definition of “initiation of an investigation,” and there were no delays in initiating investigations due to difficulties locating families. Although performance improved from 2001 to 2007 in the area of timeliness of initiating investigations, the State continued to experience challenges with regard to maltreatment recurrences within a 6-month period, as evidenced primarily by their national data for the measure of absence of maltreatment recurrence.

Many stakeholders expressed the opinion that the State is making concerted efforts to reduce maltreatment recurrence, but that many families are resistant to accessing services. Stakeholders suggested that repeat maltreatment may be due in large part to parents’ refusal to participate in services.

The findings pertaining to the specific items assessed under Safety Outcome 1 are presented below.

Item 1: Timeliness of initiating investigations of reports of child maltreatment

Strength Area Needing Improvement

Case Review Findings

The assessment of item 1 was applicable for 33 (51 percent) of the 65 cases. Cases were not applicable when there were no child maltreatment reports during the period under review. In assessing item 1, reviewers were to determine whether the response to a maltreatment report occurring during the period under review had been initiated in accordance with the State child welfare agency policy requirements.

New Mexico policy states that initiation is defined as face-to-face contact by the investigation caseworker with the alleged victim. Both intake and investigation policies define three priority levels with initiation timeframes as follows:

- An Emergency Report is initiated within 3 hours from receipt of a report by Statewide Central Intake (SCI).
- A Priority One Report is initiated within 24 hours from receipt of the report by SCI.
- A Priority Two Report is initiated within 5 calendar days from receipt of the report by SCI.

The results of the assessment of this item are presented in the table below.

Item 1	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	15	7	9	31	94
Area Needing Improvement	2	0	0	2	6
Total Applicable Cases	17	7	9	33	

Not applicable	14	10	8	32	
Total Cases	31	17	17	65	

Performance on this item did not vary substantively across sites.

Item 1 was rated as a Strength when the investigation was initiated and face-to-face contact was established with the child within the timeframes required by State policy or law. It was rated as an Area Needing Improvement when face-to-face contact was not established within the required timeframes. In both cases rated as an Area Needing Improvement, contact with the alleged victim in the allegation was made within the required timeframes, but face-to-face contact with the other children in the family was not within required timeframes.

Rating Determination

Item 1 was assigned an overall rating of Strength. In 94 percent of the applicable cases, reviewers determined that the agency had initiated an investigation of a maltreatment report in accordance with required timeframes. This percent exceeds the 90 percent required for an overall item rating of Strength. This item was rated as an Area Needing Improvement in the State’s 2001 CFSR.

Stakeholder Interview Information

There was general agreement among stakeholders commenting on this item during the onsite CFSR that CYFD initiates investigations of child maltreatment allegations in a timely manner. They noted that Statewide Central Intake (SCI) is on call 24/7 and cases are immediately and electronically assigned to the county offices. Stakeholders said that when the report is an emergency, SCI makes a phone call to notify the agency of the emergency. A few stakeholders, however, suggested that caseworkers generally respond to emergency and priority 1 maltreatment reports in a more timely manner than priority 2 reports, because the latter reports often are moved to the bottom of the list when more urgent reports are received.

Stakeholders reported that when a report comes from a Native American Tribe or Pueblo, SCI transfers the case to Indian Social Services. Most stakeholders suggested that the agency and Indian Social Services have a positive partnership regarding responses to maltreatment reports. They said that CYFD often completes the necessary forms to assist a Tribe that may not have the resources. Stakeholders also said that the Tribes will contact CYFD and ask for agency intervention in situations in which the Tribe does not have jurisdiction. However, a few stakeholders expressed the opinion that better communication is needed between the Tribes and the agency regarding these latter reports.

Bernalillo County stakeholders pointed out that the local CYFD has addressed the problem of delays in investigations due to difficulties locating families. They noted that there is a new protocol in which the SCI report goes to a contact person in the local CYFD county office. This person is responsible for assigning the case, but also conducts a detailed search for family history, finds out what schools the children are attending, and puts together a file with this information and maps. The result is that once the report is

assigned, the investigator can just “grab the file and be out the door.” This new protocol was noted as supporting timely initiations of investigations.

Statewide Assessment Information

According to the Statewide Assessment, policy regarding timeliness of initiating investigations has improved since the 2001 CFSR, particularly with regard to clarifying the definition of “initiation.” CYFD policy requires an organizational structure capable of receiving reports of suspected child abuse or neglect 24 hours a day, 7 days a week, and that all accepted reports are prioritized. Intake policy defines “prioritization” as the assignment of a timeframe for CYFD to initiate an investigation, based upon indicators of immediate danger to the child and mitigating protective factors. The Statewide Assessment reports that investigation procedure details the assignment of reports based on priority and delineates the requirements for the initiation of an investigation, including provisions for documented diligent efforts to establish face-to-face contact with the victim.

The Statewide Assessment also reports that data from Quality Assurance Reviews conducted in 2006 and 2005 show improvement in item strength. Timeliness of initiating investigations was rated as a Strength in 63 percent of cases reviewed in 2006 and 55 percent of cases reviewed in 2005.

Item 2. Repeat maltreatment

Strength Area Needing Improvement

Case Review Findings

The assessment of item 2 was applicable for 18 (28 percent) of the 65 cases. Cases were not applicable for this item if there was no substantiated or indicated maltreatment report during the period under review. For all applicable cases, reviewers were to determine whether there had been a substantiated or indicated maltreatment report on the family during the period under review, and if so, whether another substantiated or indicated report involving similar circumstances had occurred within a 6-month period before or after that identified report. Information regarding the ratings is provided below.

Item 2	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	10	2	4	16	89
Area Needing Improvement	0	1	1	2	11
Total Applicable Cases	10	3	5	18	
Not applicable	21	14	12	47	
Total Cases	31	17	17	65	

Variations in performance across the three sites are not meaningful because of the small number of applicable cases.

Item 2 was rated as a Strength when there was no indication of two or more substantiated or indicated maltreatment reports on the family within a 6-month period, or when there were two or more substantiated reports, but they did not involve the same perpetrator or circumstances. Item 2 was rated as an Area Needing Improvement in one case in which there were four substantiated reports of child maltreatment during a 6-month period, and in another case in which there were two substantiated reports of child maltreatment within a 4-month period.

Although there was little evidence in the cases reviewed of the recurrence of substantiated maltreatment during the period under review, there were many cases in which there were multiple reports on the family during the life of the case, most of which were not substantiated. In 18 cases, there were 10 or more child maltreatment reports during the life of the case, and in 7 of these cases, there were 15 or more reports.

Rating Determination

Item 2 was assigned an overall rating of Area Needing Improvement. In 89 percent of the cases, reviewers determined that there was no recurrence of maltreatment. Although this percent is only slightly less than the 90 percent required for a rating of Strength, the State did not meet the national standard for the data indicator pertaining to the recurrence of maltreatment. In the State's first CFSR, this item also was rated as an Area Needing Improvement, and the State also did not meet the national standard at that time.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR indicated that CYFD has made concerted efforts to improve its performance with regard to preventing maltreatment recurrence. They noted that staff are assessing families more thoroughly than previously and trying to link families with community-based services at the onset of the case in an effort to prevent maltreatment recurrence. Stakeholders also noted that the Team Decision Making meetings help identify problems and solutions at the onset of a case and are effective in involving families in the decision making process.

Stakeholders reported that there is a policy in the agency that supervisors are to examine cases that have had three or more reports alleging maltreatment to understand what services may be needed by the family. Stakeholders noted, however, that even with these efforts, it often is difficult to get families to access services and there are not enough in-home services for the families that need them. These stakeholders expressed the opinion that maltreatment recurrence is most likely to occur when families do not receive the services they need.

Statewide Assessment Information

As indicated in the Statewide Assessment, data from the CYFD FACTS system for FY 2006 show a rate of absence of maltreatment of recurrence in a 6-month time period of 93.1 percent, and a rate of absence of maltreatment recurrence in a 12-month time period of 89.5 percent. Seven of the 29 county offices had rates of 94.6 percent or higher, which meets the national standard (some of these are based on small numbers, however).

Data from Quality Assurance Reviews conducted in 2006 and 2005 show little change in item strength. Absence of repeat maltreatment was rated as a Strength in 84 percent of the cases reviewed in 2006 and 85 percent of the cases reviewed in 2005.

According to the Statewide Assessment, promising practices with regard to reducing the rate of maltreatment recurrence include Team Decision Making meetings, increased use of contract services (i.e. mid-level family preservation services), and increased focus on collaborative working relationships with community partners in many county offices (e.g., domestic violence programs, schools, etc.). However, the Statewide Assessment also notes that resources for families are not sufficient. As indicated in the Statewide Assessment, the typical profile of repeat maltreatment cases is a young mother with mental health and/or substance abuse and/or domestic violence issues, and resources to address these problems are inadequate in New Mexico. The Statewide Assessment also notes that these services are particularly scarce in some areas of the State, and the resources that are available in those areas are not being targeted to the highest-risk families.

Safety Outcome 2

Safety Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.					
Number of cases reviewed by the team according to degree of outcome achievement					
	Bernalillo	Lea	Santa Fe	Total	Percentage
Substantially Achieved	21	11	14	46	70.8
Partially Achieved	5	3	0	8	12.3
Not Achieved or Addressed	5	3	3	11	16.9
Total Cases	31	17	17	65	

STATUS OF SAFETY OUTCOME 2

New Mexico did not achieve substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 70.8 percent of the cases reviewed, which is less than the 95 percent or higher required for a rating of substantial conformity. Performance on this item varied across counties. The outcome was substantially achieved in 82 percent of Santa Fe County cases, compared to 67 percent of Bernalillo County cases and 65 percent of Lea County cases.

Key Concerns of the 2001 CFSR

New Mexico was in substantial conformity with this outcome for the 2001 CFSR. Therefore, the outcome was not addressed in the State’s PIP.

Key Findings of the 2007 CFSR

The 2007 CFSR findings indicate a lack of consistency with regard to CYFD efforts to prevent children’s entry into foster care (item 3). The 2007 CFSR findings also indicate a lack of consistency in providing sufficient services to children and families to address

risk of harm issues (item 4). Case reviewers determined that in several cases, children were in unsafe situations or at risk of harm in their homes because no services were provided, the services provided were insufficient to ensure the children’s safety, and/or the case was closed without ensuring that areas of risk were addressed and resolved. Case reviewers expressed the opinion that in some of these cases, the agency could have been more assertive in filing a petition in court to mandate services, particularly when the family was not cooperating and the agency had received multiple child maltreatment reports involving the family.

Case reviewers also identified concerns regarding the agency’s practice of giving money directly to some foster care youth who were age 16 and older and allowing them to find their own living situations. Case reviewers observed that in those cases, there appeared to be little monitoring of this process and that the young people were not always making appropriate decisions with regard to safe residences.

Many stakeholders interviewed during the onsite CFSR expressed concern about children remaining in unsafe or high risk home situations and attributed this primarily to a lack of services in the State to meet the needs of these children and families.

The findings pertaining to the specific items assessed under Safety Outcome 2 are presented below.

Item 3. Services to family to protect child(ren) in home and prevent removal

Strength Area Needing Improvement

Case Review Findings

An assessment of item 3 was applicable in 40 (62 percent) of the 65 cases. Cases were excluded from this assessment if the children entered foster care prior to the period under review and there were no other children in the home or if there was no substantiated or indicated maltreatment report or identified risk of harm to the children in the home during the period under review. For this item, reviewers assessed whether, in responding to a substantiated maltreatment report or risk of harm, the agency made diligent efforts to provide services to families to prevent placement of children in foster care while at the same time ensuring their safety. The results of this assessment are shown in the table below.

Item 3	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	15	8	9	32	80
Area Needing Improvement	4	2	2	8	20
Total Applicable Cases	19	10	11	40	
Not applicable	12	7	6	25	
Total Cases	31	17	17	65	

There was little variation in performance on this item across sites. Item 3 was rated as a Strength when reviewers determined the following:

- Services were provided to the parents and child to prevent removal (17 cases).
- The child was placed voluntarily with relatives and services were provided to the relatives, parents, and children (5 cases).
- The children were appropriately removed from the home because the removal was necessary to ensure the child's safety (9 cases).
- Services were provided after the reunification of the child (1 case).

Case review information indicates that a range of services was offered or provided to families. These included services provided by CYFD staff and also the following: behavioral management, parenting skills training, counseling, funds for utilities, arrangements for treatment, substance abuse assessment and treatment, domestic violence services, individual therapy, family therapy, STEP program services, life skills, family preservation services, medication management, in-home mental health services, developmental screenings, legal services, inpatient mental health services, housing services, independent living services, adult protective services, financial assistance, and early childhood development services.

Item 3 was rated as an Area Needing Improvement when reviewers determined the following:

- No services were provided and the children remained at risk in the home (4 cases).
- Some services were provided but they did not adequately address the safety issues in the family, and the children remained at risk in the home (2 cases).
- No services were provided after reunification to ensure the child's ongoing safety and prevent re-entry (1 case).
- The child was placed into foster care without efforts to provide services (1 case, which was due to law enforcement removal over the objections of the CYFD caseworker).

Case reviewers noted that in some of the cases rated as an Area Needing Improvement for this item, the case was closed without all of the safety issues being addressing because the family would not access services. They observed that in these situations, the agency did not petition the court to mandate services for these families despite the fact that risk of harm to the child remained.

Rating Determination

Item 3 was assigned an overall rating of Area Needing Improvement. In 80 percent of the cases, reviewers determined that CYFD had made concerted efforts to maintain children safely in their own homes. This percent is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR had differing opinions regarding efforts to prevent the entry of children into foster care. Several stakeholders reported that local law enforcement agencies often receive calls from the public concerning child maltreatment issues, particularly domestic violence and child endangerment (e.g., driving while intoxicated with children in the

car). Because New Mexico State statute authorizes law enforcement officers to make immediate custody decisions, there are many cases in which law enforcement removes children from their homes and places them in foster care, usually in response to a maltreatment allegation received on weekends or after hours. When CYFD becomes involved, a decision is made either to return the children home or to file a custody petition within 48 hours. This practice often is referred to as a “48-hour hold.”

Several stakeholders expressed concern about the practice of “48-hour holds.” They questioned whether many of the removals were necessary and noted that data from the State’s automated information system (FACTS) indicate that 40 percent of the children removed by law enforcement are returned home within 8 days and most of these children are not re-entering foster care. A few stakeholders suggested that these data raise the following questions:

- If these children are in foster care for less than 8 days, could their placement have been prevented?
- What are the factors that are driving this practice?
- What is the effect of this practice on the child?
- What is the effect of this practice on CYFD in terms of the use of placement resources and caseworker caseloads?

Bernalillo County stakeholders reported that in response to these concerns, the county CYFD has offered training to law enforcement to address issues such as what constitutes an emergency, the value of partnering with CYFD on assessments, and alternative responses to removing children from their homes. Lea County stakeholders also noted that the agency works closely with law enforcement to prevent unnecessary removals. These stakeholders also noted that there is a form used in staffing the case that asks “what have you done to prevent removing the child from the home?”

There was general agreement among stakeholders that many removals of children from their homes are due to a lack of services to support the family while the child remains at home. They noted that this is particularly true in rural areas. However, stakeholders also noted that CYFD makes concerted efforts to maintain children safely in their own homes through the provision of in-home services and team decision-making (TDM) meetings. Stakeholders also noted that the availability of flexible funds to pay for basic needs such as utilities and food also supports efforts to maintain children in their own homes. However, all stakeholders agreed that services to prevent removal are effective only to the extent that parents comply with the services and the safety plan.

Statewide Assessment Information

According to the Statewide Assessment, CYFD policy requires that reasonable efforts be made to maintain the family unit and prevent the removal of a child from his/her home, as long as the child’s safety is assured. CYFD policy also provides for home-based services to reduce the risk of maltreatment. Services are provided to the family on a voluntary basis, based on the assessment of needs and risks that take into account family strengths and family resources. CYFD develops and implements three types of plans for in-home services cases—a safety plan, a family assessment plan, and a family treatment plan. Contracted family support and family preservation services are available in some counties.

The Statewide Assessment also reports, however, that Quality Assurance Reviews conducted in 2004, 2005 and 2006 indicate that item 3, which captures services to protect children in their own home and prevent removal, was rated as a Strength in only 63 percent of the cases in 2004, 67 percent of the cases reviewed in 2005, and 56 percent of the cases reviewed in 2006. The Statewide Assessment notes that the agency is concerned about the low Strength ratings for this item, particularly since the item was rated as a Strength in the State’s 2001 CFSR. As indicated in the Statewide Assessment, the Statewide Assessment Team expressed concerns about the adequacy of the service array and the quality of in-home services. The Statewide Assessment notes that the Behavioral Health Purchasing Collaborative and the single-entity provider (ValueOptions New Mexico) have made changes to provider networks and the way that services are secured for families. Some providers have been lost due to changes in reimbursement practices and some services have become more difficult to access.

The Statewide Assessment also notes that the Statewide Assessment Team expressed concerns that CYFD does not remain engaged with the family long enough after the decision is made that a child is not going into foster care and that the agency does not make concerted efforts to keep families engaged in services.

The Statewide Assessment notes that some questions were raised by stakeholders regarding the impact of law enforcement having the statutory authority to place children directly in custody, on the State’s performance on the CFSR item 3. In New Mexico, law enforcement may place children directly into the custody of the agency without any prior contact with the agency. Subsequently, children are returned to their families unless the Agency files a petition with the court within two days. The majority of children in the New Mexico foster care system come into custody through emergency custody by law enforcement, and a significant number of children (over 40 percent) are reunified in less than 8 days of entry as a result of a CYFD decision not to file a petition, but rather to provide in-home or community based services.

Item 4. Risk of harm to child

Strength Area Needing Improvement

Case Review Findings

An assessment of item 4 was applicable for all 65 cases. The results of this assessment are shown in the table below.

Item 4	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	22	11	14	47	72
Area Needing Improvement	9	6	3	18	28
Total Cases	31	17	17	65	

As shown in the table, performance on this item differed across sites. The item was rated as a Strength in 82 percent of Santa Fe County cases, compared to 71 percent of Bernalillo County cases and 65 percent of Lea County cases. There were no substantive differences in performance on this item based on the type of case. The item was rated as a Strength in 75 percent of the foster care cases compared to 68 percent of the in-home services cases.

Item 4 was rated as a Strength when reviewers determined that the risk of harm to children was appropriately addressed by the agency through (1) conducting initial and ongoing assessments of risk and safety either in the children's home or in children's foster home and, (2) addressing all safety-related concerns identified through the assessment. Item 4 was rated as an Area Needing Improvement when reviewers determined the following:

- There was risk of harm to the children when they were in their homes and the services necessary to reduce that risk were not provided or the safety plan that was established was not sufficient to address the risk (5 cases).
- There was insufficient ongoing risk assessment in the foster home or non-foster care (relative or fictive kin) placement setting (3 cases).
- The case was closed prematurely before safety issues were fully addressed, leaving children at risk of harm (4 cases). In one case, reviewers determined that the judge returned the child to an unsafe home over the objections of the agency.
- There was risk of harm to the child due to continual running away or to selecting their own placements that was not being adequately addressed by the agency (2 cases).
- There was risk of harm (and safety issues) during visitation with parents, particularly trial home visits, and the agency did not address those risks (3 cases).

Concerns pertaining to risk of harm issues were raised regarding the agency practice of providing some youth in foster care who are age 16 or older with monthly "rent" funds and allowing them to locate their own housing. This situation occurred in two cases involving youth with histories of running away. Although these placements are described as "supervised," there was no evidence of supervision in the cases reviewed. Although youth are expected to contact their caseworkers and tell them where they are living so that the caseworkers can conduct background and safety checks, the youth often do not make these contacts in a timely manner and appear to be residing in questionable environments with regard to safety.

Concerns pertaining to risk of harm issues also were identified with regard to the lack of sufficient service provision and, in particular, the closing of in-home services cases when a clear risk of harm to the child remained. Caseworkers interviewed during the case review process noted that because in-home services cases generally are "voluntary" cases, there is little that the caseworker can do if the parents do not wish to access services or cooperate with the safety plan, and that they often just close the case. CFSR case reviewers, however, expressed the opinion that in some of the cases that were reviewed, the risk of harm issues were of sufficient severity that the agency should have filed a petition in court to mandate services when the family was not cooperating.

Rating Determination

Item 4 was assigned an overall rating of Area Needing Improvement. In 72 percent of the applicable cases, reviewers determined that the agency had appropriately addressed the risk of harm to the children. This percent is less than the 90 percent or higher required for an overall rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Stakeholder Interview Information

Many stakeholders commenting on this item during the onsite CFSR said that CYFD caseworkers (including placement caseworkers) are well trained to assess risk and safety, and that the agency's Structured Decision Making Tools (SDM) are used to assess safety, risk, and the strengths/needs of the family throughout the life of the case. However, many of these stakeholders also expressed concern about the lack of services to address risk of harm concerns in most families. They noted, for example that although home-based services usually are the most helpful resources to address risk of harm in the home, these services are not readily available.

Stakeholders reported that CYFD manages risk of harm through an agency practice of monitoring a case for 6 months after a child is reunified with the family. They noted that because a court order is required to continue providing the same services after reunification, the agency currently is working to educate judges on the importance of allowing CYFD to monitor the family after reunification and CYFD custody has been dismissed. Some State-level and Bernalillo County stakeholders said, however, that even when services are court-ordered, they may not be able to provide them to the families if ValueOptions (which is the single-entity provider for behavioral health) determines that the behavioral health services are not necessary or appropriate. Several stakeholders noted that judges have expressed concern about ValueOptions ignoring court-ordered services.

