



NEW MEXICO
LEGISLATIVE
FINANCE
COMMITTEE

Senate Memorial 5 Kick-Off Meeting New Mexico's Child Welfare System

Legislative Finance Committee
May 24, 2024



Agenda

- Task force welcome and introductions
- Overview of the New Mexico child welfare system
- National perspectives about child welfare system change
- Wrap-up





Public Comment



Welcome Senate Memorial 5 Task Force



Introductions

Task Force Members

Governor appointment	Teresa Casados, Secretary CYFD
Speaker of the House appointment	Representative Eleanor Chavez
House Minority Floor Leader appointment	Barbara Tedrow
Senate President Pro Tempore appointment	Senator Linda Lopez
Senate Minority Leader appointment	Maralyn Beck
Supreme Court Justice appointment	Honorable Emilio Chavez
Representative from the Kevin S. settlement	Jesse Clifton
Service provider	Robert Chavez
Foster family representative	Nicholas Natividad, Ph.D.
Youth representative	Mia Calle
Juvenile justice stakeholder	Nick Costales
Tribal member with ICWA lived-experience	Yazh Elliot Pending
At-large representative	Carol Wilson Spigner, DSW
<i>Legislative Finance Committee, staff for task force</i>	<i>Rachel Mercer Garcia and Nathan Eckberg</i>



Task Force Charge

Bill names following key topics:

- Agency mission values and organization, compared to national best practices
- Implementation of differential or alternative response (to investigations and removals)
- Availability, needs, and gaps in existing services
- Best practices in permanency and well-being, including hard-to-place children
- Workforce
- Leveraging federal funding
- Juvenile justice, including trauma-informed programming and behavioral health
- Equity considerations

The task force [will] make recommendations to the legislature and the governor by November 15, 2024 for consideration during the legislative session.



Meeting Schedule

Meeting	Focus Topic
May 24	Welcome and overview of systems
June 21	Prevention and Early Intervention
July 25	Workforce
August 16	Access to services: resource families and children's behavioral health
September 27	Juvenile Justice
October 18	Compliance and oversight Develop preliminary recommendations
November 15	Final task force recommendations



