

Report in Brief

Date: May 2017

Report No. A-06-15-00049

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE OF INSPECTOR GENERAL



Why OIG Did This Review

The United States Senate Committee on Finance outlined concerns about the safety and well-being of foster care children in an April 2015 letter addressed to State governors. These issues were highlighted in a media report on the deaths of children in foster care. Accompanying the deaths were allegations of negligence as a contributing factor and evidence of sexual and physical abuse, sometimes after clear warning signs.

Our objective was to determine whether the Texas Department of Family and Protective Services (State agency) ensured that allegations and referrals of abuse and neglect of children eligible for foster care payments under Title IV-E of the Social Security Act, as amended (P.L. No. 74-271, Aug. 14, 1935) (the Act), were recorded, investigated, and resolved in accordance with Federal and State requirements.

How OIG Did This Review

We reviewed 100 case files of reported complaints related to allegations and referrals of abuse and neglect of children made during the period October 2014 through June 2015. Allegations included physical and sexual abuse, physical and medical neglect, and neglectful supervision. We evaluated and tested the State's procedures for monitoring, tracking, and investigating those complaints.

Texas Did Not Always Ensure That Allegations and Referrals of Abuse and Neglect of Children Eligible for Title IV-E Foster Care Payments Were Recorded and Investigated in Accordance With Federal and State Requirements

What OIG Found

Of the 100 reported cases of abuse and neglect that we reviewed, 54 were investigated in accordance with Federal and State requirements. Of the remaining 46 cases (12 cases had more than 1 issue), we found that Texas did not (1) submit 17 investigation reports for supervisory approval within 30 days as required or (2) ensure, in 41 cases, that investigators and their supervisors conducted and documented interim meetings within 20 days as required.

Texas's failure to submit investigations for supervisory review within required timeframes and failure to conduct and document interim meetings in a timely manner undermines the State's internal controls for providing oversight of the investigation and could place foster care children at risk. However, we recognize that meeting established timeframes should not come at the expense of performing high quality investigations. As such, both quality and timeliness are important factors to be considered when determining required timeframes to submit investigations for supervisory review.

Texas completed all investigations and assigned a disposition that resolved each of the 100 sample cases reviewed.

What OIG Recommends and Texas Comments

We recommend that Texas (1) revise its policy of requiring a 30-day timeframe for submitting an investigation report to a period that ensures both quality and timeliness in completing the investigation and (2) ensure that interim meetings between investigators and supervisors are held and documented within the required timeframes.

Texas agreed that our findings accurately reflect the conditions that were found; however, it disagreed with the title, tone, and overall conclusion of the report and did not agree that Federal requirements were not met. After reviewing the Texas's comments, we maintain that the title, tone, and overall conclusion of the report are an accurate reflection of the audit. Additionally, Federal law requires that States develop standards related to safety and that those standards apply to any foster home or childcare institution receiving funds under Title IV-E of the Act.