Some stakeholders expressed concern about the safety of children in foster family homes. They noted that youth often indicate that there are safety concerns in foster homes that go undetected and that there are conflicts with foster families that make them feel unsafe in their foster homes. However, other stakeholders reported that critical incidents are assessed for foster cases where abuse and injuries have occurred, and the process looks at case record information to identify systemic barriers, individual circumstances, and whether the situation could have been avoided. In addition, any allegations involving a foster home are treated as emergency reports. Stakeholders also noted that CASA volunteers are in the home and see the children and foster parents and are expected to report concerns to the caseworkers. However, stakeholders also attributed maltreatment of children in foster care to the following:

- The high caseloads of CYFD caseworkers.
- Lack of communication and team work with foster parents.
- Insufficient financial and other supports.
- Insufficient numbers of foster parents.

Some stakeholders expressed the opinion that there may be more safety-related concerns when children are placed in relative homes than when they are placed in non-relative foster homes. They noted that relatives may not always appreciate the importance of monitoring parent/child visits or of limiting the parents' contact with the child when the agency believes that those limitations are in the child's best interest.

Statewide Assessment Information

According to the Statewide Assessment, risk assessment and safety management are addressed in several areas of policy and procedure. The SDM tools are completed on all cases at investigation, prior to reunification, and prior to case closure. Monthly visitation is required with children in out-of-home placement to ensure safety. In-home services cases require a safety plan, family assessment plan, and family treatment plan. Permanency Planning services also include provisions for periodic risk and safety assessment and child-specific placement agreements are made at the time of placement.

The Statewide Assessment also notes that when there is concern about the safety of a child in foster care, either a safety assessment or a CPS investigation is conducted. Intake procedures state that any allegation of abuse in a foster home with children in placement is assigned as an emergency priority. Further, investigation procedures require that safety reviews be conducted even when reports of abuse or neglect involving foster parents are screened out.

As reported in the Statewide Assessment, data from Quality Assurance Reviews conducted in 2006 and 2005 show that item 4 was rated as a Strength in 50 percent of the cases reviewed in 2006 and 51 percent of the cases reviewed in 2005. The Statewide Assessment also reports that the Quality Assurance Unit conducted a study of the 40 cases in which children were known to have been victims of maltreatment while in foster care during CY 2005. The study found that 28 of the 40 victims (70 percent) were in relative foster homes. The study also found that 33 of the victims did not have a documented home visit by the agency in the 3 months prior to the report and 76 percent of the foster parents did not have a documented home visit by the agency in the 3 months prior to the maltreatment report. The Statewide Assessment indicated that this information has already been used to provide the foundation for program enhancement.

II. PERMANENCY

Permanency Outcome 1

Outcome P1: Children have permanency and stability in their living situations.					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Bernalillo	Lea	Santa Fe	Total	Percent
Substantially Achieved	6	4	5	15	37.5
Partially Achieved	12	5	5	22	55.0
Not Achieved or Addressed	2	1	0	3	7.5
Total Applicable Foster Care Cases	20	10	10	40	
Not Applicable Foster Care Cases	0	0	0	0	
Conformity of Statewide data indicators with national standards:					
	National Standard (Scaled Score)		State's Composite Score		Meets Standard (Yes/No)
Composite 1: Timeliness and permanency of reunification	122.6 +		109.0		NO
Composite 2: Timeliness of adoptions	106.4 +		114.9		YES
Composite 3: Permanency for children in foster care for extended time periods	121.7 +		122.9		YES
Composite 4: Placement stability	101.5 +		82.9		NO

STATUS OF PERMANENCY OUTCOME 1

New Mexico did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 37.5 percent of the cases, which is less than the 95 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that for the CFSR 12-month target period, the State did not meet the national standards for Permanency Composite 1: Timeliness and permanency of reunification, and Permanency Composite 4: Placement stability.

However, the State did meet the national standard for Permanency Composite 2: Timeliness of adoptions, and Permanency Composite 3: Permanency for children in foster care for extended time periods. Performance on the individual measures included in all composites is presented in the discussion of the items related to each measure.

Although New Mexico's performance on this outcome was fairly low in all sites, there was variation across sites. The outcome was found to be substantially achieved in 50 percent of Santa Fe County cases compared to 40 percent of Lea County cases and 30 percent of Bernalillo County cases.

Key Concerns from the 2001 CFSR

New Mexico did not achieve substantial conformity with this outcome during the 2001 CFSR. In the 2001 CFSR, item 7 (pertaining to establishing permanency goals for children in a timely manner), and item 9 (pertaining to timely adoptions) were each rated as an Area Needing Improvement.

Key concerns identified during the 2001 CFSR with regard to Permanency Outcome 1 were the following:

- Terminations of parental rights were not being approved in a timely manner, often due to court decisions to grant more time to the family to meet case-plan requirements.
- There was a lack of sufficient adoptive homes, particularly for Native American children, resulting in adoptions not occurring in a timely manner.
- Delays in ICPC were noted to impact achieving permanency goals in a timely manner.
- There were concerns that adoption subsidies were not a sufficient incentive for foster parents to move toward adoption, and that pre-adoptive families often had to access legal representation to address the complexities and potential bias of the subsidies.
- Case goals were not being reviewed on an ongoing basis to assess whether they continued to be appropriate for the child. This included not having all parties involved in the development and implementation of the most appropriate permanency goal for the child.
- There was a lack of available and appropriate resources in the rural areas of the State to support timely achievement of permanency goals.

New Mexico implemented the following strategies in its PIP to address these concerns:

- Increased the oversight of the consultants responsible for monitoring the permanency and treatment team reviews to focus more specifically on the relationships among the permanency goals, treatment plans, and services to promote consistency and to expedite achievement of children's permanency goals
- Revised policy regarding visitation between parents and children and established contracts with a university to train staff on the significance of visitation to the achievement of permanency goals.
- Developed an ICPC data base to track children placed out of State in an effort to expedite the ICPC process.
- Revised policy and trained staff regarding the implementation of concurrent planning.
- Renamed the Adoption Obstacle Removal Team as the Adolescent and Adoption Review Team, and provided the team with greater oversight with regard to assisting staff in developing action steps to move children into adoption, negotiating subsidy rates, and collaborating with therapeutic foster care providers.
- Established targeted campaigns to recruit foster and adoptive homes for Native American children, including establishing joint power agreements with the Zuni Pueblo to recruit more Native American foster and adoptive parents.

- Revised policy changes to clarify the timeframe for initiating home studies for adoptive families in order to expedite adoptions.
- Established an adoption subsidy work group to identify barriers to adoption and to clarify roles and responsibilities of the treatment foster care agencies to move children in these homes to adoption. Subsidy rates were modified upon the implementation of a level of care system for foster care, which increased adoption subsidy rates for children with higher level needs.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2007 CFSR

Similar to the 2001 CFSR, in the State's 2007 CFSR, items 7 and 9 were rated as Areas Needing Improvement. However, some of the key concerns identified in the 2001 CFSR pertaining to permanency outcome 1 appeared to have been resolved by the 2007 CFSR. For example, although the timeliness of terminations of parental rights was still a concern in the 2007 review, this problem generally was attributed to scheduling problems in the courts and court continuances rather than to a court decision to grant more time to the family to meet case plan requirements. In addition, there was no evidence in the cases or any mention by stakeholders that the funding or complexity of adoption subsidies was a barrier to timely permanency. However, there continued to be concerns in the 2007 review regarding the lack of sufficient adoptive homes.

Additional findings of the 2007 CFSR case reviews include the following:

- The rate of reentry into foster care was found to be a Strength for the State (item 5).
- Placement stability appears to be a considerable challenge for the State, with placement changes often attributed to foster parents being unable to manage children's behaviors (item 6).
- The agency was not consistent with regard to establishing appropriate permanency goals in a timely manner, and some goals remain in place even when there is no evidence that they are attainable (item 7).
- The agency was not consistent with regard to making concerted efforts to achieve reunifications, guardianships, or permanent placements with relatives in a timely manner (item 8).
- The agency was not consistent with regard to making concerted efforts to achieve adoptions in a timely manner. Barriers to timely adoptions were both court-related (i.e., scheduling, continuances, appeals) and agency-related (i.e., delayed TPR filing and requests for court hearings and insufficient efforts to find adoptive homes) (item 9).
- In two cases, the agency did not make concerted efforts to ensure that the child was in a living arrangement that would be permanent until the child reached the age of majority (item 10).

Key concerns expressed by stakeholders with regard to permanency were the following:

- There is a scarcity of services in the community to support placement stability and efforts to reunify families or to prepare youth in making the transition from foster care to independent living.
- There are not enough adoptive homes for the children in foster care, particularly older children and children with special needs.

Findings pertaining to the specific items assessed under Permanency Outcome 1 are presented below.

Item 5. Foster care re-entries

Strength Area Needing Improvement

Case Review Findings

An assessment of item 5 was applicable for 11 (27.5 percent) of the 40 foster care cases. Cases were not applicable for assessment if the child did not enter foster care during the period under review. In assessing this item, reviewers determined whether the entry into foster care during the period under review occurred within 12 months of discharge from a prior foster care episode. The results of this assessment are presented in the table below.

Item 5	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	5	3	2	10	91
Area Needing Improvement	0	0	1	1	9
Total Applicable Foster Care Cases	5	3	3	11	
Not Applicable Foster Care Cases	15	7	7	29	
Total Foster Care Cases	20	10	10	40	

State performance on the individual measure of foster care reentry (measure C1.4) included in Composite 1: Timeliness and permanency of reunification was as follows: 12.1 percent of the children exiting foster care to reunification in the 12 months prior to the CFSR 12-month target period re-entered foster care in less than 12 months from the time of discharge. For the data set used to establish the national standards for the data composites, the median performance on this measure was 15.0 percent, and the 25th percentile was 9.9 percent. For this measure, lower percentages are associated with higher levels of performance. New Mexico’s performance was better than the median but it was not among the 25 percent best performing States.

Item 5 was rated as a Strength in 10 cases in which the child’s entry into foster care during the period under review did not take place within 12 months of discharge from a prior episode. Item 5 was rated as an Area Needing Improvement in one case in which the entry into foster care during the period under review occurred within 12 months of the child’s discharge from a prior foster care episode.

Rating Determination

Item 5 was assigned an overall rating of Strength. The item was rated as a Strength in 91percent of the cases, which exceeds the 90 percent or higher required for a rating of Strength. This item also was rated as a Strength in the State’s 2001 CFSR.

Stakeholder Interview Information

Stakeholders commenting on this item in the onsite CFSR expressed differing opinions. Some stakeholders suggested that the agency is effective in preventing re-entry due to a carefully planned and monitored reunification process in which the agency continues to assess for risk after the child has been returned home. Other stakeholders, however, said that the agency does not do enough to prevent multiple entries into foster care and sometimes makes it too easy for parents to regain custody of their children.

Statewide Assessment Information

According to the Statewide Assessment, data available for calendar years 2006 and 2005 show some improvement. Foster care re-entry was noted as a Strength in 90 percent of cases reviewed in 2006 and 85 percent of cases reviewed in 2005. The Statewide Assessment also notes that data from the FACTS system for September 1, 2005 through August 31, 2006 include 2,104 cases and show that 82.6 percent of children entered care for the first time; 13.5 percent re-entered within 12 months of a prior episode; and 3.8 percent re-entered more than 12 months after a prior episode.

Item 6. Stability of foster care placement

Strength Area Needing Improvement

Case Review Findings

All 40 foster care cases were applicable for an assessment of item 6. In assessing this item, reviewers were to determine whether the child experienced multiple placement settings during the period under review and, if so, whether the changes in placement settings were necessary to achieve the child's permanency goal or meet the child's service needs. Reviewers also assessed the stability of the child's current placement setting. The findings of this assessment are presented in the table below.

Item 6	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	15	7	7	29	72.5
Area Needing Improvement	5	3	3	11	27.5
Total Applicable Foster Care Cases	20	10	10	40	
Not Applicable Foster Care Cases	0	0	0	0	

Performance on this item did not vary substantively across counties.

New Mexico's performance on the individual measures included in Composite 4: Placement stability, is presented below.

- 82.9 percent of the children in foster care for at least 8 days, but less than 12 months experienced two or fewer placement settings (the national median for this measure was 83.3 percent).
- 54.2 percent of the children in foster care for at least 12 months but less than 24 months experienced two or fewer placement settings (the national median for this measure was 59.9 percent).

- 21.5 percent of the children in foster care for at least 24 months experienced two or fewer placement settings (the national median for this measure was 33.9 percent).

These data indicate that New Mexico performed below the national median on all three measures of placement stability.

Item 6 was rated as a Strength when reviewers determined the following:

- The child did not experience a placement change during the period under review, and either the current placement was stable or the child was discharged from foster care during the period under review (23 cases).
- The placement changes experienced were in the child's best interest and were intended either to further achievement of the child's permanency goal or to provide specialized services to the child (6 cases). For example, placement changes were made to move the child to a relative's home or to an adoptive home.

Item 6 was rated as an Area Needing Improvement when reviewers determined one or both of the following:

- The child was in multiple placement settings during the period under review, and at least one placement change was not planned by the agency to further attain the child's permanency goal (11 cases).
- The child's current placement setting (at the time of the onsite CFSR) was not stable (3 cases).

In two of the cases, reviewers determined that the multiple placement changes were due to the adolescents self-selecting their own placements, which were in unlicensed homes or in apartments with other people, and were highly unstable.

Additional findings of the case review were the following:

- Children in 22 cases experienced only 1 placement during the period under review.
- Children in 8 cases experienced 2 placements during the period under review.
- Children in 10 cases experienced 3 or more placements during the period under review.

Rating Determination

Item 6 was assigned an overall rating of Area Needing Improvement. In 72.5 percent of the applicable cases, reviewers determined that children experienced placement stability or that changes in placements were in the best interests of the child. This percent is less than the 90 percent or higher required for a rating of Strength. Item 6 was rated as a Strength in the State's 2001 CFSR.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR were in general agreement that placement stability for children in foster care could be improved. The key concerns noted by stakeholders were the following:

- Children are not being placed in appropriate placements that match their needs at the onset of placement, due primarily to a scarcity of foster families.
- Foster parents do not have sufficient information about the child's behavior problems at the time of placement.

- There are insufficient services to meet children’s mental health and behavioral needs, and these are the issues that generally cause disruptions. (Stakeholders reported that ValueOptions is becoming more restrictive in what services can be provided to children, and when they deny residential treatment care for a child, it is difficult to find the high level of services in the community that the child needs.)
- The agency is not consistent with regard to screening, assessing, supporting and monitoring relative foster homes.
- The agency often places too many (non-related) children in a single foster home, due to the scarcity of available homes.
- All Faiths Receiving Home, which was an important placement option for younger children, has been closed as a residential service (although other programs continue), making it difficult to find placements for children while the agency does a thorough needs assessment and searches for an appropriate match.

Despite these concerns, stakeholders were in general agreement that the State is making concerted efforts to improve placement stability through the following measures:

- Judges are inviting foster parents to court and trying to increase their involvement in the court process. There is a foster care and recruitment pilot in the 3rd judicial district in which foster parents submit written reports to the court.
- The agency is using the information from the foster parent liaisons to improve initial placements and to ensure support for foster parents when there are problems with the children.
- Ice breakers are being held to help the foster parents learn more about the children and to facilitate a relationship between birth parents and foster parents. Ice Breakers are facilitated meetings between birth parents and foster parents to discuss the children, their needs, and their well-being while in foster care. They are held when a child enters foster care or changes placements. Stakeholders reported that foster parents held very positive views of the icebreakers and said that their ability to provide care for the children is enhanced by the icebreakers.

Statewide Assessment Information

According to the Statewide Assessment, Protective Services policy and procedures require CYFD to consider the child’s best interests in assessing placement options for that child and to provide a variety of placement types to meet the child’s unique needs. The Statewide Assessment reports that FACTS data for September 1, 2005 through August 31, 2006 include 4,641 cases and show that 65.3 percent of the children in custody have two or fewer placements and that 34.7 percent have three or more. These data refer to all children in care (out of home placement), including those that were in care 48 hours through 7 days. The Statewide Assessment also reports that Quality Assurance data available for calendar years 2006 and 2005 show that item 6 was rated as a Strength in 49 percent of the cases reviewed in both years.

The Statewide Assessment notes that CYFD has continued to expand and improve its recruitment, training, home study, development, and support of foster homes. CYFD is providing additional support whenever possible to maintain placements that might disrupt. Foster parents are more extensively involved in reunification efforts. There is somewhat more respite care available. Team Decision Making meetings are held with each placement change, and Ice Breakers are being used with foster parents and birth parents.

Item 7. Permanency goal for child

Strength Area Needing Improvement

Case Review Findings

All 40 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers were to determine whether the agency had established a permanency goal for the child in a timely manner and whether the most current permanency goal was appropriate. The results of this assessment are shown below.

Item 7	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	9	7	10	26	65
Area Needing Improvement	11	3	0	14	35
Total Applicable Foster Care Cases	20	10	10	40	
Not Applicable Foster Care Cases	0	0	0	0	

Performance on this item varied considerably across sites. The item was rated as a Strength in 100 percent of Santa Fe County cases, compared to 70 percent of Lea County cases, and 45 percent of Bernalillo County cases.

New Mexico met the national standard for Permanency Composite 3: Achieving permanency for children in foster care for extended time periods. Performance on the individual measures included in this composite was as follows:

- 37.9 percent of the children in foster care for 24 months or longer at the start of the 12-month CFSR target period were discharged from foster care to a permanent home (i.e., adoption, reunification with parents or other relatives, or guardianship) by the end of the target period. This percent exceeds the 75th percentile (29.1 percent) for this measure for the data set used to establish the national standards.
- 92.1 percent of the children exiting foster care in 2005 who were legally free for adoption at the time of exit were discharged to a permanent home. This percent is less than the national median for this measure (96.8 percent) for the data set used to establish the national standards.
- 49.6 percent of the children who were discharged from foster care during the 12-month target period with a discharge reason of emancipation had been in foster care for 3 years or longer at the time of discharge. This percent is slightly higher than the national median of 47.8 percent for the data set used to establish the national standards. For this measure, lower scores indicate more positive performance.

These data suggest that New Mexico's strength with regard to this data composite relates to the percent of children in foster care for 24 months or longer on the first day of the 12-month target period who were discharged to a permanent home by the end of the 12-month target period.

Item 7 was rated as a Strength when reviewers determined that the child's permanency goal was appropriate and had been established in a timely manner. The case was rated as an Area Needing Improvement when reviewers determined one or both of the following:

- The child's current permanency goal was not appropriate given the case situation and the needs of the child (5 cases).
- The child's permanency goal was not established in a timely manner (9 cases).

Case review findings pertaining to case goals were as follows:

- 12 children had a goal of adoption only.
- 7 children had a goal of Planned Permanent Living Arrangement (PPLA) only (i.e., PPLA is a living arrangement other than adoption, reunification, living with other relatives, or guardianship that involves the child remaining in State custody until reaching the age of majority).
- 15 children had a goal of reunification only (including living with other relatives).
- 2 children had a goal of guardianship only.
- 2 children had concurrent goals of adoption and reunification.
- 1 child had concurrent goals of reunification and guardianship.
- 1 child had concurrent goals of reunification and PPLA

Case review findings pertaining to termination of parental rights (TPR) were as follows:

- At the time of the on-site review, 25 of the 40 children in the foster care cases had been in foster care for 15 of the most recent 22 months.
- TPR had been filed in a timely manner in 11 of the 24 cases.
- A reason for not filing for TPR was noted in 6 of the 11 cases in which TPR had not been filed, despite the 15-month criterion being met.

Rating Determination

Item 7 was assigned an overall rating of Area Needing Improvement. In 65 percent of the applicable cases, reviewers determined that the agency had established an appropriate permanency goal for the child in a timely manner. This percent is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an Area Needing Improvement in the State's 2001 CFSR. Establishing appropriate goals for children in foster care in a timely manner appears to be a greater challenge in Bernalillo County than in the other two sites included in the 2007 CFSR.

Stakeholder Interview Information

Several stakeholders commenting on this item during the onsite CFSR expressed the opinion that CYFD is effective in identifying appropriate permanency goals in a timely manner. Some stakeholders attributed this to the frequent use of concurrent planning, the

use of TDM meetings, the Drug Courts, and mediation programs. There also was general agreement among stakeholders that most judges, although not all, work closely with CYFD in establishing permanency goals.

Other stakeholders expressed concern that staff turnover has a negative effect on timely permanency planning. They noted that more experienced caseworkers generally are able to make better decisions about permanency goals than less experienced caseworkers. Santa Fe stakeholders noted, however, that the agency has made noteworthy improvements in staff retention over the past 2 years.

Stakeholders also noted that the permanency option of guardianship is not always available because of insufficient funds to provide subsidized guardianship to families that are willing to assume this role, but who might need financial supports to make it work.

A few stakeholders also noted that treatment for parental substance abuse problems, particularly methamphetamine addiction, does not follow the same timelines as required by ASFA. Also, because treatment services for methamphetamine addicts are difficult to access, particularly residential treatment services, it often is difficult to make timely decisions regarding changing permanency goals.

Stakeholders reported that new requirements have been put in place to minimize the number of children younger than age 16 who have a goal of PPLA. One requirement is that administrative approval is needed for the assignment of this goal to any youth under age 16. In addition, stakeholders reported that for children age 16 and older, the agency reviews the justification for the goal before the goal is established. The objective of these new procedures is to prevent the automatic designation of a goal of PPLA for children who are 16 and older.

Stakeholders noted, however, that often children are given goals of PPLA because they will not consent to an adoption. (The New Mexico Children's Code requires that a child age 14 years or older must consent to an adoption unless the child does not have the mental capacity to make that decision.) Stakeholders said that once a child makes this decision, there is no follow up with the child regarding the positive consequences of adoption, and the goal of adoption is no longer pursued with the child. Several stakeholders said that some older youth are now asking for their permanency goals to be changed to adoption and they are participating in adoption parties to find potential adoptive parents.