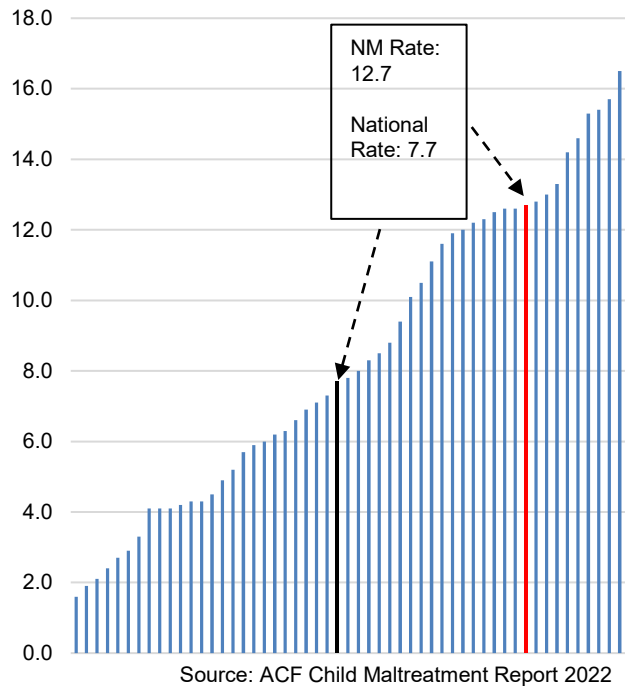
Child Welfare Trends in New Mexico



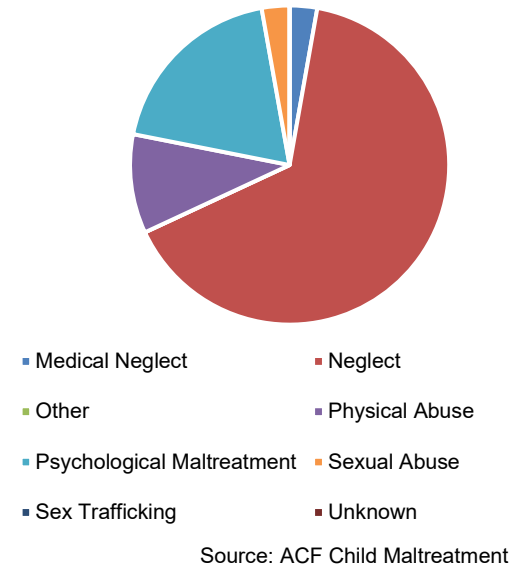
Child Maltreatment in New Mexico

The federal Child Abuse Prevention and Treatment Act (CAPTA) defines child abuse and neglect (maltreatment) as *"any recent act or failure to act on the part of a parent or caregiver that results in death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act that presents an imminent risk of serious harm."*

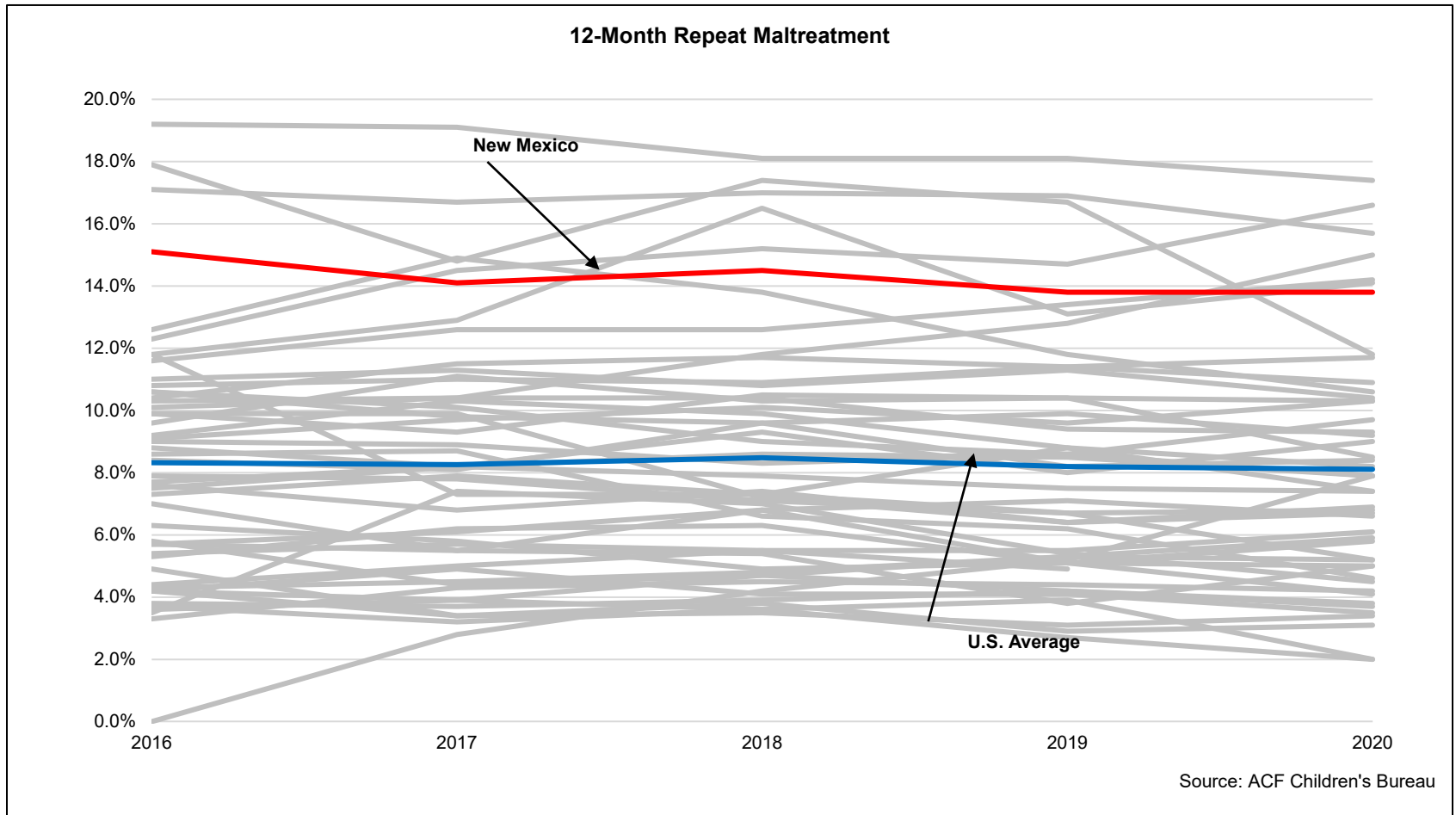
Rate of Child Maltreatment per 1,000 Children 2022