Statewide Assessment Information

According to the Statewide Assessment, agency policy identifies five allowable permanency plans and requires that a plan be established for each child at the Assessment Planning Conference, which is held prior to the custody (10-day) hearing. The Statewide Assessment notes that CYFD is required to assess the child's permanency plan for appropriateness at every CYFD conference, staffing, and judicial review and prior to every permanency hearing. CYFD must file a motion to terminate parental rights and establish a new or modified permanency plan if a child has been in substitute care for 15 of the most recent 22 months, unless there are compelling reasons for not filing. In addition, policy requires that each child be assessed for a concurrent permanency plan within 30 days of entry into custody and that a concurrent plan be developed when indicated. The Statewide Assessment also notes that concurrent planning has been implemented statewide, permanency plans are set early in the case, and the court reviews and approves

these plans. The Adoption and Adolescent Review Teams are reviewing the cases of children with adoption plans and all plans for older youth.

The Statewide Assessment reports that Quality Assurance data available for calendar years 2006 and 2005 show a slight increase in item strength. Item 7 was rated a Strength in 88 percent of the cases reviewed in 2006 and in 84 percent of the cases reviewed in 2005.

Item 8. Reunification, Guardianship, or Permanent Placement with Relatives

___ Strength __X__ Area Needing Improvement

Case Review Findings

Item 8 was applicable for 20 (50 percent) of the 40 foster care cases. In assessing these cases, reviewers were to determine whether the agency had achieved the permanency goals of reunification, guardianship, or permanent placement with relatives in a timely manner or, if the goals had not been achieved, reviewers were to determine whether the agency had made, or was in the process of making, diligent efforts to achieve the goals.

The results of this assessment are shown in the table below.

Item 8	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	6	3	4	13	65
Area Needing Improvement	4	2	1	7	35
Total Applicable Foster Care Cases	10	5	5	20	
Not Applicable Foster Care Cases	10	5	5	20	
Total Foster Care Cases	20	10	10	40	

New Mexico did not meet the national standard for Permanency Composite 1: Timeliness and permanency of reunification.

Performance on the individuals measures included in this composite was as follows:

- 64.0 percent of the reunifications occurred in less than 12 months of the child’s entry into foster care. This percent is less than the median of 69.9 percent for State performance on this measure for the data set used to establish the national standards.
- The median length of stay in foster care for children discharged to reunification was 8.9 months. This length of stay exceeds the national median of 6.5 months for the data set used to establish the national standards for composite 1. (Note that lower number of months means higher performance.)

- 29.1 percent of children entering foster care in the last 6 months prior to the 12-month target period were discharged from foster care to reunification in less than 12 months of entry into foster care. This percent is less than the national median of 39.4 percent for the data set used to establish the national standards.

New Mexico's performance on these measures was in the lower 50 percent of States nationally. Performance on the fourth measure included in this composite pertains to foster care re-entry and is provided in the discussion of item 5.

Item 8 was rated as a Strength when reviewers determined that the goal had been achieved in a timely manner or that the agency was making concerted efforts to achieve the goal in a timely manner. Item 8 was rated as an Area Needing Improvement when reviewers determined that the agency had not made diligent efforts to achieve the goal in a timely manner. In four of these cases, reviewers noted that services necessary to support the goal of reunification were not provided. In two other cases, concerns were related to ICPC delays. In one case, reviewers noted that the child had a goal of guardianship for 20 months, but there was no evidence of efforts to achieve that goal.

Rating Determination

Item 8 was assigned an overall rating of Area Needing Improvement. In 65 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to attain the goals of reunification, permanent placement with relatives, or guardianship in a timely manner. This percentage is less than the 90 percent or higher required for a rating of Strength. In the State's 2001 CFSR, there was no comparable item. At that time, item 8 pertained to independent living services. The change for item 8 from an assessment of independent living services to an assessment of timeliness of achieving goals of reunification, guardianship and permanent placement of relatives was not made until Federal fiscal year 2002.

Stakeholder Interview Information

Many stakeholders commenting on this item expressed the opinion that the agency generally is effective in reunifying children in a timely manner. Several stakeholders identified time-limited reunification services (provided under the Federal Promoting Safe and Stable Families program, title IV-B, subpart 2) as being particularly effective in ensuring timely reunifications. Other stakeholders reported that Drug Courts help families move toward their goals and Team Decision Making meetings specify what the family needs to accomplish for reunification and ensure that the necessary supports are in place for families to meet their goals. Stakeholders also noted that the agency makes concerted efforts to locate relatives early on in the case and evaluate them as potential permanent placements for children.

Stakeholders commenting on this item during the onsite CFSR identified the following barriers to timely reunification and guardianship:

- Parents being incarcerated.
- Parents using drugs, particularly methamphetamines.

- Parents relapsing into drug use after treatment.
- A lack of funds for subsidizing guardianship and a lack of access of guardians to resources for children, particularly Medicaid. (Both the funds and services were available during the State’s title IV-E waiver demonstration project concerning subsidized guardianship, which has ended.)
- A lack of agency attorneys, resulting in delays in court proceedings.
- A lack of sufficient resources to meet the service needs of parents.

Statewide Assessment Information

According to the Statewide Assessment, FACTS data for September 1, 2005 through August 31, 2006 include 1,046 cases of children in care for 48 hours or longer. The data indicate that 87.3 percent of children were reunified in less than 12 months, 4.5 percent in at least 12 months but less than 24 month, 3.1 percent in at least 24 months but less than 36 months, 0.6 percent in at least 36 months but less than 48 months, and 4.6 percent in 48 months or more. The Statewide Assessment also notes that Quality Assurance data available for calendar years 2006 and 2005 show an increase in Strength ratings for item 8. Item 8 (Reunification, guardianship, or permanent placement with relatives) was rated a Strength in 70 percent of the cases reviewed in 2006 and 62 percent of cases reviewed in 2005.

Item 9: Adoption

Strength Area Needing Improvement

Case Review Findings

Item 9 was applicable for 14 (35 percent) of the 40 foster care cases. In assessing this item, reviewers were to determine whether diligent efforts had been, or were being, made to achieve finalized adoptions in a timely manner. The results are shown in the table below.

Item 9	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	1	1	1	3	21
Area Needing Improvement	5	4	2	11	79
Total Applicable Foster Care Cases	6	5	3	14	
Not Applicable Foster Care Cases	14	5	7	26	
Total Foster Care Cases	20	10	10	40	

New Mexico met the national standard for the Permanency Composite 2: Timeliness of adoptions. Performance on the individual measures included in this composite was as follows:

- 34.0 percent of the children exiting to adoption were discharged in less than 24 months from the time of entry into foster care. This percent exceeds the national median (26.8 percent) but is less than the 75th percentile (36.6 percent) for this measure for the data set used to establish the national standards for the composite.
- The median length of stay in foster care for children adopted was 28.6 months. This length of stay is less than the national median (32.4 months) but exceeds the 25th percentile (27.3 months) for this measure for the data set used to establish the national standard for the composite. (Note a lower number of months equates to a higher level of performance.)
- 32.3 percent of children in foster care for 17 months or longer on the first day of the CFSR 12-month target period were discharged to a final adoption by the last day of the target period. This percent exceeds the 75th percentile (22.7 percent) for this measure for the data set used to establish the national standard for the composite.
- 14.9 percent of children in foster care for 17 months or longer on the first day of the CFSR 12-month target period became legally free for adoption (i.e., there was a TPR for both mother and father) within 6-months. This percent exceeds the 75th percentile for this measure of 10.9 percent for the data set used to establish the national standard for the composite
- 47.3 percent of children who were legally free for adoption were adopted within 12 months of becoming legally free. This percent exceeds the national median (45.8) but is less than the 75th percentile (53.7 percent) for the data set used to establish the national standard for the composite.

These data suggest that the State performed in the top 50 percent of the nation on all measures pertaining to timeliness of adoption. In addition, the State performed in the top 25 percent of the nation with regard to achieving either a TPR or a finalized adoption for children in foster care for 17 months or longer on the first day of the 12-month target period.

Item 9 was rated as a Strength when reviewers determined that the State had made diligent efforts to achieve finalized adoptions in a timely manner. Item 9 was rated as an Area Needing Improvement in 11 cases due to one or more of the following concerns:

- Delays in scheduling court hearings or court delays related to continuances or postponements (4 cases).
- Delays due to the agency not filing for TPR in a timely manner or delays in the scheduling of court hearings to finalize an adoption (4 cases).
- Lack of concerted efforts on the part of the agency to seek an adoptive family for a child (2 cases).
- Delays due to the need to make a decision regarding separation of siblings as a result of adoption (1 case).
- Delays caused by the ICPC process (1 case).

All of the children in the 14 cases with a goal of adoption were in foster care for considerably longer than 24 months without achieving permanency. In four cases, the children had been in foster care for longer than 3 years, and in one case, longer than 8 years. In three cases, the adoption was finalized during the period under review. In all three cases, the child had been in foster care for longer than 24 months at the time of the finalized adoption. Of the remaining 11 children, only two were determined to be in a pre-adoptive placement.

Rating Determination

Item 9 was assigned an overall rating of Area Needing Improvement. Although the State meets the national standard for Composite 2: Timeliness of adoptions, case reviewers determined that CYFD had made diligent efforts to achieve adoptions in a timely manner in only 21 percent of the cases. This percent is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an Area Needing Improvement in the State's 2001 CFSR.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that adoptions generally take too long to finalize. This was attributed to court delays in scheduling hearings and a lack of adoptive families who are interested in adopting the available children. Although there was a general consensus that more recruitment efforts are needed, several stakeholders indicated that targeted recruitment for individual children through adoption parties and the Heart Gallery (professionally done photographs of the children with biographical information) has been effective in finding homes for children.

Bernalillo County stakeholders noted that mediation procedures and the willingness of the agency to permit open adoptions have expedited the adoption process. However, these stakeholders also noted that the number of TPR petitions and appeals has increased and, as a result, the court is experiencing scheduling difficulties. In addition, the increase in the number of appeals has resulted in increases in the time to complete adoptions because the appeals process can be quite lengthy. Lea County stakeholders also identified the ICPC process as a major barrier to timely adoptions. They noted that not only is the process itself lengthy, but other States do not always adhere to the timelines established by the Compact.

Statewide Assessment Information

According to the Statewide Assessment, FACTS data for September 1, 2005 through August 31, 2006 include 146 cases and show time to adoption as 4.1 percent in less than 12 months from the time of entry into foster care; 20.5 percent in at least 12 months but less than 24; 27.4 percent in at least 24 months but less than 36 months; 23.3 percent in at least 36 months but less than 48; and 24.7 percent in 48 months or longer.

The Statewide Assessment also notes that Quality Assurance data available for calendar years 2006 and 2005 show a decrease in item strength. Item 9 (Adoption) was rated a Strength in 38 percent of cases reviewed in 2006 and 50 percent of cases reviewed in 2005.

Item 10. Permanency goal of other planned permanent living arrangement

Strength Area Needing Improvement

Case Review Findings

Item 10 was applicable for 8 (20 percent) of the 40 foster care cases. In assessing these cases, reviewers were to determine if the agency had made, or was making, diligent efforts to assist children in attaining their goals related to other planned permanent living arrangements. The results are presented in the table below.

Item 10	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	3	0	3	6	75
Area Needing Improvement	1	1	0	2	25
Total Applicable Foster Care Cases	4	1	3	8	
Not Applicable Foster Care Case	16	9	7	22	
Total Foster Care Cases	20	10	10	30	

Item 10 was rated as a Strength when reviewers determined that the agency had made concerted efforts to ensure a long-term placement for the child and to provide the necessary service to prepare the child for independent living. In cases in which the child was in a foster home, there were formal agreements on the part of foster parents to continue caring for the child until the child aged out of foster care.

Item 10 was rated as an Area Needing Improvement in two cases because the child was not in a stable placement. In one case, the 16 year old youth (who herself has an infant child) has been allowed to choose her own placements and given funds by the agency to pay for it. As a result, she has lived in multiple residences, usually with friends. In the other case, the youth was in a new foster home placement, but there was no evidence that this placement was intended to be permanent.

Rating Determination

Item 10 was assigned an overall rating of Area Needing Improvement. In 75 percent of the applicable cases, reviewers determined that the goal of other planned living arrangement was being addressed in an appropriate way. This percent is less than the 90 percent or higher required for a rating of Strength. The item was rated as a Strength in the State’s 2001 CFSR.

Stakeholder Interview Information

Several stakeholders noted that although independent living services are available in the State, they are insufficient to meet the need. In addition, stakeholders reported that many of the independent living services that are available are not effective in preparing children to make a successful transition from foster care to independent living. Stakeholders also said that some youth do not receive independent living services until they are 17 years old. They suggested that to be effective, independent living services should be provided to children at younger ages. One stakeholder noted that the agency has increased the educational requirements for the position of Independent Living Coordinator in order to attract more skilled staff.

Bernalillo County stakeholders reported that in that county they have adopted Youth Decision Making meetings to address the unique needs of older children in foster care. Bernalillo County stakeholders also praised the quality of independent living services available in that county and indicated that youth are benefiting from the services. However, even in this county, stakeholders indicated that there were not enough independent living services to meet the need.

Statewide Assessment Information

According to the Statewide Assessment, a plan of PPLA is allowable only when the court determines that it is the most appropriate plan after reunification, placement with a fit and willing relative, adoption, and permanent guardianship have been considered and ruled out. Procedures also require the following:

- The treatment worker must review the plan and counsel the child with a PPLA plan regularly, to determine if the plan is still in the child’s best interest.
- The AART reviews and approves PPLA plans for children under age 16 and for children whose plans are changing from adoption.
- The Children’s Court Attorney is required to provide the court with documentation of the compelling reasons for establishing a PPLA plan for a child.

The Statewide Assessment also reports that independent living services are provided to all children with PPLA plans in order to help them successfully transition into adult living. These services include, but are not limited to, transitional living planning, case management services, and semi-independent living status. With regard to the latter, the Statewide Assessment reports that New Mexico provides for semi-independent living for appropriate youth who are at least sixteen years of age. Semi-independent living allows youth to be a venter, receive foster care maintenance payments, and live with limited supervision to support transition into adulthood.

The Statewide Assessment reports that Quality Assurance data available for calendar years 2006 and 2005 show a decrease in item strength. Item 10 was rated as a Strength in 25 percent of the cases reviewed in 2006 and 36 percent in 2005.

Permanency Outcome 2

Outcome P2: The continuity of family relationships and connections is preserved for children.					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Bernalillo	Lea	Santa Fe	Total	Percentage
Substantially Achieved	17	7	6	30	75.0
Partially Achieved	3	3	4	10	25.0
Total Applicable Foster Care Cases	20	10	10	40	
Not Applicable Foster Care Cases	0	0	0	0	

STATUS OF PERMANENCY OUTCOME 2

New Mexico did not achieve substantial conformity with Permanency Outcome 2. The outcome was rated as substantially achieved in 75.0 percent of the cases, which is less than the 95 percent or higher required for substantial conformity. Performance on this outcome varied across sites. The outcome was determined to be substantially achieved in 85 percent of Bernalillo County cases, compared to 70 percent of Lea County cases and 60 percent of Santa Fe County cases.

Key concerns from the 2001 CFSR

New Mexico did not achieve substantial conformity with this outcome in its 2001 CFSR. During the 2001 review, item 13 (Visiting with parents and siblings in foster care) and item 16 (Relationship of child in foster care with parents) were rated as Areas Needing Improvement. Key concerns identified in the 2001 review relevant to Permanency Outcome 2 were the following:

- A lack of residential treatment facilities often resulted in children having to be placed outside of their communities.
- Visitation plans were not implemented on a consistent basis.
- There was a lack of visitation for children in therapeutic foster homes.
- There was inconsistency in agency efforts to support children's visits with incarcerated parents.
- There was a need for additional support for transportation for children in foster homes to visits with their parents and siblings.

To address these concerns, New Mexico implemented the following strategies in its Program Improvement Plan.

- Developed additional training to emphasize the importance of visitation with parents for children placed in therapeutic foster care and to reinforce the message that visitation improves permanency outcomes.
- Increased the use of access and visitation contracted service providers and client service agent positions to facilitate visitation between children in foster care and their parents and siblings.
- Published a best-practices bulletin on parent-child visitation that was developed and distributed by the New Mexico Court Improvement Program.
- Established Memoranda of Understanding between CYFD, county detention centers, and the Department of Corrections to increase visitation for children with incarcerated parents and created liaison positions to improve communication and visitation between children and incarcerated parents in State prisons.
- Implemented PRIDE foster and adoptive parent training, which emphasizes the use of foster parents as resources to birth parents and "parallel" parenting.
- Implemented the Casey Team Decision Making model across the State to improve family involvement in case planning, achieve permanency for children, and assist in locating relatives for placement.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key findings from the 2007 CFSR

Similar to the 2001 CFSR, item 13 and 16 were rated as Areas Needing Improvement in the 2007 CFSR. However, the concerns pertaining to Permanency Outcome 2 that were identified in the 2001 CFSR (as indicated above) were not apparent in the 2007 CFSR. Although these concerns appear to have been resolved to some extent by the time of the 2007 CFSR, new concerns emerged in the recent review. The primary concerns identified in the 2007 CFSR were the following:

- A lack of consistency in promoting visitation between or among siblings in foster care (item 13).
- A lack of consistency with regard to efforts to maintain the child’s connection with extended family, culture, and community (item 14), and with regard to efforts to maintain and strengthen the parent-child relationship while children are in foster care (item 16).
- A lack of consistency in seeking and evaluating relatives as potential placement resources (item 15).

Despite these concerns, the case reviews also found the following:

- Children were routinely and consistently placed in close proximity to parents or potential permanent caregivers (item 11).
- Most children were being placed with their siblings, unless there was a valid reason for separating siblings (item 12).
- The agency is generally consistent in exploring a family’s Native American heritage and complying with ICWA, when relevant (item 14).

The findings pertaining to the specific items assessed under Permanency Outcome 2 are presented and discussed below.

Item 11. Proximity of foster care placement

Strength Area Needing Improvement

Case Review Findings

Item 11 was applicable for 27 (67.5 percent) of the 40 foster care cases. Cases determined to be not applicable were those in which (1) TPR had been attained prior to the period under review, (2) contact with parents was not considered to be in the child's best interest, and/or (3) parents were deceased or whereabouts were unknown. In assessing item 11, reviewers were to determine whether the child's most current foster care setting was in close proximity to the child's parents or close relatives. The results of this assessment are presented in the table below:

Item 11	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	14	6	7	27	100
Area Needing Improvement	0	0	0	0	0
Total Applicable Foster Care Cases	14	6	7	27	
Not Applicable Foster Care Cases	6	4	3	13	
Total Foster Care Cases	20	10	10	40	

Item 11 was rated as a Strength when reviewers determined that the child was placed in the same community or county as the parents or that the child's placement was not in the same community or county, but was still in close proximity to the parents. The item also was rated as a Strength if the child was placed out of his or her community or county, but that the placement was necessary to meet the needs of the child and/or support attainment of the permanency goal.

Rating Determination

Item 11 was assigned an overall rating of Strength. In 100 percent of the cases, reviewers determined that CYFD had made diligent efforts to ensure that children were placed in foster care placements that were in close proximity to their parents or relatives, or that were necessary to meet special needs. This percent exceeds the 90 percent required for a rating of Strength. This item also was rated as a Strength in the State's 2001 CFSR.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR were in general agreement that CYFD places children in close proximity to their parents. However, a few stakeholders said that this is not always possible when the child needs treatment foster care because these placements are not in all communities. Stakeholders also said that the agency will place children away from their parents in order to place the child with a relative.

Statewide Assessment Information

Permanency Planning Policy requires that CYFD place children in close proximity to their homes. When a child with a plan of reunification is not placed close to the child's home because of special needs, the worker must document why the placement is superior to other placements and must facilitate visits. The Statewide Assessment notes that Quality Assurance data available for calendar years 2006 and 2005 show a slight increase in item strength. Item 11 (Proximity of foster care placement) was rated as a Strength in 86 percent of cases reviewed in 2006 and 84 percent of cases reviewed in 2005.

Item 12. Placement with siblings

Strength Area Needing Improvement

Case Review Findings

Item 12 was applicable for 29 (72.5 percent) of the 40 foster care cases. Cases were not applicable if the child did not have a sibling in foster care at any time during the period under review. In assessing item 12, reviewers were to determine whether siblings were, or had been, placed together and, if not, whether the separation was necessary to meet the needs (service or safety needs) of one or more of the children. The results of this assessment are presented in the table below:

Item 12	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	13	6	6	25	86
Area Needing Improvement	3	1	0	4	14
Total Applicable Foster Care Cases	16	7	6	29	
Not Applicable Foster Care Cases	4	3	4	11	
Total Foster Care Cases	20	10	10	40	

Item 12 was rated as a Strength when reviewers determined that the child was placed with all siblings, or if siblings were separated, the separation was due to the special needs of one of the siblings or to the fact that placement with siblings was not in the child’s best interest.

Item 12 was rated as an Area Needing Improvement in three cases when reviewers determined that the agency had not made sufficient efforts to locate a placement for a sibling group. In two of these cases, the sibling group included three children and in one case, the sibling group included only two children. The item was rated as an Area Needing Improvement in a fourth case because the agency did not know until the onsite review that the target child had a half sibling in foster care in another county.

Rating Determination

Item 12 was assigned an overall rating of Area Needing Improvement. In 86 percent of the applicable cases, reviewers determined that the agency placed siblings together in foster care whenever possible and appropriate. This is less than the 90 percent or higher required for a rating of Strength. This item was rated as a Strength in the State’s 2001 CFSR.

Stakeholder Interview Information

Several stakeholders expressed the opinion that CYFD makes concerted efforts to place siblings together. However, stakeholders also noted that there are not enough foster family homes to ensure that siblings can remain together, particularly if there is a large sibling group of five or more children. Stakeholders reported that siblings usually are separated because one of them needs a higher level of care than the other. They noted that ValueOptions (the State’s for-profit behavioral health administrator) will not pay for a higher level of care for siblings if one of them does not need that level of care. This often leads to siblings being separate if one of them needs a therapeutic foster home.

Despite the focus of the agency on placing siblings together, stakeholders noted that youth usually report that they have not been placed with siblings throughout their time in foster care.

Statewide Assessment Information

According to the Statewide Assessment, Permanency Planning Policy and Procedures require that CYFD place children to ensure that an appropriate relationship with their siblings can be developed or maintained. When members of a sibling group have to be placed

separately, the caseworker must document efforts to place them together and the reasons why they are placed separately. The caseworker must also document how contact between the siblings will be accomplished.

As indicated in the Statewide Assessment, Quality Assurance data available for calendar years 2006 and 2005 show a decrease in item Strength. Item 6 (Placement with siblings) was rated as a Strength in 78 percent of the cases reviewed in 2006 and 86 percent of the cases reviewed in 2005.

Item 13. Visiting with parents and siblings in foster care

Strength Area Needing Improvement

Case Review Findings

Item 13 was applicable for 28 (70 percent) of the 40 foster care cases. Cases were not applicable for an assessment of this item if the child had no siblings in foster care and if one of the following conditions was met with regard to the parents: (1) TPR was established prior to the period under review and parents were no longer involved in the child’s life (or parents were deceased), or (2) visitation with a parent was considered to not be in the best interests of the child. In assessing this item, reviewers were to determine (1) whether the agency had made, or was making, diligent efforts to facilitate visitation between children in foster care and their parents and siblings in foster care, and (2) whether these visits occurred with sufficient frequency to meet the needs of children and families. The findings of this assessment are presented in the table below:

Item 13	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	12	5	2	19	68
Area Needing Improvement	2	3	4	9	32
Total Applicable Foster Care Cases	14	8	6	28	
Not Applicable Foster Care Cases	6	2	4	12	
Total Foster Care Cases	20	10	10	40	

Performance on this item varied across sites. The item was rated as a Strength in 86 percent of Bernalillo County cases and 62.5 percent of Lea County cases, compared to 33 percent of Santa Fe County cases.

Item 13 was rated as a Strength when reviewers determined that the frequency and quality of visitation with parents and siblings met the needs of the children (16 cases), or when visitation did not meet the child’s needs, but the agency made concerted efforts to promote visitation (3 cases).

Item 13 was rated as an Area Needing Improvement when reviewers determined one or more of the following:

- The agency did not make concerted efforts to promote visitation with the mother (2 cases).
- The agency did not make concerted efforts to promote visitation with siblings (6 cases).
- The agency did not make concerted efforts to promote visitation with the father (3 cases).

Rating Determination

Item 13 was assigned an overall rating of Area Needing Improvement. In 68 percent of the applicable cases, reviewers determined that the agency made concerted efforts to ensure that visitation was of sufficient frequency to meet the needs of the family. This percent is less than the 90 percent required for a rating of Strength. Lack of efforts to promote visitation with siblings was a key concern identified in six cases.

Stakeholder Interview Information

Many stakeholders commenting on this item during the onsite CFSR were in general agreement that the agency makes concerted efforts to ensure frequent visitation of children in foster care with their parents and with their siblings. They noted that visits frequently take place more often than is required by policy. In addition, they noted that videoconferencing and teleconferencing are being used with incarcerated parents. Lea County stakeholders said that there is equal effort to ensure visits with both fathers and mothers. However, some stakeholders noted that youth report infrequent opportunities to visit with their other siblings in foster care.

Santa Fe County stakeholders reported that the agency now has a prison liaison and, as a result, the agency is experiencing greater success in arranging visits with incarcerated parents. They noted that agency caseworkers often work after hours to supervise visits because there are only three client services aides to assist in supervising visits.

Statewide Assessment Information

According to the Statewide Assessment, Permanency Planning Policy requires that CYFD arrange for visitation between the child and the child's parents and between the child and the child's siblings, based upon the child's safety and best interests. A visitation plan must be created and document when and where visits will take place. The plan should be progressive, moving from structured, supervised visits to unsupervised visits, as appropriate. The caseworker is expected to assist the parents with transportation if necessary. Visitation should be arranged for incarcerated parents if possible. The Statewide Assessment also notes that "visitation with incarcerated parents poses a challenge in that only a few institutions allow physical contact."

As indicated in the Statewide Assessment, Quality Assurance data available for calendar years 2006 and 2005 show identical item results. Item 13 (Visiting with parents and siblings in foster care) was rated as a Strength in 43 percent of the cases reviewed in 2006 and 2005.

Item 14. Preserving connections

____ Strength X Area Needing Improvement

Case Review Findings

Item 14 was applicable for 36 (90 percent) of the 40 foster care cases. In assessing item 14, reviewers were to determine whether the agency had made, or was making, diligent efforts to preserve the child's connections to neighborhood, community, heritage, extended family, faith, and friends while the child was in foster care. This item is not rated on the basis of visits or contacts with parents or siblings in foster care. The results of the assessment are provided in the table below.

Item 14	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	15	6	7	28	78
Area Needing Improvement	3	3	2	8	22
Total Applicable Foster Care Cases	18	9	9	36	
Not Applicable Foster Care Cases	2	1	1	4	
Total Foster Care Cases	20	10	10	40	

Performance on this item varied across sites. The item was rated as a Strength in 83 percent of Bernalillo County cases, 78 percent of Santa Fe County cases, and only 66 percent of Lea County cases.

Item 14 was rated as a Strength when reviewers determined one or more of the following:

- The agency made concerted efforts to preserve the child’s connections with extended family members (e.g., through phone contact and visits) (28 cases).
- The agency made concerted efforts to preserve the child’s connections with the child’s religious or cultural heritage (9 cases).
- The agency made concerted efforts to preserve the child’s connections with the school and community (e.g. selecting placements that do not require a change of school, jobs, friends, etc.) (15 cases).

Item 14 was rated as an Area Needing Improvement when reviewers determined one or more of the following:

- The agency did not make concerted efforts to maintain the child’s connections to extended family (4 cases).
- The agency did not make concerted efforts to preserve the child’s connections with the child’s religious or cultural heritage (3 cases).
- The agency did not make concerted efforts to preserve the child’s connections to school or community (2 cases).

Rating Determination

Item 14 was rated as an Area Needing Improvement. In 78 percent of the cases, reviewers determined that the agency had made concerted efforts to maintain the child’s connections with extended family, culture, religion, community and school. This is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in New Mexico’s 2001 CFSR.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency makes concerted efforts to maintain children’s connections to extended family, culture, faith, community, and school while the children are in foster care. Several stakeholders reported that the agency adheres to the requirements of ICWA and makes efforts to place children in Native American homes. They noted that if placement in a Native American home is not possible, CYFD educates foster parents about the child’s Native American heritage. Stakeholders also noted that agency caseworkers and foster parents often make extra efforts to keep children connected to pets, baby sitters, sports teams, etc. One stakeholder noted that the agency made concerted efforts to find a placement that would take the child’s dog as well as the child.

Statewide Assessment Information

According to the Statewide Assessment, Permanency Planning and Legal Services Policy requires that CYFD place children in close proximity to their homes, that relationships with siblings are encouraged and maintained, that ICWA placements preferences are followed, and that the agency appropriately identifies Indian children and notifies the Tribe. The Statewide Assessment also noted that Quality Assurance data available for calendar years 2006 and 2005 show a slight decrease in item strength. Item 14 (Preserving connections) was rated a strength in 63 percent of the cases reviewed in 2006 and 68 percent of the cases reviewed in 2005.

Item 15. Relative placement

Strength Area Needing Improvement

Case Review Findings

Item 15 was applicable for 34 (85 percent) of the 40 foster care cases. Cases were not applicable if relative placement was not an option during the period under review because: (1) the child was in an adoptive placement at the start of the time period, or (2) the child entered foster care needing specialized services that could not be provided in a relative placement. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to locate and assess relatives (both maternal and paternal relatives) as potential placement resources for children in foster care. The results of this assessment are presented in the table below.

Item 15	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	14	6	2	22	65
Area Needing Improvement	4	3	5	12	35
Total Applicable Foster Care Cases	18	9	7	34	
Not Applicable Foster Care Case	2	1	3	6	
Total Foster Care Cases	20	10	10	40	

Performance on this measure varied somewhat across sites. Only 29 percent of the cases in Santa Fe County were rated as a Strength for this item, compared to 78 percent of Bernalillo County cases and 67 percent of Lea County cases.

Item 15 was rated as a Strength when reviewers determined the following:

- The child was placed with relatives (8 cases).
- The child was not placed with relatives but the agency made diligent efforts to search for both maternal and paternal relatives (14 cases). In these cases, children were not placed with relatives either because a relative could not be found or because the relatives who were located were unable or unwilling to care for the children, lived too far from the parents, and/or had a criminal record or history of substantiated child maltreatment.

Item 15 was rated as an Area Needing Improvement when reviewers determined the following:

- The agency had not made diligent efforts to search for either maternal or paternal relatives during the period under review (4 cases).
- The agency had made efforts to search for maternal relatives, but not paternal relatives (4 cases).
- The agency had made efforts to search for paternal relatives, but not maternal relatives (4 cases)

Rating Determination

Item 15 was assigned an overall rating of Area Needing Improvement. In 65 percent of cases, reviewers determined that the agency had made diligent efforts to locate and assess relatives as potential placement resources. This percent is less than the 90 percent or higher required for a rating of Strength. This item was rated as a Strength in the State’s 2001 CFSR.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency makes a concerted effort to search for relatives and evaluate relatives as placement resources for the child. Stakeholders reported that this search begins during the investigation phase of a case, and is expected to continue throughout the life of the case. Stakeholders also noted that the courts expect the agency to seek relatives and explore them as placement resources. A few stakeholders indicated that the agency searches equally for maternal and paternal relatives and that “fictive kin” are included in the search for placement resources because they are viewed as “family” to the child. Lea County stakeholders reported that they have a relative assessment tool that they use immediately when a relative indicates that they would be willing to assume care for a child.

One concern expressed by stakeholders is that relatives sometimes surface in the case after the child has already established a bond with foster parents. This complicates decision-making regarding relative placements since the agency has to choose between a foster home where the child is already bonded and relatives who may be unfamiliar to the child.

Statewide Assessment Information

According to the Statewide Assessment, Permanency Planning and Foster Parenting policies and Licensing Standards for Foster Care address placing children in relative foster care placements. Preference is given to an adult relative over a non-relative caregiver if the relative meets licensing standards. As noted in the Statewide Assessment, Quality Assurance data available for calendar years 2006 and 2005 show identical item strength results. Item 15 (Relative placement) was rated a Strength in 65 percent of the cases reviewed in both 2006 and 2005.

Item 16. Relationship of child in care with parents

Strength Area Needing Improvement

Case Review Findings

Item 16 was applicable for 24 (60 percent) of the 40 foster care cases. In New Mexico, several cases were not applicable for this item because the child was in foster care on a 48-hour hold and therefore issues pertaining to maintaining the bond between children and parents while the child is in foster care were not relevant. Other cases were not applicable if (1) parental rights had been terminated prior to the period under review and parents were no longer involved with the child, or (2) a relationship with the parents was considered to be not in the child’s best interests throughout the period under review. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to support or maintain the bond between children in foster care and their mothers and fathers through efforts other than arranging visitation. The results of this assessment are provided in the table below:

Item 16	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	11	4	2	17	71
Area Needing Improvement	2	1	4	7	29
Total Applicable Foster Care Cases	13	5	6	24	
Not Applicable Foster Care Cases	7	5	4	16	
Total Foster Care Cases	20	10	10	40	

Item 16 was rated as a Strength when reviewers determined that the agency made concerted efforts to support and/or strengthen the bond between parents and children through one or more of the following activities:

- Encouraging the parents’ participation in school or after school activities and attendance at medical appointments and special events (19 cases).
- Providing transportation so that parents can participate in these events (10 cases).
- Providing opportunities for family therapeutic situations (19 cases).
- Encouraging foster parents to mentor biological parents and serve as parenting role models for them (9 cases).

Item 16 was rated as an Area Needing Improvement when reviewers determined the following:

- The agency did not make concerted efforts to support the relationship with the father (2 cases).
- The agency did not make concerted efforts to support the relationship with the mother (5 cases).

Rating Determination

Item 16 was assigned an overall rating of Area Needing Improvement. In 71 percent of the cases, reviewers determined that the agency had made concerted efforts to support the parent-child relationships of children in foster care. This percent is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an Area Needing Improvement in the State's 2001 CFSR.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR cited several examples of how CYFD supports and strengthens the parent-child relationship while the child is in foster care. These included the following:

- Conducting Ice Breakers where foster parents and biological parents get to know one another.
- Establishing the Blue Ribbon Commission on the Welfare of Children of Jailed and Incarcerated parents to improved children's relationships with parents who are incarcerated.
- Using a parenting coach (in Lea County), who was reported to be effective in strengthening the parent-child relationship.
- Providing family therapy.
- Using "story books" (in Santa Fe County) that are recordings made for parents, particularly incarcerated parents.

Statewide Assessment Information

As indicated in the Statewide Assessment, Quality Assurance data available for calendar years 2006 and 2005 show a decrease in item strength. Item 16 (Relationship of child in care with parents) was rated a strength in 41 percent of the cases reviewed in 2006 and 52 percent of the cases reviewed in 2005. The Statewide Assessment notes that the agency has recently been devoting more attention to this area. In particular, the Quality Assurance Reviews have assisted staff in identifying opportunities to promote the parent-child relationship beyond visitation, to include involvement in case planning, participation in the child's educational planning, extra-curricular activities, medical care, therapy appointments, *etc.* The Statewide Assessment also notes that Team Decision Making is an asset in identifying opportunities and in promoting the relationship. CYFD is developing structures to promote involvement such as using calendars to document child's schedules for parents, making greater efforts to get parents to medical and education events, providing invitations to parties, and offering video and audio connections in some areas and with some incarcerated parents.

III. CHILD AND FAMILY WELL-BEING

Well Being Outcome 1

Outcome WB1: Families have enhanced capacity to provide for their children’s needs.					
Number of cases reviewed by the team according to degree of outcome achievement					
	Bernalillo	Lea	Santa Fe	Total	Percentage
Substantially Achieved	23	9	9	41	63.1
Partially Achieved	6	5	6	17	26.1
Not Achieved or Addressed	2	3	2	7	10.8
Total Applicable Cases	31	17	17	65	
Not Applicable Cases	0	0	0	0	

STATUS OF WELL-BEING OUTCOME 1

New Mexico did not achieve substantial conformity with Well-Being Outcome 1. The outcome was rated as substantially achieved in 63.1 percent of the cases reviewed, which is less than the 95 percent required for a determination of substantial conformity. Performance on this outcome varied across sites. The outcome was determined to be substantially achieved in 74 percent of Bernalillo County cases, compared to 53 percent of Lea County and Santa Fe County cases. Performance also varied slightly based on the type of case. The outcome was found to be substantially achieved in 67.5 percent (27 cases) of the 40 foster care cases compared to 56 percent (14 cases) of the 25 in-home services cases.

Key concerns from the 2001 CFSR

New Mexico did not achieve substantial conformity with this outcome during its 2001 CFSR. For the 2001 CFSR, all four items incorporated in the outcome were rated as Areas Needing Improvement.

Key concerns identified in the 2001 review were the following:

- Service needs were either not assessed accurately or were not sufficiently addressed in many cases.
- There was inadequate attention to parental substance abuse concerns, domestic violence, and sexual abuse in many cases.
- Children and parents were not actively involved in case planning on a consistent basis.
- There was an inconsistency with regard to caseworker contacts with children and parents and the quality of those contacts.
- There was some confusion regarding the role of CYFD in cases involving therapeutic foster care, which is contracted out.
- There was no written policy regarding caseworker visits with parents.
- There was a lack of consistency with regard to caseworker contacts with fathers and incarcerated parents.

To address these concerns, the State implemented the following strategies in its PIP.

- Implemented the Casey Team Decision Making model to improve the involvement of parents and children in the case planning process.
- Developed training for CYFD staff that focused on obtaining a comprehensive social history and conducting a comprehensive needs assessment to ensure adequate identification of service needs.
- Worked with ValueOptions, the Statewide Entity for Behavioral Health Services, to support the goals and outcomes specified in the State's PIP.
- Collaborated with the Department of Corrections to increase visitation between children and incarcerated parents. Established liaison positions in various prisons to assist in improving case-planning efforts as well as visitation.
- Revised policy to incorporate practice standards for worker visits with children and parents, provided training to staff on the new policy requirements, and incorporated the new policy into the CORE training for new caseworkers.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2007 CFSR

Similar to the 2001 CFSR, in the 2007 CFSR, all of the items included under Well-Being Outcome 1 were rated as an Area Needing Improvement. However, some of the concerns identified during the 2001 CFSR were not noted during the 2007 review, suggesting that they may have been resolved. For example, there is now a written policy regarding caseworker visits with parents. Also, there were no case review findings in the 2007 review to indicate that the agency was not sufficiently attending to sexual abuse or domestic violence concerns. In addition, although the Strength ratings for the item assessing caseworker contact with children (88 percent rated as a Strength) did not meet the 90 percent requirement for an overall rating of Strength, they were very close to this percent and for the most part, contacts were noted to be of sufficient frequency and quality to meet the needs of the child.

Although some concerns appear to have been resolved, the 2007 CFSR continued to find a lack of consistency with regard to adequately addressing parents' substance abuse problems; involving parents and children in case planning; adequately assessing and meeting the needs of parents, particularly fathers; and establishing sufficient contacts with fathers. However, concerted efforts have been made to establish contacts with incarcerated parents.

The findings pertaining to the specific items assessed under Well-Being Outcome 1 are presented and discussed below.

Item 17. Needs and services of child, parents, foster parents

Strength Area Needing Improvement

Case Review Findings

Item 17 was applicable for all 65 cases. In assessing this item, reviewers were to determine whether the agency had (1) adequately assessed the needs of children, parents, and foster parents; and (2) provided the services necessary to meet those needs. This item excludes the assessment of children’s (but not parents’) needs pertaining to educational, physical health, and mental health needs. These are addressed in later items. The case review results were the following:

Item 17	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	24	9	9	42	65
Area Needing Improvement	7	8	8	23	35
Not applicable	0	0	0	0	
Total Cases	31	17	17	65	

Performance on this item varied across sites. The item was rated as a Strength in 77 percent of Bernalillo County cases compared to 53 percent of Lea County and Santa Fe County cases. Performance also varied somewhat based on the type of case. The item was rated as a Strength in 70 percent (28 cases) of the 40 foster care cases, compared to 56 percent (14 cases) of the 25 in-home services cases.

Item 17 was rated as a Strength when reviewers determined that the needs of children, parents, and foster parents had been adequately assessed and that identified service needs had been met. Item 17 was rated as an Area Needing Improvement when reviewers determined that there was either inadequate assessment of needs or inadequate services to meet identified needs.

Specific case review findings for item 17 are shown in the table below. The data in the table suggest that the agency is less effective in assessing and meeting service needs for fathers than it is for children, foster parents, and mothers.

Item 17: Table of Needs Assessment and Services	Evaluation Results		No. of Applicable Cases
	No	Yes	
Mother’s needs assessed and met?	9	42 (82%)	51
Father’s needs assessed and met?	13	31(70%)	44
Foster parent’s needs assessed and met?	5	27 (84%)	32
Child’s needs assessed and met?	9	56(86%)	65

Rating Determination

Item 17 was assigned an overall rating of Area Needing Improvement. In 65 percent of the cases, reviewers determined that the State had adequately assessed and addressed the service needs of children and parents. This percent is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an Area Needing Improvement in the State’s 2001 CFSR.

Stakeholder Interview Information

Many stakeholders commenting on this item expressed the opinion that the agency has been somewhat effective at identifying the services needs of children and making sure that those needs are met. However, these stakeholders suggested that it is becoming more difficult to meet children's needs for mental health and behavioral health services because of the loss of services and service providers with the advent of the Behavioral Health Purchasing Collaborative. They noted that this collaborative selected ValueOptions New Mexico as the State's single entity administrator of behavioral health services and that ValueOptions has been eliminating services that it does not believe are necessary or appropriate. Additional stakeholder comments regarding these services for children are provided in the discussion of item 23 and in the discussion of the systemic factor of Service Array.

Several stakeholders reported that it is difficult to meet service needs for children who are undocumented immigrants. In addition, there was general consensus among stakeholders that services to meet the needs of youth in foster care are insufficient. Particular service gaps were identified in the area of independent living services and services such as clothing vouchers and funds for special events.

Many stakeholders also reported that the agency usually is effective in assessing and meeting the needs of foster parents. They noted that there is a foster parent liaison that provides support and services to foster parents and that foster parents are offered respite when they need it. A few stakeholders expressed concern that caseworkers are not always available after hours to address foster parents' needs when there is a crisis situation.

Most stakeholders expressed the opinion that CYFD is not consistently effective in assessing and meeting the service needs of parents. Although they indicated that the TDM meetings are effective in identifying services needs, they noted that often there are not sufficient services to address the needs or the parents are resistant to accessing the services. Stakeholders indicated that often the needs of mono-lingual, Spanish-speaking parents cannot be met and that many Tribal and in-patient services have long waiting lists. A few stakeholders suggested that sometimes service providers are not involved in the case early enough to be effective.

Statewide Assessment Information

According to the Statewide Assessment, Permanency Planning and In-Home Services policies and procedures identify the activities CYFD will carry out to ensure that the needs of the child, the parents, and the foster parents are assessed and services to address those needs are identified. This is done through assessment planning, treatment planning and internal reviews.