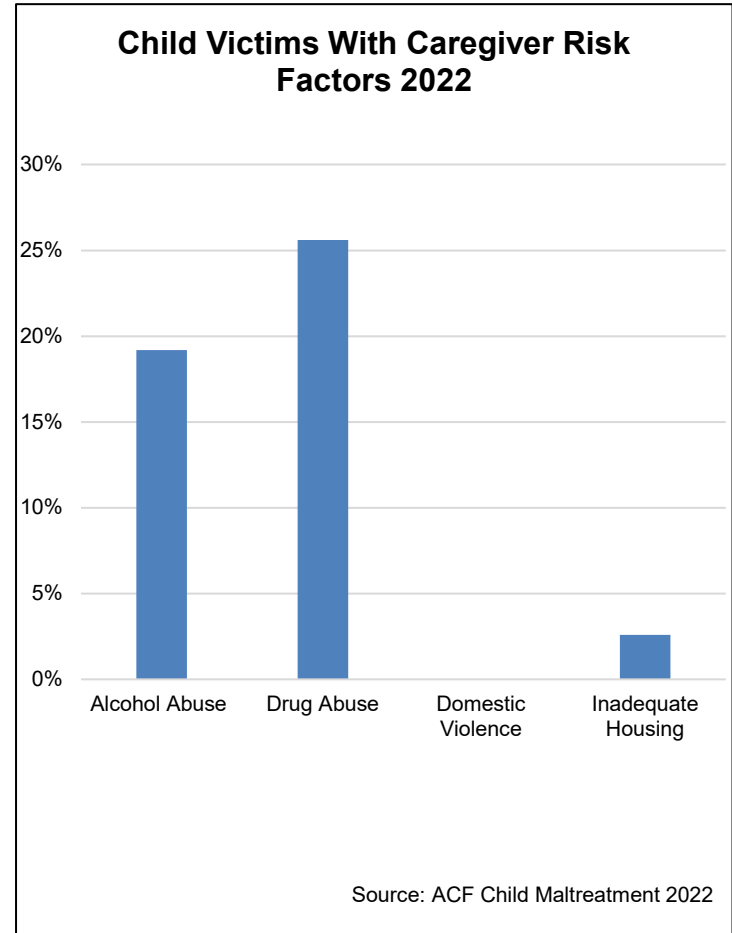
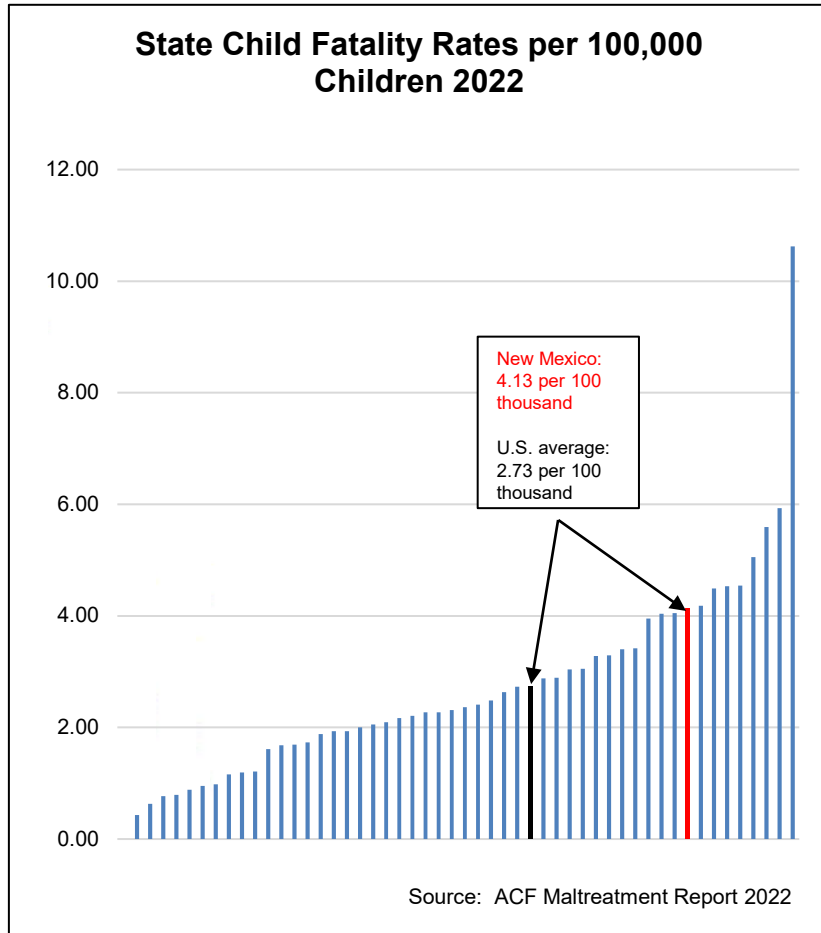
Maltreatment Types Among Child Victims 2022