As indicated in the Statewide Assessment, Quality Assurance data available for calendar years 2006 and 2005 show for both in-home and foster care cases a slight decrease in item strength. Item 17 (Needs and services of child, parents, and foster parents) was rated as a Strength in 38 percent of the cases reviewed in 2006 and 40 percent of the cases reviewed in 2005. In general, performance was stronger in foster care cases than in in-home services cases.

Item 18. Child and family involvement in case planning

Strength Area Needing Improvement

Case Review Findings

Item 18 was applicable for 64 (99 percent) of the 65 cases. A case was not applicable if parental rights had been terminated prior to the period under review and parents were not involved with the child in any way **and** the child was too young or had cognitive delays or other conditions that were barriers to participation in case planning. In assessing this item, reviewers were to determine whether parents and children (if age-appropriate) had been involved in the case planning process, and if not, whether their involvement was contrary to the child's best interest. A determination of involvement in case planning required that a parent or child had actively participated in identifying the services and goals included in the case plan. This assessment produced the following findings:

Item 18	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	27	12	8	47	73
Area Needing Improvement	4	5	8	17	27
Total Applicable Cases	31	17	16	64	
Not Applicable Cases	0	0	1	1	
Total Cases	31	17	17	65	

Performance on this item varied across sites. The item was rated as a Strength in 87 percent of Bernalillo County cases, compared to 71 percent of Lea County cases, and 50 percent of Santa Fe County cases. Performance did not vary substantively based on the type of case. The item was rated as a Strength in 72 percent (28 cases) of the 39 applicable foster care cases and 76 percent (19 cases) of the 25 in-home services cases.

Item 18 was rated as a Strength when reviewers determined that all appropriate parties had actively participated in the case planning process or that the agency had made concerted efforts to involve them in the case planning process. The item was rated as an Area Needing Improvement when reviewers determined that the agency had not made concerted efforts to involve the mother, father, and/or child (when age appropriate) in the case planning process. Key findings with regard to this item were the following:

- There were 51 cases in which involvement of the mothers in the case planning process was applicable for assessment. Reviewers determined that the agency made concerted efforts to involve mothers in case planning in 41 (80 percent) of these cases.
- There were 42 cases in which involvement of the fathers in the case planning process was applicable for assessment. Reviewers determined that the agency made concerted efforts to involve fathers in 31 (74 percent) of these cases.
- There were 56 cases in which involvement of the children in the case planning process was applicable for assessment. Reviewers determined that the agency made concerted efforts to involve children in case planning in 46 (82 percent) of these cases.

There are no noteworthy differences in performance with regard to involving fathers compared to involving mothers and children.

Rating Determination

Item 18 was assigned an overall rating of Area Needing Improvement. In 73 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to involve parents and/or children in the case planning process. This percent is less than the 90 percent or higher required for a rating of Strength.

Stakeholder Interview Information

Many stakeholders commenting on this item during the onsite CFSR expressed the opinion that involving parents and children in case planning has improved over the past few years. They attributed this improvement to the TDMs, mediations, and other team staffing efforts that have been implemented. They also noted that the agency will use teleconferencing and videoconferencing to involve parents in case planning. However, a few stakeholders indicated that in some cases CYFD is not making sufficient efforts to engage families in working on their plans.

Additional comments regarding the case planning process are provided in the Systemic Factors section under item 25.

Statewide Assessment Information

According to the Statewide Assessment, there are numerous references to child and family involvement in case planning in the State’s policy and procedure. Both In-Home Services and Permanency Planning Policy require that all plans be developed in collaboration with the family and that “active efforts” to locate both parents and involve them in case planning should occur. In addition to the parents, Permanency Planning Procedures require the caseworker to encourage the participation and involvement of family members and the substitute care provider in the development of the treatment plan. The Statewide Assessment notes that Quality Assurance data available for calendar years 2006 and 2005 for both in-home and foster care cases show a slight increase in item strength. Item 18 (Child and family involvement in case planning) was rated as a Strength in 48 percent of the cases reviewed in 2006 and 45 percent of the cases reviewed in 2005.

Item 19. Worker visits with child

Strength Area Needing Improvement

Case Review Findings

Item 19 was applicable for all 65 foster care cases. In conducting the assessment of this item, reviewers were to determine whether the frequency of visits between the caseworkers and children was sufficient to ensure adequate monitoring of the child's safety and well-being and whether visits focused on issues pertinent to case planning, service delivery, and goal attainment. The results of the assessment are presented in the table below:

Item 19	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	29	13	15	57	88
Area Needing Improvement	2	4	2	8	12
Not applicable	0	0	0	0	
Total Cases	31	17	17	65	

Performance on this item varied slightly across sites. The item was rated as a Strength in 94 percent of Bernalillo County cases and 88 percent of Santa Fe County cases, compared to 76 percent of Lea County Cases. However, performance on the item did not vary substantially based on the type of case. The item was rated as a Strength in 90 percent (36 cases) of the 40 foster care cases and 84 percent (21 cases) of the 25 in-home services cases.

Item 19 was rated as a Strength when reviewers determined that the frequency and quality of visits between caseworkers and children were sufficient to ensure adequate monitoring of the child's safety and well-being and promote attainment of case goals. Item 19 was rated as an Area Needing Improvement when reviewers determined the following:

- The frequency of caseworker visits was not sufficient to meet the needs of the child and the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (2 cases).
- The frequency of caseworker visits with children was not sufficient to meet the needs of the child, although when visits did occur, they were substantive (1 case).
- The frequency of caseworker visits was sufficient, but the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (3 cases).
- There were long periods of time during the period under review in which the agency caseworker did not visit the child (2 cases).

Specific information from the case reviews is presented in the table below.

Typical Frequency of Caseworker Visits with Child	Foster Care Cases (Number and Percent)	In-Home Services Cases (Number and Percent)
Visits occurred on at least a weekly basis	8 (20%)	15 (60%)
Visits occurred less than weekly, but at least twice a month	7 (17.5%)	5 (20%)
Visits occurred less than twice a month, but at least once a month	22 (55%)	1 (4%)
Visits occurred less frequently than once a month or never	3 (7.5%)	4 (16%)
Total cases	40	25

Rating Determination

Item 19 was assigned an overall rating of Area Needing Improvement. In 88 percent of the cases, reviewers determined that caseworker visits with children were of sufficient frequency and/or quality. This percent is less than the 90 percent or higher required for a rating of Strength, although it is very close. This item was rated as an Area Needing Improvement in the State’s 2001 CFSR.

Stakeholder Interview Information

Many stakeholders commenting on this item during the onsite CFSR expressed the opinion that the contact between CYFD caseworkers and the children in their caseloads is of sufficient frequency and quality to meet the needs of the child and achieve the case plan goals. They noted that caseworkers have face-to-face contact with children at least monthly, and in many cases, weekly contact is made, particularly with children in the in-home services cases. Stakeholders noted that supervisors review FACTS documentation to ensure that the visits are occurring and that issues pertaining to the case plan and case goals (if relevant) are being addressed in the visits. However, several stakeholders also indicated that both the frequency and the quality of caseworker contacts with children tend to vary across caseworkers and across counties in the State. The key barriers to more frequent and high quality caseworker contacts with children were noted to be high case loads, high staff turnover, and high vacancy rates in CYFD.

Statewide Assessment Information

According to the Statewide Assessment, in-home services policies and procedures require weekly visits with child during the provision of level-one services. Permanency planning policy requires CYFD to visit each child in CYFD custody at least monthly in the child’s placement. Quality Assurance data for in-home and foster care cases for calendar years 2006 and 2005 show a slight increase in item strength. Item 19 (Worker visits with the child) was rated as a Strength in 58 percent of cases reviewed in 2006 and 56 percent of cases reviewed in 2005.

Item 20. Worker visits with parents

Strength Area Needing Improvement

Case Review Findings

Item 20 was applicable for 54 (83 percent) of the 65 cases. Cases were not applicable for this assessment if parental rights had been terminated prior to the period under review and parents were no longer involved in the lives of the children. All cases that were not applicable were foster care cases. Reviewers were to assess whether the caseworker’s face-to-face contact with the children’s mothers and fathers was of sufficient frequency and quality to promote attainment of case goals and/or ensure the children's safety and well being. The results of this assessment are presented in the table below:

Item 20	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	22	8	8	38	70
Area Needing Improvement	5	5	6	16	30

Total Applicable Cases	27	13	14	54	
Not Applicable Cases	4	4	3	11	
Total Cases	31	17	17	65	

Performance on this item varied across sites. The item was rated as a Strength in 81 percent of Bernalillo County cases, compared to 61 percent of Lea County cases and 57 percent of Santa Fe County cases. There was little variation based on the type of case. The item was rated as a Strength in 69 percent (20 cases) of the 29 applicable foster care cases, and 72 percent (18 cases) of the 25 in-home services cases.

Item 20 was rated as a Strength when reviewers determined that visits occurred with sufficient frequency to meet the needs of parents and children and that visits focused on issues pertinent to case planning, service delivery, and goal attainment. Item 20 was rated as an Area Needing Improvement when reviewers determined one or more of the following:

- Visits with the mother were not of sufficient frequency or quality (5 cases).
- Visits with the mother were not of sufficient frequency, although when they did occur they were of sufficient quality (1 case).
- Visits with the mother were of sufficient frequency, but not quality (4 cases).
- Visits with the father were not of sufficient frequency or quality (2 cases).
- There were no visits with father (8 cases).
- There were no visits with mother (3 cases).

Additional information from the case reviews is provided below.

Typical Frequency of Caseworker Visits with Parents	Foster Care Cases		In-Home Services Cases	
	Mother	Father	Mother	Father
Visits occurred at least weekly	6	2	12	6
Visits occurred less than weekly, but at least twice a month	4	3	3	7
Visits occurred less than twice a month, but at least once a month	9	7	5	2
Visits occurred less frequently than once a month	6	5	3	1
There were no visits during the period under review	3	3	0	5
Total Applicable Cases	28	20	23	21

Rating Determination

Item 20 was assigned an overall rating of Area Needing Improvement. In 70 percent of the applicable cases, reviewers determined that the frequency and/or quality of caseworker visits with parents were sufficient to monitor the safety and well-being of the child or promote attainment of case goals. This percent is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an Area Needing Improvement in the State's 2001 CFSR.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR reported that caseworkers generally meet requirements in terms of conducting monthly face-to-face visits with parents. Santa Fe County stakeholders reported that caseworkers make concerted efforts to contact parents, including working around the parents' schedule, and visiting parents who are incarcerated.

Statewide Assessment Information

According to the Statewide Assessment, in-home services policy and procedures require weekly visits with parents during the provision of level-one services. Permanency planning policy requires CYFD to have at least monthly face-to-face contact with each parent of a child in CYFD custody. As indicated in the Statewide Assessment, Quality Assurance data for in-home services and foster care cases for calendar years 2006 and 2005 show an increase in item strength. Caseworker visits with parents was rated as a Strength in 46 percent of the cases reviewed in 2006 and 39 percent of the cases reviewed in 2005.

Well-Being Outcome 2

Outcome WB2: Children receive appropriate services to meet their educational needs.					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Bernalillo	Lea	Santa Fe	Total	Percentage
Substantially Achieved:	21	10	11	42	80.8
Partially Achieved	3	4	3	10	19.2
Total Applicable Cases	24	14	14	52	
Not Applicable Cases	7	3	3	13	
Total Cases	31	17	17	65	

STATUS OF WELL-BEING OUTCOME 2

New Mexico did not achieve substantial conformity with Well-Being Outcome 2. Reviewers determined that 80.8 percent of the cases reviewed substantially achieved this outcome. This is less than the 95 percent or higher required for substantial conformity. There were slight differences in performance on this outcome across sites. The outcome was determined to be substantially achieved in 87.5 percent of the Bernalillo County cases, 79 percent of the Santa Fe County cases, and 71 percent of the Lea County cases. The outcome was determined to be substantially achieved in 84 percent of the applicable foster care cases and 71 percent of the applicable in-home services cases.

Key Concerns of the 2001 CFSR

The State was not in substantial conformity with this outcome in the 2001 CFSR. Key concerns identified during the 2001 CFSR were the following:

- There were inconsistencies with regard to the agency following up on children’s identified educational needs.
- There were instances in which a child’s chronic absenteeism was not addressed.
- There was a lack of adequate assessment of children’s needs for early intervention educational services.
- There was a lack of adequate attention to children’s educational needs at the time of their entry into foster care, especially for children who were receiving special education services.
- There was a lack of adequate documentation pertaining to children’s educational needs.

To address these concerns, the State developed training for staff and foster parents to assess children’s educational needs, document children’s educational needs, and request services. Training also included information on the Individuals with Disabilities Education Act (IDEA) Amendments of 1997.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2007 CFSR

As indicated in the discussion for item 21 below, the findings of the 2007 CFSR suggest that the concerns found in the 2001 review continued to be present in the 2007 CFSR.

Item 21. Educational needs of the child

Strength Area Needing Improvement

Case Review Findings

Item 21 was applicable for 50 (77 percent) of the 65 cases reviewed. Cases were not applicable if any of the following applied: (1) children were not of school age; or (2) children in in-home cases did not have service needs pertaining to education-related issues. In assessing this item, reviewers were to determine whether children's educational needs were appropriately assessed and whether services were provided to meet those needs. The results of this assessment are provided below.

Item 21	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	21	10	11	42	81
Area Needing Improvement	3	4	3	10	19
Total Applicable Cases	24	14	14	52	
Not applicable	7	3	3	13	
Total Cases	31	17	17	65	

Item 21 was rated as a Strength when reviewers determined that the child's educational needs were appropriately assessed and services were provided, if necessary. Item 21 was rated as an Area Needing Improvement when case reviewers determined the following:

- There was a lack of assessment of educational needs even when there was clear evidence that the child was experiencing school-related problems (4 foster care and 4 in-home services cases). This included children who were failing courses and children who were not attending school regularly
- Educational needs were identified and noted in the case record, but no services were provided to address those needs and educational issues were not included in the case plan (2 foster care cases).

Rating Determination

Item 21 was assigned an overall rating of Area Needing Improvement. In 81 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to meet the educational needs of children. This percent is less than the 95 percent required for this item to be rated as a Strength. A 95 percent standard is set for this item because it is the only item assessed for the outcome.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed differing opinions regarding CYFD's effectiveness in meeting the educational needs of children served by the agency. Some stakeholders suggested that CYFD is effective in addressing children's educational needs. They reported that there are school liaisons that advocate for foster children in the schools and provide information to the schools to strengthen the relationships between the schools and the agency. They also noted that school personnel are invited to TDM meetings and that agency caseworkers often attend Individual Educational Plan meetings. In addition, some stakeholders said that the agency tries to keep children in the same schools when they enter foster care and when there is a placement change.

Other stakeholders, however, expressed the opinion that the agency is not consistent with regard to assessing children's educational needs and ensuring that those needs are addressed. They raised questions regarding the strength of the relationship between CYFD and the Department of Education. Lea County stakeholders reported that in that county, surrogate parents are appointed by the schools for children in foster care, rather than appointing the foster parents. They noted that this practice is not effective in meeting children's needs because the appointees do not know anything about the child and the foster parents' knowledge of the child is discounted. In contrast, Santa Fe County stakeholders noted that in that county, the foster parents or the Guardians ad litem are appointed by the schools as surrogate parents when the biological parents are not available.

Most stakeholders agreed that although there is a high need for tutoring services, there is a lack of these services and there is a lack of clarity regarding how to pay for these services if they are accessible.

Statewide Assessment Information

According to the Statewide Assessment, in-home services procedures require the consideration of educational history in case plan development, but do not provide clear direction on when it would be reasonable, given the circumstances of the case, to expect the agency to address educational issues. Permanency planning policy requires CYFD to provide or arrange services for the child including educational services. Permanency planning procedures detail the educational information which must be documented in FACTS.

In the State’s Quality Assurance review, item 21 (Educational needs of the child) was rated as a Strength in 73 percent of the cases reviewed in 2006 and in 75 percent of the cases reviewed in 2005. The Statewide Assessment notes that there are difficulties in navigating the education system, especially when a child or youth is participating in special education, and notes that the education and child welfare systems are not sufficiently integrated.

Well-Being Outcome 3

Outcome WB3: Children receive adequate services to meet their physical and mental health needs.					
Number of cases reviewed by the team according to degree of outcome achievement					
	Bernalillo	Lea	Santa Fe	Total	Percent
Substantially Achieved	27	10	15	52	81.2
Partially Achieved	3	2	0	5	7.9
Not Achieved or Addressed	1	4	2	7	10.9
Total Applicable Cases	31	16	17	64	
Not Applicable	0	1	0	1	
Total Cases	31	17	17	65	

STATUS OF WELL-BEING OUTCOME 3

New Mexico did not achieve substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 81.2 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. Performance on this outcome varied across sites. The outcome was determined to be substantially achieved in 87 percent of Bernalillo County cases and 88 percent of Santa Fe County cases, compared to 62.5 percent of Lea County cases. However, performance did not vary substantively based on the type of case reviewed. The outcome was determined to be substantially achieved in 82 percent (33 cases) of the 40 applicable foster care cases and 79 percent (19 cases) of the 24 applicable in-home services cases.

Key Concerns from the 2001 CFSR

New Mexico did not achieve substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. In the 2001 CFSR, item 22, pertaining to the physical health of the child, and item 23 pertaining to the mental health of the child, were both rated as an Area Needing Improvement. The key concerns identified in the 2001 CFSR were the following:

- There were insufficient dental health services for children, due primarily to a lack of dentists willing to serve children in foster care.
- CYFD was not consistent with regard to providing children's medical records to foster parents.
- There was a lack of mental health services in the community, which affected the agency's ability to meet the treatment needs of children.

To address these concerns, CYFD implemented the following strategies in its PIP:

- Held regular meetings with ValueOptions to address and improve physical health, dental examinations and mental health services to children in foster care and to the families and children in the in-home services cases. These meetings focused on addressing systemic medical and mental health services as well as case-specific concerns and on the implementation of a "traveling bus" by the Health Department to address medical and dental services in the rural areas of the State.
- Trained agency staff and foster parents on the importance of obtaining children's physical and mental health histories and on documenting this information in the case record.
- Established foster parent liaisons to track medical/dental histories and mental health services.
- Developed Ice Breakers to facilitate contact between the birth parents and foster parents to increase the foster parents' understanding of the needs of the children placed in their care, including their physical and mental health needs.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2007 CFSR

In contrast to the findings during the 2001 CFSR, item 22 (physical health of child) was rated as a Strength in the 2007 CFSR.

Concerns pertaining to dental health services and lack of provision of medical records to foster parents were not found to be relevant in the 2007 CFSR.

Concerns pertaining to the agency's effectiveness in assessing and meeting children's mental health needs that were noted in the 2001 CFSR also emerged as concerns in the 2007 CFSR, particularly with regard to the lack of mental health services in the community.

Findings pertaining to the specific items assessed under Well-Being Outcome 3 are presented and discussed below.

Item 22. Physical health of the child

Strength Area Needing Improvement

Case Review Findings

Item 22 was applicable for 58 (89 percent) of the 65 cases reviewed. Cases that were not applicable were in-home services cases in which physical health concerns were not an issue. In assessing this item, reviewers were to determine whether (1) children's physical health needs (including dental needs) had been appropriately assessed, and (2) the services designed to meet those needs had been, or were being, provided. The findings of this assessment are presented in the table below:

Item 22	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	27	12	13	52	90
Area Needing Improvement	2	2	2	6	10
Total Applicable Cases	29	14	15	58	
Not Applicable Cases	2	3	2	7	
Total Cases	31	17	17	65	

Performance on this item did not vary substantively across sites or as a function of type of case.

Item 22 was rated as a Strength when reviewers determined that children's health needs (medical and dental) were routinely assessed and services provided as needed. Item 22 was rated as an Area Needing Improvement when reviewers determined the following:

- There was no indication in the case record of any medical assessments or services even when a case came to the agency because of medical-related concerns (1 case).
- Dental care services were not provided until a year after the need for the service was determined (1 case).
- There were no assessments of physical or dental health noted in the case file (1 case).
- Medical needs were assessed and identified, but no services were provided (1 case).
- The foster care child did not receive routine medical care during the period under review (1 case).
- There were delays in providing health care services to a child because of difficulties obtaining a Medicaid Card (1 case).

Four of the cases rated as an Area Needing Improvement for this item were foster care cases and two were in-home services cases.

Rating Determination

Item 22 was assigned an overall rating of Strength. In 90 percent of the applicable cases, reviewers determined that the agency was adequately addressing the health needs of children in foster care and in-home services cases. This percent meets the 90 percent or higher required for a rating of Strength. This item was rated as an Area Needing Improvement in the State's 2001 CFSR.

Stakeholder Interview Information

Stakeholders commenting on this item for the onsite CFSR expressed different opinions. Many stakeholders said that the agency is effective in meeting children's medical needs. However, other stakeholders said that some children get routine medical and dental care, but other children do not. Several stakeholders noted that dental services are not accessible in all locations because only a few dentists will accept Medicaid.

Some stakeholders indicated that there were problems with foster parents receiving Medicaid cards for the children in a timely manner. Bernalillo County stakeholders said sometimes when a Medicaid card has not yet been received, CYFD will cover medical costs. Stakeholders in Bernalillo County also noted that the Healthy Beginnings Clinic has helped ensure that CYFD-referred children receive appropriate and on-going medical care.

Statewide Assessment Information

According to the Statewide Assessment, permanency planning policy requires CYFD to provide or arrange services for the child, including medical services. CYFD requires that each child have a complete physical examination within the first 30 days of custody, and when the investigation is substantiated. If there is a child under the age of 3 in the family, CYFD makes a referral to the Family Infant Toddler Program for an assessment. Additional requirements include provision of scheduled routine medical, dental, and eye care and psychological services; immunization records that are kept current; and that the child's parents be involved in any and all medical decisions and be kept informed of the child's health status.

The Statewide Assessment notes that Quality Assurance data available for calendar years 2006 and 2005 show an increase in item strength. Item 22 (Physical health of the child) was rated a strength in 70 percent of the cases reviewed in 2006 and 64 percent of the cases reviewed in 2005.

Item 23. Mental health of the child

Strength Area Needing Improvement

Case Review Findings

Item 23 was applicable for 57 (88 percent) of the 65 cases reviewed. Cases were not applicable if the child was too young for an assessment of mental health needs, or if there were no mental health concerns. In assessing this item, reviewers were to determine whether (1) mental health needs had been appropriately assessed and (2) appropriate services to address those needs had been offered or provided. The findings of this assessment are presented in the table below:

Item 23	Bernalillo	Lea	Santa Fe	Total N	Percent
Strength	24	10	14	48	84
Area Needing Improvement	2	6	1	9	16
Total Applicable Cases	26	16	15	57	
Not Applicable Cases	5	1	2	8	
Total Cases	31	17	17	65	

There was variation in performance on this item across sites. The item was rated as a Strength in 92 percent of applicable Bernalillo County cases and 93 percent of applicable Santa Fe County cases, compared to 62.5 percent of applicable Lea County Cases. However, there was no substantive variation in performance based on the type of case. The item was rated as a Strength in 86 percent (32 cases) of the 37 applicable foster care cases and 80 percent (16 cases) of the 20 applicable in-home services cases.

Item 23 was rated as a Strength when reviewers determined that children’s mental health needs were appropriately assessed and the identified mental health needs were addressed.

Item 23 was rated as an Area Needing Improvement when reviewers determined the following:

- Mental health needs were not assessed nor addressed (4 cases).
- Mental health needs were assessed but not met (3 cases).
- Mental health needs were being addressed through psychotropic drugs without a proper diagnosis (2 cases).

Ratings Determination

Item 23 was assigned an overall rating of Area Needing Improvement. In 84 percent of the applicable cases, reviewers determined that the agency had made concerted efforts to address the mental health needs of children. This percent is less than the 90 percent or higher required for a rating of Strength. This item was rated as an Area Needing Improvement in New Mexico’s 2001 CFSR.

Stakeholder Interview Information

Although stakeholders commenting on this item expressed some different opinions regarding the agency’s effectiveness in meeting the mental health needs of children, there were some common themes that emerged. One common theme was that when the agency is successful in meeting mental health needs, it often is because case workers have made concerted efforts to access these services despite the scarcity of services and the fact that ValueOptions often will not approve higher levels of services. There was general consensus that there are not enough mental health providers in the State and that there is a particularly large gap in mental health service for young children.

A second common theme among stakeholders pertained to their opinions regarding the use of psychotropic drugs to address behavioral health concerns. They expressed the opinion that use of these drugs is widespread among children in foster care and that often they are being administered without a comprehensive assessment of need and without exploring alternative approaches to behavioral concerns. Some stakeholders said that they believe that many youth in foster care have a psychiatric “diagnosis” and the youth are concerned about this because they think it may affect their futures. They also expressed the opinion that CYFD caseworkers and foster parents often are not well informed about the medications that the children are taking with regard to possible side effects while on the medication and reactions if the child stops taking the medications.

A third common theme pertained to the lack of mental health resources in rural areas of the State. Several stakeholders reported that foster parents must take children long distances to receive treatment.

Bernalillo County stakeholders indicated that in that county, there is access to a program called Healthy Beginnings, which conducts physical health and mental health screenings for young children and has a developmental pediatrician who works with children with behavioral issues. In addition, some Santa Fe County stakeholders noted that psychological evaluations are available for children older than 3, and that children age 3 and younger are evaluated through the Family Infant and Toddler Referral and Evaluation program.

Statewide Assessment Information

According to the Statewide Assessment, Permanency Planning Policy requires CYFD to provide or arrange services for the child, including psychological services and treatment and habilitation services. There is no specific requirement for an initial mental health screening/evaluation upon entry into foster care or for provision of in-home services. The Statewide Assessment noted that youth expressed concern regarding attending therapy and that “the system” is too quick to diagnose and assume a mental health problem. In addition, youth believe that too many youth are “forced” to take psychotropic medication. A psychotropic medication project has begun to provide a secondary consultation on individual children’s psychotropic medication.

Quality Assurance data available for calendar years 2006 and 2005 show a decrease in item strength. Item 23 (Mental health of the child) was rated as a Strength in 58 percent of cases reviewed in 2006 and 62 percent of cases reviewed in 2005.

The Statewide Assessment indicates that the biggest issue relevant to this item is the lack of services for behavioral health. Some counties have very few service providers, and it is difficult to find resources; some providers are beginning to charge clients for services. Some areas do not have resources for diagnosis, especially substance abuse. Transportation is a significant issue for families, and there is a need for more community-based and home-based services. Some providers do not effectively engage with CYFD families, and the sense of urgency CYFD workers feel about reunification is not realized by community providers. Oftentimes CYFD is not notified when families do not follow through on scheduled appointments. Some child welfare professionals would suggest that perhaps we are not acknowledging cultural barriers in terms of the time needed for engagement; that CYFD does not have a system that addresses cultural differences; and that perhaps we need different skill sets and comfort levels among providers. The language

barrier is a challenge (especially on the border) in accessing services from community providers. There is a lack of bilingual providers and materials. Additionally, Tribal stakeholders expressed the opinion that there is a lack of access to traditional healing services for off-reservation Native American families and District Courts make it difficult for Native American families to access services. The transition to the Behavioral Health Purchasing Collaborative and single statewide entity for providing and accessing services is still occurring and has created a disruption in the provision of services. The expected increases in service array and system capacity have not yet been realized.

SECTION B: SYSTEMIC FACTORS

This section of the CFSR Final Report provides information regarding the State’s substantial conformity with the seven Systemic Factors examined during the CFSR. Information on the items included in each systemic factor comes from the Statewide Assessment and from interviews with stakeholders conducted during the onsite CFSR. A score for substantial conformity is established for each systemic factor. Scores of 3 and 4 represent substantial conformity. A score of either 1 or 2 means that a State is not in substantial conformity with the systemic factor. In addition, information is provided regarding the State’s performance on each systemic factor for the State’s first CFSR. If the systemic factor was part of the State’s Program Improvement Plan (PIP), the key concerns addressed in the PIP and the strategies for assessing those concerns would be noted, as well as any changes in ratings that occurred as a result of the State’s second CFSR.

STATEWIDE INFORMATION SYSTEM

Rating of Review Team Regarding Substantial Conformity				
	Not in Substantial Conformity		Substantial Conformity	
Rating	1	2	3	4
				X

STATUS OF STATEWIDE INFORMATION SYSTEM

New Mexico is in substantial conformity with the systemic factor of Statewide Information System. The State was found to be in substantial conformity with this item during its first CFSR. Findings for the item assessed for this factor are presented below.

Item 24. State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.

Strength Area Needing Improvement

Item 24 is rated as a Strength because the statewide information system, known as FACTS, provides demographic client information, current status of children in foster care, and management reports to track outcome measures and statistical client information. FACTS has met Tier One status for the SACWIS requirements and provides staff with an effective, automated, case-management tool. Each

worker has a desktop to electronically manage case tasks, access structured decision making tools and receive reminders of upcoming events and due dates.

Statewide Assessment Information

According to the Statewide Assessment, New Mexico's statewide information system, called FACTS, provides case management tools for caseworkers and managers in the program areas of Child Protective Services, Adoptions, Foster Care, Statewide Central Intake, and In-Home Services. The Statewide Assessment notes that FACTS can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is in foster care. The Statewide Assessment also notes that in 2006, New Mexico achieved Tier One status for FACTS from the Administration for Children and Families.

The Statewide Assessment identified the following as particular strengths of the system

- FACTS provides timely access to case histories and detailed records, as well as a central registry about past referrals, allegations and findings.
- FACTS automates routine paperwork allowing case workers to spend more time with clients.
- FACTS supports a structured approach to daily activities of case workers.
- FACTS promotes accountability within CYFD by requiring critical data information to be entered before other case management tasks can be performed.
- FACTS automatically generates reminders (ticklers) of important events to attorneys, case workers and supervisors.
- FACTS periodically provides management reports which can be used to track performance and outcome measures related to the safety, permanency and well-being of children in CYFD care.

The Statewide Assessment also identified the following as areas where the system could be improved.

- FACTS should have more capacity to cross-reference with Juvenile Justice Services.
- There should be more training on FACTS provided to caseworkers.
- Data entry in FACTS is time consuming, and there is insufficient support staff to assist caseworkers with this task.
- FACTS reports are challenging to read.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed opinions regarding FACTS that are consistent with the information reported in the Statewide Assessment. The following are the key strengths of the system identified by stakeholders.

- FACTS is responsive in that it provides important information about children, including their location, demographic information, and case goals.
- For the most part, data are entered in a timely manner and are accurate. Delays in data entry generally pertain to narratives and not to information regarding specific and critical data elements for Federal reporting requirements.

- Data reports are shared with all levels of the agency and used for quality assurance, particularly with regard to assessing trends at the county level.
- FACTS has automated reminders to alert agency staff to upcoming important events, such as permanency hearings or the point at which the child has been in foster care for 15 of 22 months.
- Information is available about children in in-home cases as well as children in foster care.

Despite these strengths, a few stakeholders suggested that FACTS could be improved by including the in-home services form on the system, which would expand the information available on children in the in-home services cases. Stakeholders also expressed concern that errors in spelling can cause problems in identifying closed or open cases.

Stakeholders suggested that the system could be improved by making it accessible to caseworkers when they are working outside of the office. Stakeholders also recommended that the Tribes have access to FACTS so they can benefit from the system.

II. CASE REVIEW SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4
		X		

STATUS OF CASE REVIEW SYSTEM

New Mexico is not in substantial conformity with the systemic factor of Case Review System. New Mexico was rated as being in substantial conformity with this factor during its first CFSR. Therefore, it was not required to address this factor in its Program Improvement Plan (PIP).

Specific findings for each item included in this systemic factor and the reasons for item ratings are presented below.

Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child’s parent(s) that includes the required provisions.

Strength Area Needing Improvement

Item 25 is rated as an Area Needing Improvement. Although case plans are developed for all children and many efforts (such as the Team Decision Making model) have been implemented to increase engagement of families in the case planning process, information from stakeholder interviews, the Statewide Assessment, and the onsite case reviews indicates that child and family involvement in case planning remains a challenge for the State in general. This item was rated as Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, children receiving in-home services and children in foster care have written case plans that are developed, reviewed, and updated in accordance with agency policy and procedure for timeliness and content. Plans must include an assessment of safety, an assessment of risk, a visitation plan, the permanency goal, services, steps taken, and timelines. Structured Decision Making tools are used for the safety and risk assessments and reassessments.

The Statewide Assessment also notes that State policy and procedure require that active efforts be made to locate and engage both the child's mother and father in planning for the child. In addition, the New Mexico Children's Code requires a mandatory meeting prior to the adjudicatory hearing that parents and other parties are required to attend, and that is focused on developing a proposed treatment plan. The New Mexico Children's Code also requires a mandatory meeting of all parties prior to the permanency hearing. Also, parents are routinely invited to participate in Citizen Review Board Hearings. As noted in the Statewide Assessment, Quality Assurance reviews emphasize the importance of engaging youth and families in planning for both in-home services and foster care cases.

The Statewide Assessment identified the Casey Team Decision Making model (used for 48-hour holds, changes in plans, staffings, and changes in placement) in Bernalillo County as particularly effective in engaging parents and age-appropriate youth. Similar team-based processes in other counties also were reported to be promising. The new program in which all youth in foster care are assigned a Youth Attorney also was identified as an important element in ensuring the engagement of youth. The Statewide Assessment indicates that there will soon be a Best Practices Bulletin on engaging youth as well as a model for transition planning that is youth centered and begins at age 14.

Despite these efforts, the Statewide Assessment also reports that Quality Assurance data available for calendar years 2006 and 2005 for both in-home and foster care cases show that item 18, which addresses child and family involvement in case planning, was rated as a Strength in only 48 percent of the cases reviewed in 2006 and 45 percent of the cases reviewed in 2005.

Stakeholder Interview Information

There was general agreement among stakeholders commenting on this item during the onsite CFSR that CYFD prepares case plans for all children in foster care and in the in-home services cases and that these case plans are developed in a timely manner. However, there was variation in stakeholder opinions regarding the involvement of parents and youth in the case planning process. Many stakeholders expressed the opinion that parents and youth are actively involved in case planning and suggested that this involvement has been greatly enhanced by the implementation of the Team Decision Making meetings, the Protective Services Intervention

meetings, and mediation practices. Various stakeholders identified the following additional strategies as promoting parent and youth involvement in case planning:

- Using video conferencing and teleconferencing to involve parents who may not be able to attend team meetings, such as incarcerated parents or parents residing in other jurisdictions or out of State.
- Creating a Youth Attorney position to represent and advocate for older youth in foster care.
- Implementing Youth Decision-Making Meetings in Bernalillo County.
- Requiring caseworkers to review case plans with parents on a frequent basis to reassess and update the plans.
- Implementing diligent efforts to locate absent fathers. (Santa Fe stakeholders reported that the agency in that location requires that workers fill out a form twice a month indicating what they have done to locate absent parents and runaways.)
- Convening case meetings in the parents' home or at a location of the parents' choice.
- Implementing non-traditional work schedules for caseworkers to accommodate parents' schedules.

Despite the many positive opinions expressed about agency efforts to involve parents and youth in case planning, many stakeholders identified concerns with regard to this area. State-level stakeholders, in particular, reported that parent involvement in case planning is not a consistent practice across the State, with some areas of the State making greater efforts to involve parents than other areas of the State. Specific concerns expressed by various stakeholders were the following:

- There is involvement of parents in the initial case plan development, but after that, involvement is not as consistent and the agency is less responsive to parents' request for changes. Updates in the plan tend to reflect a "cut-and-paste" process rather than a comprehensive review and reassessment of the plan.
- Although TDM can be highly effective in involving parents in the case-planning process, sometimes a TDM is held because it is required and the agency has already decided what will be in the case plan.
- There are considerable challenges, particularly in Lea County, with regard to involving incarcerated fathers and mothers and involving parents who are undocumented immigrants.

Another concern voiced by some stakeholders pertained to the quality of case plans developed for older youth in foster care and the involvement of youth in case planning, which was noted to be sporadic and not always effective. These stakeholders suggested that independent living plans are not well developed with regard to addressing issues relevant to the youth, particularly the transitioning from foster care to independent living, and that plans tend to be "boilerplate."

Item 26. Provides a process for the periodic review of the status of each child no less frequently than once every 6 months, either by a court or by administrative review.

Strength

Area Needing Improvement

Item 26 is rated as a Strength because periodic reviews of the status of each child in foster care are held at least every 6 months and usually more often. Court reviews are held every 6 months as required by New Mexico's Children's Code and reviews by the Citizen Review Board (CRB) are held prior to the court's first permanency hearing.

Statewide Assessment Information

According to the Statewide Assessment, periodic case reviews occur at least every 6 months, but often more frequently, and include judicial reviews as well as internal and external reviews. Quality Assurance Reviews are conducted to ensure that periodic reviews occur and are documented in the system.

The Statewide Assessment notes that at least four court hearings are held by the children's court in the first 12 months that the child is in custody. The first hearing is held within 10 days of the petition being filed and is referred to as the temporary custody hearing or the 10-day hearing. The adjudication is heard within 60 days of the parents being served with the abuse/neglect petition. Most of the time, the dispositional hearing is held in conjunction with the adjudication. A judicial review is held within 60 days of the disposition. A permanency hearing is held within 6 months of the initial judicial review. Thereafter, the court reviews the case at least every 6 months, and in some courts, judges hold more frequent status review hearings for particular cases. The Statewide Assessment also indicates, however, that large caseloads and staff vacancies make consistency in the case review process a challenge in some areas of the State. Challenges are created by court docketing issues and the practice of commencing and continuing the adjudication. These issues currently are being addressed through the Court Improvement Program grants in collaboration with CYFD.

The Statewide Assessment notes that in addition to the court reviews, external reviews are conducted by the CRB, which reviews every child's case prior to the first permanency hearing and prior to subsequent judicial reviews. Also, internal reviews are conducted by supervisors on a monthly basis. The Adolescent and Adoption Review Team, comprised of consultants internal and external to the agency, conducts reviews of specific cases every 60 days until permanency has been achieved.

Stakeholder Interview Information

There was consensus among stakeholders interviewed during the onsite CFSR that cases are being reviewed, and that, in general, case reviews are substantive and help move the case forward in terms of achieving case goals and objectives. However, stakeholder had differing opinions regarding the timeliness of reviews. Many stakeholders expressed the opinion that cases are being reviewed at least once every 6 months either by the CRB (CRB reviews the case after 9 months and has the authority to review cases as long as the child is in CYFD custody) or by the courts, and that there are few continuances. In addition, several stakeholders reported that the courts use the CRB review reports and recommendations in their reviews, although it was acknowledged that the CRB does not routinely receive feedback about its recommendations.

Many other stakeholders, however, noted that reviews often are significantly delayed due primarily to the practice of "commence and continue," particularly at the time of the adjudication hearing. Stakeholders suggested that the high turnover in the agency's Children's Court attorneys results in attorneys often requesting continuances in order to prepare for the hearing. Several stakeholders

noted that the commence and continue practice declined in recent years due to State efforts targeting the practice, but since it is no longer a specific focus of the courts, the practice is beginning to increase again. Some stakeholders suggested that the practice is most prevalent in areas of the State where there are no judges specifically dedicated to hear juvenile court cases, but is not limited to these situations. Stakeholders indicated that, as a result of continuances, adjudication hearings often are delayed extensively, sometimes from 6 months to 1 year. Although it also was noted that other case reviews continue even when the adjudication hearing has not been completed, some questions were raised about the meaningfulness of these reviews if the adjudication hearing has not been completed.

Despite these concerns, several stakeholders, particularly Santa Fe County stakeholders, reported that efforts are being made to limit the use of continuances and that some judges have relayed a “no tolerance” message regarding commence and continue practices.

Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.

 X Strength Area Needing Improvement

Item 27 is rated as a Strength because permanency hearings are being held in the State 11 months from the point of the child’s removal from the home, and at least every 12 months thereafter. Requirements regarding timeframes for permanency hearings are established by New Mexico’s Children’s Code. Item 27 also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, under the Children’s Code, a permanency hearing is held 11 months after the abuse/neglect petition is filed and every 12 months thereafter. The Statewide Assessment notes that, in fact, all subsequent judicial reviews are conducted as permanency hearings, although this is not required by the Code. The Statewide Assessment also notes that to promote timeliness of these hearings, best practice bulletins have been issued on advance calendaring, special calendaring, and “pacing permanency” (essentially a call to minimize continuances with adjudications). As indicated in the Statewide Assessment, there is the expectation that eventually these practices will become requirements through rules or other processes. The Statewide Assessment also reports that the timeliness of permanency hearings is tracked through Quality Assurance reviews.

Stakeholder Interview Information

The opinions of stakeholders interviewed during the onsite CFSR differed with regard to the timeliness of the permanency hearings. Many stakeholders said that permanency hearings are happening in a timely manner and that they are effective in moving a case forward. Other stakeholders noted that there are court delays, due primarily to delays in the adjudication hearing. These delays were attributed in large part to the granting of continuances. One stakeholder noted, however, that even if there has not yet been an adjudication or disposition, permanency hearings can still be held in a timely manner because they can be effective even without a

completed adjudication hearing. Other stakeholders suggested that even though permanency hearings can still be held without a completed adjudication hearing, delays in the adjudication hearing can result in delays in the agency's ability to provide some services to the family and consequently, can affect the agency's ability to demonstrate reasonable efforts to achieve permanency during the permanency hearing. These stakeholders expressed concern about the effectiveness of the permanency hearing in these situations.

Continuations were attributed primarily to a lack of sufficient number of agency attorneys and the extensive turnover in agency attorneys and caseworkers. Other reasons for continuations were parents appearing without proper representation, difficulties in getting incarcerated parents transported from jail to the courthouse.

Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.

Strength Area Needing Improvement

Item 28 was rated as an Area Needing Improvement because although policy and State statute require termination of parental rights proceedings to be evaluated at each permanency hearing, there are court-related delays in the termination of parental rights process and in some areas of the State, hearings to terminate parental rights are not being held if there is no identified adoptive family for a child. During the on-site case review, in 8 of the 14 cases reviewed in which the child had a permanency goal of adoption, reviewers determined that there were delays in termination of parental rights that resulted in delays in achieving adoptions in a timely manner. Item 28 was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New Mexico's policy, procedure, and process for termination of parental rights proceedings is consistent with the provisions of the Adoption and Safe Families Act. There are standardized forms and ticklers consistent with the 15/22 requirement (tickled at 13 months). The Statewide Assessment notes that, although quarterly FACTS reports show rates of termination and compliance with timeframes across the State, these data could be used more extensively to improve practice.

Also according to the Statewide Assessment, in some counties, meetings are held by CYFD with judges to ensure that TPRs are scheduled on the court docket with sufficient time. Often, these meetings are used to collaborate on additional docketing issues and a range of child welfare issues within the community. The Statewide Assessment indicates that when there are compelling reasons not to pursue TPR, it is usually when parents show substantial compliance, and children are likely to be going home. However, as reported in the Statewide Assessment, there is a need to train caseworkers to identify and document the compelling reasons in a way that is consistent with the language in the Code.

Stakeholder Interview Information

The general consensus of most stakeholders interviewed during the onsite CFSR is that the agency is filing for termination of parental rights (TPR) in a timely manner, although a few stakeholders acknowledged that some filings are delayed because of the lack of agency attorneys. Although filings generally were reported to be timely, many State-level and Bernalillo stakeholders reported delays in the TPR process. Various stakeholders expressed the following opinions with regard to delays in the TPR process:

- Some judges are reluctant to move children toward adoption and do not believe in termination of parental rights. One judge was noted to refuse to change a child’s case goal to adoption.
- There are delays of up to 4 to 6 months in court scheduling of the hearing once TPR is filed (Bernalillo County).
- The appeals process for TPR is lengthy, and can take from 12 to 18 months. Even if a case is “fast tracked” for the appeals process, it may take 6 months to get a decision.