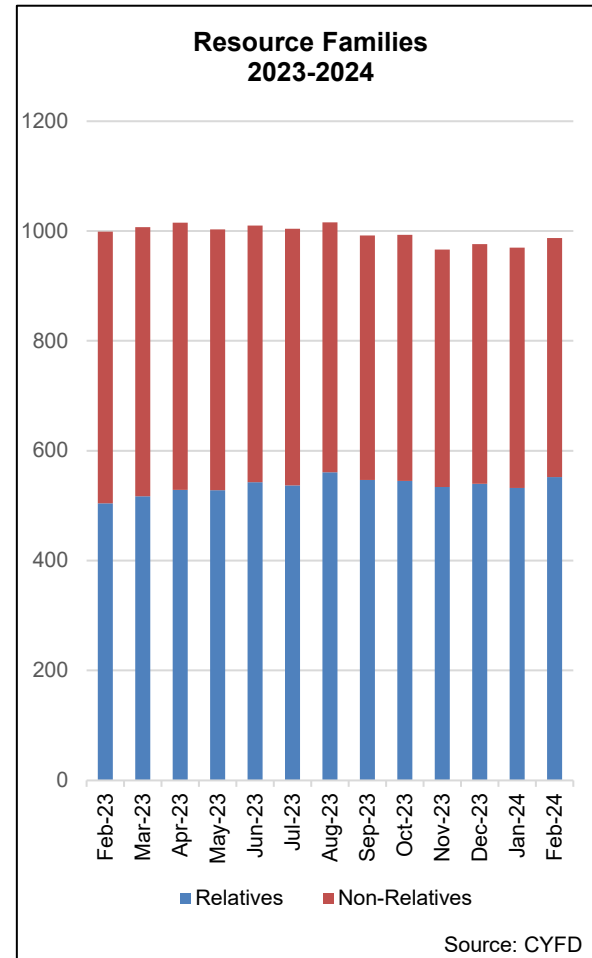
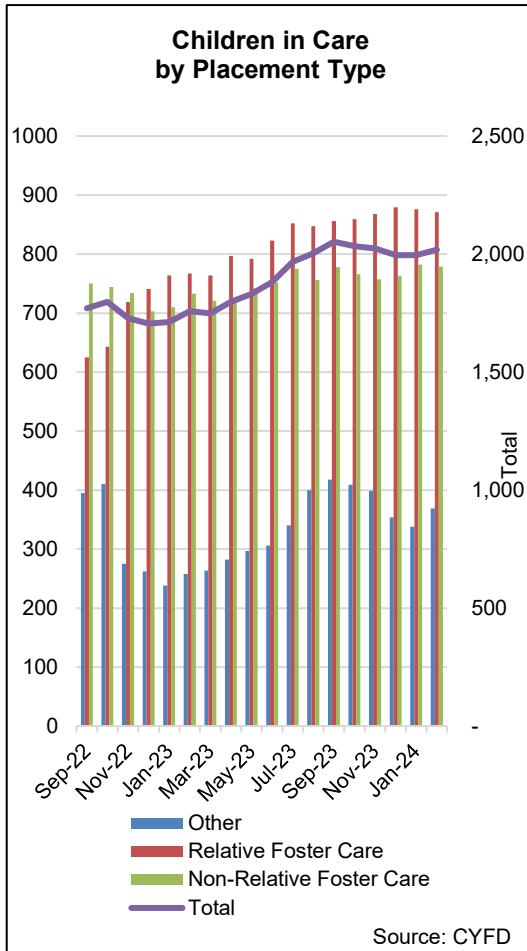
Repeat Child Maltreatment in New Mexico