Stakeholders noted that in most cases compelling reasons for not seeking TPR are documented, although a few stakeholders suggested that improvements are needed in this area. Some of the compelling reasons noted were: (1) the child being age 14 and older and not wanting to be adopted, (2) the lack of treatment services available for the family which delays their ability to enter a treatment program, and (3) the willingness of the family to engage in services. Several stakeholders expressed particular concern regarding the compelling reason based on the child being age 14 or older and not wanting to be adopted. They noted that in these situations, there is a lack of concerted efforts on the part of CYFD to ensure that these young adolescents have a comprehensive understanding of the permanency option of adoption, including the benefits of adoption and the possibility of open adoptions, prior to making a decision that they did not want to be adopted. Concern also was expressed that when a young adolescent makes this decision, the agency is not adequately exploring the reasons for this decision. A few stakeholders indicated that some older adolescents (age 16-17) have said that they regret making that decision when they were 14 and that they now want to be adopted.

Item 29. Provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.

Strength Area Needing Improvement

This item was rated as an Area Needing Improvement because although foster parents and relative caregivers are provided notice of court hearings as well as CRB reviews, they are not consistently given the opportunity to be heard in court hearings. For example, stakeholders noted that in one county included in the onsite CFSR, foster parents are not informed as to how to provide input at court hearings and are told that their opinions are represented by the guardian ad litem. The item was rated as a Strength in New Mexico’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State process for notice of foster parents, pre-adoptive parents, and relative caregivers of children in foster care is managed by Children’s Court Attorneys (CCA) through standard operating procedures. The Children’s Code

requires the CCA to provide notification of judicial hearings to substitute care providers and pre-adoptive parents with whom the child is residing. CCAs use a form letter that is sent to the foster parents and other parties to notify them of court hearings. The Statewide Assessment also notes that CRBs also send notices to foster parents, pre-adoptive parents, and relative caregivers asking them to participate in the CRB review process. State policy and procedures require that foster parents, pre-adoptive parents, and relatives providing care for the child receive timely notice of permanency and review hearings. The caseworker provides a list of interested parties to the CRB, and the CRB invites these interested parties to the upcoming review.

Stakeholder Interview Information

Stakeholders in all three counties included in the onsite CFSR indicated that foster parents, pre-adoptive parents, and relative caregivers are notified regarding reviews or hearings held for children in their care and that notification is received in a timely manner. Some State-level stakeholders, however, expressed concerns about the timeliness and accuracy of notification, suggesting that timeliness is a challenge in some areas of the State.

Stakeholder comments regarding the ability of foster parents to be heard in court hearings suggest that this practice varies considerably and that the variation is due primarily to differences among judges. Stakeholders noted that some judges do not want foster parents to present their opinions to the court, while others specifically request input from foster parents during the hearing. Some stakeholders suggested, however, that in some courts, if foster parents do not attend hearings, they can participate by teleconferencing, sending a message with the Guardian ad litem, or providing a letter to the court. Bernalillo County stakeholders said that judges are open to hearing what the foster parents have to say. Lea County stakeholders said that foster parents are informed about the hearings but are not informed about how to have input into the hearings. Sometimes they are not heard because they are not prepared and they are not prepared because they were not adequately instructed on how to prepare. Lea County stakeholders also said that the opinions of foster parents are represented by the guardians ad litem. Some Santa Fe County stakeholders said that foster parents can provide written information to the court.

III. QUALITY ASSURANCE SYSTEM

Rating of Review Team Regarding Substantial Conformity				
	Not in Substantial Conformity		Substantial Conformity	
Rating	1	2	3	4
				X

STATUS OF QUALITY ASSURANCE SYSTEM

New Mexico is in substantial conformity with the systemic factor of Quality Assurance System. During the first round of the CFSR, New Mexico was found to be in substantial conformity with this systemic factor and therefore was not required to address the factor in its PIP. Findings with regard to the specific items assessed for this factor are presented below.

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.

Strength Area Needing Improvement

Item 30 is rated as a Strength because the State has developed and implemented licensing standards and other provisions to ensure the safety and health of children in foster care. For example, a new policy requires that agency staff meet with children individually each month to discuss their placement and to assess safety issues in the placement. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State’s Quality Assurance System includes the requisite standards (foster care standards, treatment foster care standards, child care standards, criminal and background records check requirements, licensing of relatives policies, monitoring of foster homes policies, medical screening policies, traveling file requirements, *etc.*) to ensure that children in foster care are provided quality services. The foster care licensing standards/regulations outline the requirements and process for licensing foster parents, including criminal records checks and what offenses disqualify applicants. The relative licensing policy and procedures are in the Foster Parenting section, as are the requirements for monthly visits. Investigation of abuse/neglect in foster care is covered in the Investigations section. Medical screening is in the Permanency Planning section, requiring a screen within 30 days of coming into care and other procedures that follow the EPSDT.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR noted that a Quality Assurance (QA) bureau was created in October 2006, which brought together a variety of QA functions within the agency and which is responsible for ensuring that adherence to standards are monitored in a consistent manner. The CFSR QA unit was created in 2000 and is now under this new Bureau. They noted that there are statewide licensing standards for all levels of foster care, and that QA results help staff remedy any safety or health issues that may be present in a case.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.

Strength Area Needing Improvement

Item 31 is rated as a Strength because New Mexico has a quality assurance system that is similar to the CFSR process. On a rotating basis, one county per month is reviewed using the CFSR on-site review instrument. The quality assurance system then identifies both local-office and statewide strengths and areas needing improvement and requires each county to develop program improvement plans to address identified concerns. The QA division also conducts specialized studies to inform practice and improve service delivery. This item also was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New Mexico has an internal quality assurance process and a supervisory review process. Both processes evaluate the quality of services, identify strengths and needs of the service delivery system, provide relevant reports, and evaluate program improvement measures. The QA Unit reviews foster care and in-home cases to achieve quality service statewide. QA Review reports are shared with Regional Managers and County Office Managers.

The Statewide Assessment notes that the QA review tool replicates the Federal CFSR on-site review instrument and therefore yields information on every CFSR item for every outcome. A supervisory review tool currently under construction also will incorporate the CFSR outcomes. The Adoption and Adolescent Review Teams ensure that CFSR standards are applied to cases. Information obtained from the quality assurance review processes is provided to the agency's Permanency Obstacle Review Team (PORT) to develop strategies to eliminate systemic barriers to achieve better safety, permanency and well-being outcomes for children and families served. As indicated in the Statewide Assessment, the CYFD now retains the services of a CFSR Coordinator who, upon completion of county reviews, will work closely with County Office Managers to implement mini-program improvement plans.

Stakeholder Interview Information

All stakeholders interviewed during the onsite review praised the State's QA system, which was described as a replication of the Federal CFSR. Stakeholders reported that the QA unit is thorough and comprehensive in assessment of practice and systemic factors, and that all child welfare offices throughout the State are held to very high standards. They noted that the QA unit makes concerted efforts to help county administrators and other managers interpret QA data and use it to develop performance improvement efforts. Stakeholders reported that QA results have resulted in practice and policy changes, as well as systemic changes. A few stakeholders identified the Commission on the Welfare of Children of Jailed and Incarcerated Parents as an example of a system response to QA results.

Stakeholders at the agency level expressed the opinion that their practices have improved and that there has been a lot of positive growth in the system since the implementation of the QA reviews. They noted that everyone in the agency now has a clear understanding of desired outcomes and desired practice.

IV. TRAINING

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4
		X		

STATUS OF TRAINING

New Mexico is not in substantial conformity with the systemic factor of training. The State was rated as in substantial conformity with this systemic factor in its 2001 CFSR and therefore was not required to address it in its PIP. Findings with regard to the specific items assessed for this factor are presented below.

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.

Strength Area Needing Improvement

Item 32 is rated as an Area Needing Improvement because the CFSR determined that CORE training for new caseworkers who were not being assigned as investigators was not meeting their needs with regard to preparing them for their job responsibilities. The Statewide Assessment notes in particular that staff development and training is not adequate for in-home services and placement staff. As indicated in the Statewide Assessment and through interviews with agency staff at multiple levels, CYFD currently is in the process of restructuring CORE training to improve the skill levels of new workers in all areas of the agency and to include more on-the-job training and mentoring, particularly for caseworkers who are assigned cases after the investigation is completed. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CYFD Policy and Procedures require that all new child welfare staff begin attending CPS CORE Training within the first 30 days of hire. CORE presently consists of 140 hours of training, presented in four 35 hour blocks, over 4 weeks. A social worker is not eligible to undertake primary responsibility for a caseload of children in custody until the social worker completes the legal training and passes a written proficiency test, offered in the first week of CORE. The Statewide Assessment notes that the Department is concerned about the relevancy of the pre-service (CORE) training for some workers who operate in specific areas and plans to enhance and improve CORE. As indicated in the Statewide Assessment, possible future directions include the provision of regional training, E-learning, shorter modules, and more focus on on-the-job training and follow-up

using coaching, shadowing, and mentoring. The Statewide Assessment reports that revisions to the CORE training will be part of the State's Program Improvement Plan.

Stakeholder Interview Information

The opinions expressed by stakeholders interviewed during the onsite CFSR are consistent with the information provided in the Statewide Assessment. Stakeholders reported that, although there are many positive things about the CORE training, it is not sufficient to prepare many caseworkers for their jobs. They reported that virtually none of the training modules address the knowledge and skills needed by placement caseworkers and in-home services caseworkers. Stakeholders also were in agreement that, although on-the-job training through mentoring or shadowing was occurring on an informal basis, these activities should play a more structured role in training and be part of a formal training program. Several stakeholders indicated that CYFD was aware of the problems with CORE training and was in the process of revising the training.

Stakeholders also expressed some concern that, although Tribes can participate in the training, they may not be receiving timely notifications regarding training. In addition, they expressed concern that ICWA training was insufficient to ensure a clear understanding of the law and the Tribal communities.

Despite these concerns, stakeholders indicated that the legal training component of CORE has gotten good reviews and is effective. In fact, most judicial and legal stakeholders interviewed during the onsite CFSR described agency caseworkers as very well prepared and trained when they came into court. Stakeholders also noted that supervisors must take a CORE refresher course and participate in supervisor initial training.

Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.

Strength Area Needing Improvement

Item 33 is rated as an Area Needing Improvement because there is insufficient ongoing training available to staff in all areas of the State. CYFD currently is restructuring ongoing training to expand training availability throughout the State. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, all caseworkers must receive a minimum of 15 hours of continuing education annually. The 15 hours are required to maintain a social work license in New Mexico. In addition, all supervisors and County Office Managers must receive training in supervision within 3 months of the start of their employment as a supervisor or manager and must receive follow-up training every 12 months.

The Statewide Assessment reports that New Mexico State University (NMSU) provides state-of-the-art ongoing training that addresses the skills and knowledge base needed by caseworkers and other members of the agency staff. Quality Assurance information is used to make decisions regarding topics for ongoing training. In addition to the training provided by NMSU, CYFD caseworkers and supervisors have access to training offered by the Children’s Law Institute and numerous other specialized trainings.

The Statewide Assessment also notes that supervisors work with staff to identify and access skills-based training that is linked to their performance. In addition, each protective services employee is offered a stipend to purchase training of their choice and administrative leave to attend the training.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR noted that caseworkers were required to complete 15 hours of ongoing training each year. Stakeholders also mentioned that the State is working on expanding its university stipend program for CYFD staff.

Stakeholders differed in their opinions regarding the availability of training opportunities. While State-level stakeholders suggested that there were sufficient training opportunities, stakeholders in the three sites included in the CFSR expressed the opinion that official training is scarce, training that earns CEUs has actually declined in the current year, and, for Lea County caseworkers, access to training often requires 5 to 6 hours of travel. Santa Fe stakeholders noted that training requests sometimes are denied because caseworkers are behind in their work or because training is specific to an area that is different than the caseworker’s assigned responsibilities.

A primary issue of concern regarding ongoing training pertained to the differences between licensed and unlicensed caseworkers. Stakeholders noted that participation in ongoing training of caseworkers who were licensed social workers was officially documented and monitored because it was required to maintain their licenses. However, although agency policy requires that all caseworkers, even those who are not licensed, receive 15 hours of ongoing training, some stakeholders questioned whether this was actually happening. One stakeholder reported that when CYFD started hiring “related-degree staff” (i.e., non social workers), the discussion in the field was that CYFD would provide more training for these new workers, but this has not materialized.

Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.

Strength Area Needing Improvement

Item 34 is rated as a Strength because the State uses a formal curriculum (PRIDE) to train foster and adoptive parents as well as kinship caregivers. Ongoing training also is readily available for foster parents, with much of the ongoing training offered as part of local and statewide foster parent meetings. This item was rated as an Area Needing Improvement in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CYFD/PSD policy and procedures require that all foster parent applicants attend 27 hours of pre-service training and that foster parents approved by the State or by private agencies must attend a minimum of 10 hours of ongoing training annually. New Mexico uses the PRIDE training for current or prospective foster and adoptive parents and has recently introduced PRIDE training in Spanish in some locations. The Statewide Assessment notes that PRIDE is an effective curriculum, but the extent of its effectiveness can vary by trainer. The Statewide Assessment also notes that local foster parent associations provide training using stakeholders from the community to address specific challenges identified by foster parents. For the past 12 years, there has been a Foster and Adoptive Parent Conference held in New Mexico. This year, this annual meeting was broken into two different events. The Statewide Assessment notes that although relative foster parents received PRIDE training, there is a need for more specialized training for relatives.

The Statewide Assessment also noted the following:

- Agency contracts with Treatment Foster Care (TFC) require that the same training and standards for home studies apply for TFC foster homes as for CYFD foster homes.
- Training for staff of State-licensed or State-approved facilities is required by the licensing agency and monitored by CYFD.

Stakeholder Interview Information

Most stakeholders commenting on this item during the CFSR onsite review praised the PRIDE training for foster parents, the requirement for ongoing training, and the availability of ongoing training opportunities. They noted that ongoing training was tracked by certificates and by foster parents using a specific form necessary for re-licensing. A key concern identified, however, was that the training needs to be updated to better reflect the kinds of children that are currently in placement in the State. A concern was expressed by some stakeholders regarding the use of psychotropic drugs for children in foster care and the lack of training for foster parents regarding the intended effects of these drugs, possible side effects, appropriate use, and potential misuse. Refer to item 23, page 64, for information provided by youth during the on site review and from the Statewide Assessment regarding the use of psychotropic medication and the State's plans to address this concern.

Specific components of the training that were cited as particularly praiseworthy were the following:

- The involvement of youth panels in the PRIDE training for foster parents. (Every year they provide at least one or two workshops at the annual conference.)
- The use of experienced foster parents as trainers for the pre-service PRIDE training.
- The integration of training into the local and statewide foster parent meetings.

- The availability of a foster parent mentor in Bernalillo County.
- The availability of a PRIDE program designed especially for relatives in Bernalillo County.
- The agency’s provision of day care in some locations to facilitate foster parents’ access to ongoing training.
- The availability of PRIDE in Spanish in Bernalillo County and in other parts of the State as well.

V. SERVICE ARRAY

Rating of Review Team Regarding Substantial Conformity				
	Not in Substantial Conformity		Substantial Conformity	
Rating	1	2	3	4
	X			

STATUS OF SERVICE ARRAY

New Mexico is not in substantial conformity with the systemic factor of Service Array. The State also was not in substantial conformity with this systemic factor in the 2001 CFSR and addressed this factor in its Program Improvement Plan.

The 2001 CFSR identified variations in service availability across the State, with rural areas having far fewer services than the more urban areas. The 2001 review also found significant gaps in the following services:

- Mental health services.
- Dental services, especially in the rural areas of the State.
- Substance abuse treatment services.
- Domestic violence counseling and treatment services.
- Respite care for foster parents.

During the 2001 CFSR, stakeholders attributed many of the concerns regarding services availability to the State’s transition to a managed care health system.

To address these concerns, the agency implemented the following strategies in its Program Improvement Plan.

- Strengthened collaboration with other agencies at both the State and local levels to coordinate services addressing domestic violence and substance abuse.
- Increased availability and access of foster parents to respite care services.
- Incorporated the Casey Team Decision Making case practice model to engage families and better identify services needs.

The State met its target goals for this systemic factor by the end of the PIP implementation period.

Despite these efforts, the systemic factor of service array continues to be a challenge for New Mexico in 2007, as noted in both the Statewide Assessment and in stakeholder interviews. Similar to the 2001 review, stakeholders interviewed during the 2007 onsite CFSR expressed concerns regarding the lack of behavioral and mental health services in most areas of the State. Also similar to the 2001 review, stakeholders interviewed during the 2007 review attributed many of the service array problems primarily to the State's new behavioral health managed care services system, which is operated by a private, for-profit agency called ValueOptions.

Additional concerns regarding service array emerged during the 2007 CFSR and are described below along with findings for the specific items assessed for this factor.

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.

Strength Area Needing Improvement

Item 35 is rated as an Area Needing Improvement. Although there are many praiseworthy services available in the State, such as Icebreakers and Team Decision Making, and many caseworkers make concerted efforts to access services for the children and families in their caseloads, the array of services is not sufficient to address the needs of children and families served by the child welfare system. Key services gaps were noted to be in the areas of behavioral health, substance abuse treatment, and domestic violence services; services for monolingual Spanish-speaking families; and services for youth making the transition from foster care to independent living. Item 35 also was rated as an Area Needing Improvement in New Mexico's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, service array in New Mexico is not adequate and is the State's largest challenge. The Statewide Assessment notes that Section 13 of General Policy requires that the provision of services be based upon the assessment of risk, needs, and strengths of the individual and the family and includes child protective services, independent living services, family services, domestic violence services, child care, foster care and adoption services. Permanency Planning Policy requires that CYFD provide or arrange for services for the child and family as needed. Service needs are identified in the assessment plan and in the treatment plan and are to be updated every 6 months.

The Statewide Assessment notes that the State selects services from the available array to meet the needs of children and their families. These services may include in-home services provided by the Department; family support, mid-level family preservation, and time-limited reunification services provided by Department contractors using title IV-B part II funds; and physical health and/or

rehabilitative services supported through a combination of Federal (Medicaid and Title XX) and State general funding. Behavioral health services are provided through the Behavioral Health Purchasing Collaborative and administered by its “single entity” provider, ValueOptions New Mexico. The State also may access services such as child care, mentoring for older youth, respite, transitional living services, education-related and training vouchers for youth, independent living services, and mediation.

Key gaps in service array identified in the Statewide Assessment pertained to behavioral health, substance abuse treatment, and domestic violence services; services for monolingual Spanish-speaking families; and services for youth making the transition from foster care to independent living. The Statewide Assessment also noted that there are long waiting periods to access some services, lack of transportation to services especially in the more rural parts of the State, low rates of reimbursement to providers, and a lack of qualified and/or credentialed providers in all political jurisdictions in the State.

The Statewide Assessment reports that the service array has been affected by the creation in statute in 2004 of the Behavioral Health Purchasing Collaborative. The Collaborative was designed to address some of the issues related to service array that were identified in the 2001 CFSR, as well as in other State evaluations and assessments. The goal of the Collaborative is to develop and coordinate a single, statewide, behavioral health care system for the purpose of increasing services through better utilization of funding and coordination of services and providers. Beginning in 2005, the Collaborative aimed to address issues such as improved access to evidence-based care and coordination of public and private agencies and providers through a contract with one statewide entity, ValueOptions New Mexico, which was assigned to manage a single statewide provider network. As noted in the Statewide Assessment, however, the creation of the Behavioral Health Purchasing Collaborative and transition to the single statewide entity has been a difficult process, resulting in an initial deterioration in existing services and in the availability of services.

The Statewide Assessment reports that participants on the CFSR Statewide Assessment Team suggested that concerns around service array should include non-clinical services such as housing, employment, financial assistance and other services to meet basic family needs. These team members noted the critical need to focus on prevention, home visitation, early childhood services, subsidized maternity and family leave (especially with special needs infants and young children), and other early intervention programs. Also identified were issues related to availability of services for transitioning youth and services available to Native American children served through Tribal Social Services rather than the State agency and district courts.

Stakeholder Interview Information

Almost all stakeholders commenting on this item said that the service array in New Mexico is not adequate to meet the needs of the children and families served by the child welfare agency. Although there were a number of services that received high praise from stakeholders and were identified as extremely effective, there was general consensus that the supply in all service areas is not sufficient to meet the need. Many stakeholders expressed the opinion that the lack of services had reached a crisis point. Most stakeholders suggested that the service array was worse now than it was in prior years.

Much of the concern regarding the service array was focused on the Behavioral Health Purchasing Collaborative, which selected ValueOptions New Mexico as the State's single-entity administrator of behavioral health services. Some stakeholders noted that the principles of the Behavioral Health Purchasing Collaborative are solid, but that the current structure does not take into account the needs of children and families in the child welfare population. A key concern expressed by stakeholders pertained to a lack of access to behavioral health services during the current period of transition to ValueOptions.

A key concern raised by many stakeholders pertained to the recent considerable reduction in available residential treatment services in the State as a result of a ValueOptions decision. Although some stakeholders agree with the ValueOptions perspective that the State has been too reliant on residential treatment to meet children's behavioral and mental health needs, a number of stakeholders noted that at present there are insufficient community-based or in-home services in place in the State, especially in the rural sections of the State, to meet the needs of children who require more intensive behavioral and mental health services. Stakeholders also noted that there does not seem to be a plan in place for developing these types of services at the community level, particularly in the rural areas of the State. Consequently, the reduction in residential treatment facilities has created a serious service gap for children with "high end" mental health service needs. Various stakeholders also expressed the following concerns with regard to decisions made by ValueOptions:

- There has been a considerable loss of services in many local sites and a reduction in the availability and quality of all levels of mental and behavioral health services across the State.
- Critical existing services such as treatment foster care, infant mental health, transitional living, family stabilization, and respite care are expected to be phased out by July 1, 2007.
- Even when services are available, they are not always easily accessed without the agency becoming involved in lengthy negotiations with ValueOptions regarding the appropriateness of the services.
- The number and quality of providers is declining because the reimbursement offered by ValueOptions is low and because providers have been experiencing difficulties getting reimbursed by ValueOptions.
- There have been instances in which court-ordered services were "over-ridden," that is, "not allowed" by Value Options despite the judges requirement that the agency provide the services.

According to stakeholders, the overall result of many ValueOptions decisions is a critical gap in services, particularly for children in the in-home services cases and the parents of children in the foster care cases.

Other services gaps in the State noted by stakeholders included the following:

- Community-based services.
- Home-based services.
- Services for children with developmental disabilities.
- Services for mono-lingual Spanish speaking families.
- Housing services.

- Limited resources for concrete needs such as food.

Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State’s CFSP.

Strength Area Needing Improvement

Item 36 is rated as an Area Needing Improvement because of the lack of sufficient services in all areas of the State to meet the identified needs of families involved with CYFD. This item also was rated as an Area Needing Improvement in New Mexico’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, there is extensive variation in accessibility of services across the State. Although the services provided directly by CYFD staff are designed to be available and accessible on a statewide basis, historically, New Mexico has experienced difficulty in hiring and retaining staff, particularly in rural areas. Throughout the past several years, a number of activities were undertaken to address the issues of recruitment and retention, but staff vacancies remained at about 11 percent statewide, with some counties exceeding 25 percent at times. In terms of contracted services (title IV-B Part II Safe and Stable Families), and other types of services that comprise an effective service array, the greatest concentration and variety of services are located in and around the State’s largest urban area (Albuquerque). Highly specialized services generally are not available in rural areas of the State.

Stakeholder Interview Information

There was general consensus among stakeholders that availability of key services varies considerably across the State. The common opinion expressed was that although there is a large array of services available in the larger urban areas such as Albuquerque, Santa Fe, and Las Cruces, there is a dearth of services in the rural areas. Stakeholders noted that there are many rural children now without access to even basic service resources. Stakeholders also noted that rural areas have actually seen a decline in services since the advent of ValueOptions as the administrator of behavioral health services. One stakeholder noted that some areas of the State no longer have a psychiatrist available in the community or even a basic parenting class. Several stakeholders indicated that children and families who do not reside in major urban areas must travel long distances to access services.

Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.

Strength Area Needing Improvement

Item 37 is rated as an Area Needing Improvement. Although caseworkers often make concerted and creative efforts to meet the unique service needs of the children and families they serve, there are too many key service gaps to adequately individualize service delivery. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State selects services from the available array in order to meet the unique needs of children and their families. These services may include in-home services provided by the Department, family support, mid-level family preservation and time-limited reunification services provided by Department contractors using title IV-B part II funds, physical health and/or rehabilitative services supported through a combination of Federal funding (Medicaid and Title XX), and State general funding.

Stakeholder Interview Information

There were differences of opinion among stakeholder commenting on this item during the onsite CFSR. State-level stakeholders voiced concern that the agency is not consistently effective in individualizing services to meet the unique needs of children and families. They noted that many case plans are “cookie cutter” plans in terms of services, and are not individualized, particularly independent living plans.

In comparison, stakeholders in all three of the counties included in the onsite CFSR expressed the opinion that caseworkers are highly effective in meeting the unique needs of children and families, although several noted that this sometimes varied depending on the experience of the caseworker. These stakeholders attributed the individualization of services to the Team Decision Making program, the Protective Services Intervention program, the Ice Breakers program, mediation programs, and the Family-to-Family initiative funded by the Annie E. Casey Foundation. Bernalillo County stakeholders reported that language and cultural issues of families are addressed and efforts are made to match providers with clients in a way that meets the clients’ needs.

Lea County stakeholders identified the parenting coach and the local drug court as particularly effective in helping that agency individualize services for families. These stakeholders also noted that the county office manager is very aggressive in getting his community to meet special needs and although the child welfare agency does not have flexible funds, the agency can identify needs and usually the community will come up with the materials or funds to meet the need.

Despite caseworker and county office manager efforts to meet special needs and to engage the community, many stakeholders noted that with the advent of ValueOptions, individualizing services has become difficult because ValueOptions provides services at a bundled rate. As a result, the rates determine who is able to work with the family rather than the unique needs of the family. Stakeholders also noted that it often is difficult to find services for monolingual Spanish-speaking families.

VI. AGENCY RESPONSIVENESS TO THE COMMUNITY

Rating of Review Team Regarding Substantial Conformity				
	Not in Substantial Conformity		Substantial Conformity	
Rating	1	2	3	4 X

STATUS OF AGENCY RESPONSIVENESS TO THE COMMUNITY

New Mexico is in substantial conformity with the systemic factor of Agency Responsiveness to the Community because CYFD makes concerted efforts to collaborate with community stakeholders on a local and statewide basis. CYFD includes a variety of stakeholders in developing their Child and Family Service Plan and collaborates with them to improve services to children and families. The State was found to be in substantial conformity with this systemic factor in its 2001 CFSR. Findings with regard to the specific items assessed for this factor are presented below.

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.

 X Strength Area Needing Improvement

Item 38 is rated as a Strength because the agency collects information regarding the CFSP through its involvement on a number of statewide committees. In addition, the State plan is posted on the agency’s website, which allows for comments and feedback from the public. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New Mexico Administrative Code requires and provides for a public comment and hearing process as a part of the adoption of any policies, regulations and State plan. The Agency maintains a constituency manager to receive and respond to all concerns and/or issues brought to the attention of the Department. The Department houses a Native American Liaison in the Office of the Secretary. Foster Parent liaisons are provided in the majority of county offices. The Youth Advisory Team comprised of youth involved with protective services and/or juvenile justice services, individuals from public and private agencies serving youth, youth advocates, and CYFD staff meet regularly to develop and provide policy recommendations to the State.

The Statewide Assessment also notes that the State collects information regarding the CFSP through its involvement on a number of statewide committees including the Court Improvement Project, the Behavioral Health Purchasing Collaborative, and the Interagency Coordinating Council. State plans are posted on the agency’s website, and the website provides for the ability to collect comments and feedback from the public. There also are quarterly and annual FACTS reports and an annual CRB report.

As indicated in the Statewide Assessment, the Department holds public hearings on the development of State plans. Notice of public hearings is provided to social service agencies (as well as other types of agencies) statewide and published in the *New Mexico Register*. The Department uses other opportunities to collect input on the State plans, such as the Annual Foster Parent Conference, quarterly meetings with Tribes, and the meetings of the CFSR statewide assessment team.

Stakeholder Interview Information

A few stakeholders commenting on this item during the onsite CFSR suggested that CYFD is diligent about getting input into their programs. They noted that stakeholders’ views impact State plan content and issues in substantive ways and that there are institutionalized procedures in place for the agency to obtain feedback from stakeholders regarding aspects of the State plan. These include the participation of CYFD in strategic planning with the CIP and the CRB. Stakeholders also reported that input from the Tribes is obtained from participation with the CIP and CRB, and that input from youth is obtained from the Youth Advisory Panel. Some stakeholders indicated that there is a formal process in which the agency publishes the CFSP and the Annual Reports and then takes feedback.

Some stakeholders said that the Tribal/State consortium has resulted in enhanced communication and partnership with the Tribes. However, although the CYFD Tribal liaison identified numerous examples of State agreements with the Tribes, stakeholders suggested that there is minimal consultation with the Tribes with regard to CYFD program planning.

Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.

Strength Area Needing Improvement

Item 39 is rated as a Strength because stakeholders are included in the development and review of the Child and Family Services Plan as required under title IV-B and Federal regulations. CYFD also involves stakeholders in the development of the agency’s strategic plan and the CFSR Program Improvement Plan. This item was rated as an Area Needing Improvement in New Mexico’s 2001 CFSR.

Statewide Assessment and Stakeholder Interview Information

Both the Statewide Assessment and stakeholders reported that stakeholders provide input into the annual reports of progress and services that are developed by the agency.

Item 40. The State’s services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.

 X Strength _____ Area Needing Improvement

Item 40 is rated as a Strength because New Mexico continues to expand collaborations across State agencies to address service needs or benefits to improve services and access. Additionally, there is a Children’s Cabinet to address children and families’ needs that includes a variety of State agencies. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New Mexico prides itself on its long-term and effective collaboration with numerous partners and stakeholders. The following are examples of efforts to coordinate services or benefits with other Federal or federally-assisted programs that were reported in the Statewide Assessment:

- The Court Improvement Project (CIP), which was described as the “pinnacle of multi-stakeholder collaboration,” producing numerous positive outcomes.
- The Behavioral Health Purchasing Collaborative and Collaborative Subcommittee.
- The work with Medicaid to bring about a change in policy to extend Medicaid for youth emancipating from the foster care system, as allowed by the Foster Care Independence Act.
- The co-location of Juvenile Justice Department, Protective Services, and child care offices, and the practice of convening joint meetings of these agencies on specific cases.
- In several localities, the implementation of school liaison projects in which CYFD staff are assigned as liaisons within the schools to provide training, on-going communication, and collaboration.
- The implementation of collaboration procedures with Education, Social Security, the Aging and Long Term Services Department, the Behavioral Health Purchasing Collaborative, and various transition groups addressing Federal and State housing and employment programs.
- The co-location in some counties of protective services with Social Security, Division of Vocational Rehabilitation (DVR), Motor Vehicle, Workman's Compensation, and others.

Stakeholder Interview Information

Stakeholders indicated that collaboration with other agencies to coordinate services and benefits is a strength in the State. They identified the CIP as a program that is particularly effective in ensuring that services are coordinated among various stakeholders. Stakeholders also reported that New Mexico has a Children’s Cabinet that brings together child advocates and agencies responsible to make different services available and accessible. It is a forum with tangible, specific goals, which looks at the coordination of services and benefits across agencies. There are weekly meetings with participation of the departments of Health; Human Services; Aging;

Children, Youth and Families; Education; and Indian Affairs. The focus is on the coordination on use of benefits and eliminating barriers to accessing benefits and services. Other stakeholders also noted that the State has coordinated services in partnership with the Navajo Tribe.

Bernalillo County stakeholders, in particular, reported that CYFD staff are assigned as school liaisons to area schools and make monthly contacts with the schools and quarterly visits. They noted that there is a community partnership in the county that meets regularly to review and consider possibilities for coordinating services and programs.

VII. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4
		X		

STATUS OF FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

New Mexico is not in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. During the 2001 CFSR, New Mexico was found to be in substantial conformity with this factor. Findings with regard to the specific items assessed for this factor are presented below.

Item 41. The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards.

 X Strength Area Needing Improvement

Item 41 is rated as a Strength because there are licensing standards for foster families (both kinship and non-related foster families), adoptive families, and child care providers to promote safety and permanency for children in foster care. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New Mexico has foster care and child care standards that are consistent with National standards. The Statewide Assessment notes that Licensing Standards for Foster Care creates uniform standards for licensing of foster

homes consistent with the Indian Child Welfare Act, ICPC, the Uniform Child Custody Act, and other applicable statutes, compacts and regulations. Licensing requirements include criminal background checks, abuse and neglect record checks, safety assessments, references, medical statements, review of the physical standards of the home, verifications (which includes employment, marriage, and divorce), training, and information obtained from personal interviews with applicants. The Child Placement Agency Licensing Standards require that private placement agencies abide by the same standards as the Department in licensing foster or adoptive homes.

The Statewide Assessment also notes that Permanency Planning Policy requires that all children placed in substitute care are placed in licensed/certified homes or facilities or approved relative homes. The Department, through the public hearing process, partners with private agencies and other professionals to develop and promulgate the foster care licensing standards, adoption regulations, and child care standards. Licensing Standards, Adoption Regulations and Child Care Institution regulations are available online. Policy and Procedures Bureau staff conducts annual reviews of licensing standards and regulations. Staff is available to provide technical assistance to other staff and the community.

As indicated in the Statewide Assessment, placement workers review the suitability of every foster home licensed by CYFD at least twice a year. In addition, placement workers and staff of licensed private child placement agencies apply the provisions of the New Mexico Adoption Regulations throughout their work with adoptive families. Foster homes are reviewed annually for continued compliance with licensing standards at the time of licensing renewal. Child placement agencies are monitored for compliance with licensing requirements by annual reviews and site visits throughout the year. This process includes case record reviews.

Staff also monitors home studies for compliance with licensing standards and eligibility for Title IV-E funds. Placement supervisors review foster family and adoptive family records to ensure compliance with standards. IV-E staff reviews records to ensure compliance with eligibility standards. Policy and Procedures staff monitors private child placement agency records. Other CYFD staff monitors child care institutions. The multiple levels of staff throughout the child welfare system share responsibility for compliance with standards. This approach ensures comprehensive oversight. Applicants are afforded an administrative review process to ensure appropriate application of standards during the consideration of the foster and/or adoptive parent application.

The Statewide Assessment also notes that CYFD is implementing a new home study process, called SAFE, in February 2007. SAFE is a set of home study tools for the psycho-social evaluation of prospective adoptive families, foster families, relative care providers, resource families, and concurrent planning families. The Statewide Assessment indicates that SAFE is designed to result in a comprehensive home study report that clearly documents the strengths and challenges that impact an applicant's ability to provide safe and appropriate care to children and is expected to provide a uniform and comprehensive home study process for foster and adoptive homes.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite review were in general agreement that the State’s licensing procedure involves standards for foster family homes and child care institutions that ensure the safety of the children in out-of-home placements. Licensing standards were noted to be stringent. The required training for foster parents was described as very valuable. Some stakeholders reported, however, that the licensing process takes a long time and that some potential foster parents become discouraged and do not follow through with the process. In contrast, other stakeholders said that licensing is done in a timely manner.

A few stakeholders expressed concern about the screening process for foster parents, suggesting that it was not sufficient to identify potential problems. Other stakeholders, however, indicated that the State recently implemented a new home study tool called SAFE, which will be used to conduct assessments of foster family homes. They noted that SAFE is a nationally recognized program that involves a comprehensive assessment than the State has used previously, and is expected to prevent inappropriate licensing. This was noted to be critical because the process of revoking a foster parent license in the State is arduous.

Stakeholders reported that there is a tickler in FACTS that alerts licensing staff when a foster parent needs to be re-licensed. They noted that foster homes are recertified yearly. Although re-licensing is done every year, many stakeholders expressed the opinion that it is not done in a timely manner.

Lea County stakeholders reported that the agency makes concerted efforts to help families become foster families. They noted, for example, that if a home needs to be improved to meet the standards, the agency works with the family to give them the opportunity to make the improvements, particularly if it is a relative family. This tends to be done in other areas of the State as well.

Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.

 X Strength _____Area Needing Improvement

Item 42 is rated as a Strength because New Mexico has specific licensing standards for a variety of child care institutions and providers. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment and Stakeholder Interviews

According to the Statewide Assessment, the Licensing Standards for Foster Care apply to all licensed or approved foster family homes, regardless of whether they are receiving IV-E or IV-B funds. The Statewide Assessment also notes that New Mexico has a single set of standards for foster home licensing and adoption approval for relative caregivers and non-relative caregivers. All applicants are required to complete the activities and components of the home study process in order to be licensed as a foster home or approved as an adoptive home. The only requirement that may be waived for a relative home is the space requirement, and that is considered on a case-by-case basis.

The Statewide Assessment reports, however, that emergency foster care placements may be made with a relative by completing an abuse/neglect check and other assessments, prior to completion of the criminal records check. Final approval of the relative foster home for licensing requires completion of the criminal records check. These placements are not eligible for Title IV-E funds until the relative foster parents complete all of the licensing requirements.

Licensing requirements for adoptive homes are compliant with the provisions of the Adoption and Safe Families Act. Adoptive placements, including foster home conversions, are not made until all standards have been met. A foster care placement may not convert to an adoptive placement until the foster parent meets all standards for adoptive placement.

Stakeholder Interview Information

There was consensus among stakeholders commenting on this item during the onsite CFSR that relative foster parents, non-relative foster parents, and pre-adoptive parents have the same licensing requirements. They noted that, although there are provisional licenses for relatives or fictive kin, the family must be is required to be licensed within 6 months. They also noted that the provisional requirements for relatives do not change the licensing requirements but only reflect the fact that the placements usually are made very quickly. Stakeholders said that the State does not place children with relatives who do not agree to be licensed.

Stakeholders reported that although relatives have to go through the same process as other applicants in terms of training and background checks, they can have a child placed with them after a brief assessment. However, they must have a full home-study assessment done in 60 days.

Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.

Strength Area Needing Improvement

Item 43 is rated as a Strength because foster, adoptive and kinship families receive a criminal background check before becoming licensed. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

Licensing Standards for Foster Care requires a criminal records check of all applicants and all adults residing in the home, to include a national criminal records check, a statewide check and a local police check. Adoption Act Regulations sets out similar procedures for initiating a criminal background check for adoptive homes.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR indicated that the State will not place children with anyone without conducting a criminal background check. However, some stakeholders expressed the opinion that this was a lengthy process, involving about 2 weeks, while others noted that a criminal history check can be completed in about 2 days. Stakeholders reported that there are two Criminal History Checks. One is the State and the other is the FBI, which includes fingerprinting. The final FBI check can take about 2 months. Stakeholders also noted that fingerprinting is in place statewide.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.

_____ Strength X Area Needing Improvement

Item 44 is rated as an Area Needing Improvement. Although, as indicated in the Statewide Assessment and in stakeholder interviews, CYFD has implemented new efforts to enhance recruitment, there remains a significant need for foster homes for Native American, Hispanic, and African American children. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Foster Parenting policy requires that CYFD recruit foster parents in all parts of the State. However, the Statewide Assessment also notes that the New Mexico CFSR Statewide Assessment Team indicated that there is need for more placement resources, particularly in rural areas, and that now there are agencies recruiting for therapeutic foster homes that further limit the pool of families for regular foster care. The foster care pool is further depleted by foster families deciding to adopt. The Statewide Assessment also reports that there is a need for more Native American foster families, and other foster families that have the capacity to provide a culturally competent and language appropriate environment for children. As indicated in the Statewide Assessment, CYFD has implemented new efforts to enhance recruitment.

Stakeholder Interview Information

The majority of stakeholders commenting on this item during the onsite CFSR expressed the opinion that there is a need for foster homes statewide, with rural areas having substantial shortages of foster home placements. They also reported that there is a significant need for foster homes for Native American, Hispanic, and African American children and particularly for adolescents. Stakeholders noted that the shortage of foster parents results in children being placed where there is a bed rather than where is it is most appropriate to meet their needs.

Most stakeholders voiced concern that recruitment efforts were not sufficient. Stakeholders noted that there is a foster parent recruitment unit in the agency and that recruitment efforts include special events conducted by foster parent recruiters in individual communities, teas, ethnic fairs, Public Service Announcements, and articles. They also noted that the agency targets particular ethnic communities through advertising campaigns, faith-based efforts, and preparing materials in different languages. One stakeholder reported that there is a special office in CYFD for African American programs and the office does outreach with church and

community to recruit foster and adoptive homes. Bernalillo County stakeholders, however, reported that there is only one person specifically designated to conduct recruitment efforts in that county. Lea County stakeholders reported that although they were aware that there was a State recruitment unit, they were not aware of any recruitment efforts being conducted by that unit.

Recruitment for adoptive parents involves several activities, including the Heart Gallery, websites, four special events each year, and legal services offered pro bono.

Stakeholders noted that foster parents make the best recruiters and, therefore, it is important to ensure that foster parent's needs are met. They noted that CYFD not only loses foster parents when they adopt or when they become therapeutic foster parents, but also when the agency puts unrealistic demands on the foster parents, fails to pay them in a timely manner, and does not include them in case planning.

Stakeholders also noted that there is a need to recruit Native American families so that there are readily available options for Native children. They noted that children are placed away from their Tribes and communities because of the lack of Native American homes. Stakeholders reported, however, that the Zuni tribe has its own standards and is able to license foster homes and State staff have been able to place Zuni children in those homes.

Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.

Strength Area Needing Improvement

Item 45 is rated as an Area Needing Improvement. This item was not effectively addressed in the Statewide Assessment. Although processes are in place to facilitate in-State and cross-jurisdictional placements, stakeholders knowledgeable and familiar with this area of practice raised concerns that CYFD does not have a process in place to ensure that out-of-State inquiries are appropriately considered and out-of-State adoptions were commonly described as an “untapped resource.” This item was rated as a Strength in New Mexico’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CYFD policies and procedures detail processes for accessing out-of-State placement resources for children.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR noted that the agency is very effective in making foster care and adoptive placements across jurisdictions within the State. However, stakeholders knowledgeable and familiar with this area of practice identified the following concerns. CYFD was noted to make very few adoptions out of State or foster care placements, unless extended family is located in another State. The out-of-state adoptions were described as an untapped resource. One problem noted by stakeholders is that there is no one in the agency who is responsible for out-of-State inquiries and the process of establishing communication with other States regarding a particular family. They suggested that going through ICPC is very difficult, and no one is sure who has responsibility for services to the family. Another problem noted by stakeholders pertained to the quality of the State's adoption website, which all stakeholders agreed was in need of updating and improving. However, stakeholders reported that the agency often uses AdoptUSKids to assist in finding adoptive placements.

Lea County stakeholders expressed concern about out-of-State placements and the ICPC process. They noted that there are jurisdictional challenges in the county due to its proximity to another State and the fact that often family members and other resources are across the State line.