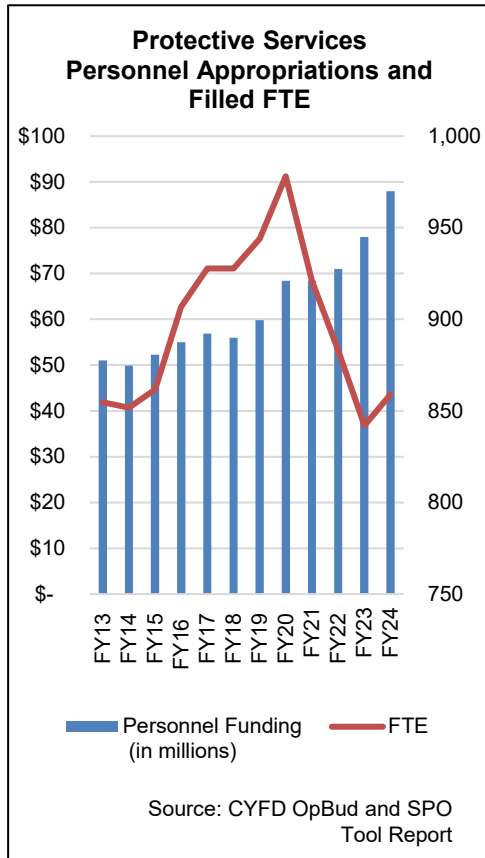
Child Maltreatment in New Mexico



Foster Care Trends



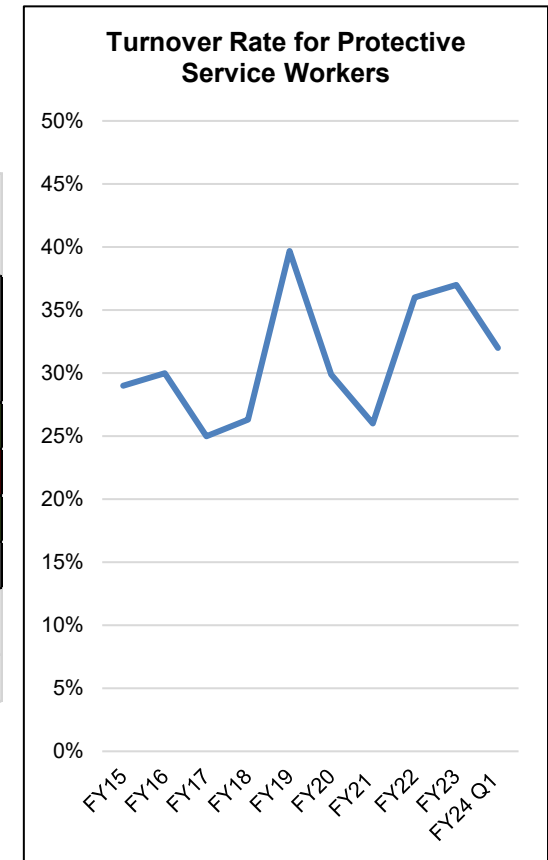
CYFD: Protective Services Workforce



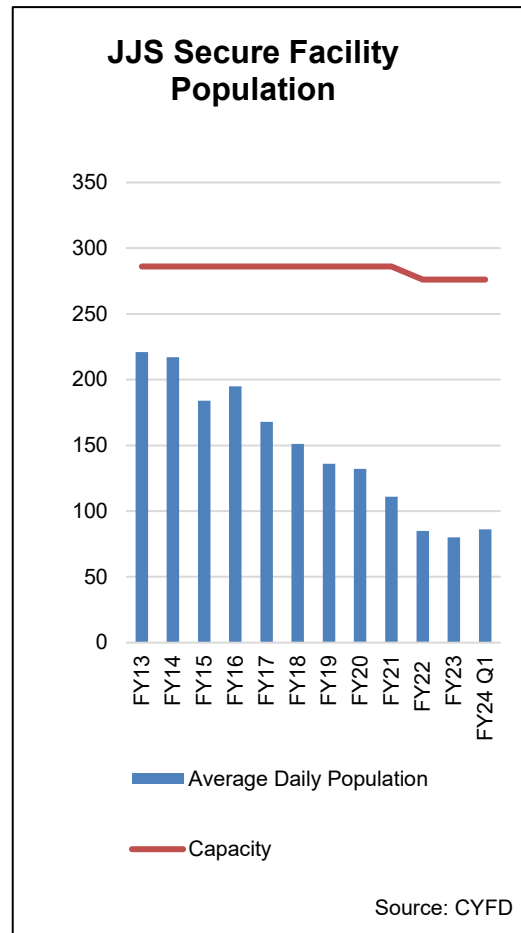
Protective Services Caseload Estimates February 2024

	Benchmark	Average Caseload as of February 2024
Investigations	12 Active Cases	10
Permanency Planning	15 Children	18
Placement	25 Families	16
In-Home Services	8 Active Families	No Estimate

*Caseload estimates reported in the aggregate. Individual caseloads may vary.
Source: CYFD



Juvenile Justice



How is the Child Welfare System Organized?



Child Maltreatment Prevention Framework

Primary

Serves the General Population

State Agency: ECECD, PED, DOH, HCA

Secondary

Serves Families with More Risk Factors

State Agency: ECECD, CYFD, PED, HCA

Tertiary

Serves Families Where Maltreatment Already Occurred

State Agency: CYFD



Child Welfare System: Maltreatment Has Occurred

Department of Public Safety (DPS)

Has the legal authority to take a child into protective custody

Children's Court

Judges decide if abuse and neglect has occurred and makes determinations about whether children may safely return home.

CYFD

Health Care Authority

Administers the Medicaid program- a primary funding source for children's behavioral health, treatment foster care, and health care for youth in custody

Office of Family Representation and Advocacy (OFRA)

Provides legal representation for children and families whose children are in the custody of CYFD



Statutory Authority of CYFD

CYFD is a cabinet department and consists of, but is not limited to, six divisions as follows:

- (1) protective services division;
- (2) juvenile justice division;
- (3) prevention and intervention division;
- (4) financial services division;
- (5) employee support division; and
- (6) information technology division.

The secretary is empowered to organize the department and divisions and may transfer or merge functions between divisions in the interest of efficiency and economy.



Statutory Authority of CYFD

Purpose of CYFD

The purpose of the Children, Youth and Families Department Act is to establish a department of state government that shall:

A. administer all laws and exercise all functions formerly administered and exercised by the youth authority, as well as administering certain functions related to children, youth and families that were formerly administered by other departments or agencies of the state;

B. assist in the development of state policies and plans for services to children, youth and families, including policies and plans that endeavor to strengthen client self-sufficiency and that emphasize prevention without jeopardizing the necessary provision of essential treatment and early intervention services;

C. advocate for services for children, youth and families as an enduring priority in New Mexico; and

D. provide leadership to other agencies that serve children, youth and families to ensure a coordinated and integrated system of care and services for children, youth and families.



History of CYFD

In 1991, the governor convened a task force that led to the creation of CYFD. The system prior to the creation of CYFD was described as “crisis oriented,” failing to support families in meeting basic needs, and only responsive to families after they were in trouble.

Prevention and early intervention were prominent in the 1991 task force report, which is evident in the fact that preventive services was one of the original CYFD divisions.



Evolution Over Time

In 1992, child and adult protective services were transferred from HSD to CYFD.

By 1994 the department had seven divisions and some of the original divisions changed (changes in bold): Administrative Services, **Institutional Care**, Community Services, **Social Services** (which included child and adult protective services, family preservation, adoption, foster care, domestic violence, and youth services), **Risk Reduction**, and **Preventive Services**.



Evolution Over Time

In 2005, legislation transferred adult protective services to the Aging and Long-Term Services Department and consolidated the seven divisions into four programs, dropping preventive services as a focus area.

In 2020, early childhood programs (child care assistance, home visiting) moved to the early childhood care and education department (ECECD)

The current CYFD structure includes **four service areas** (programs):

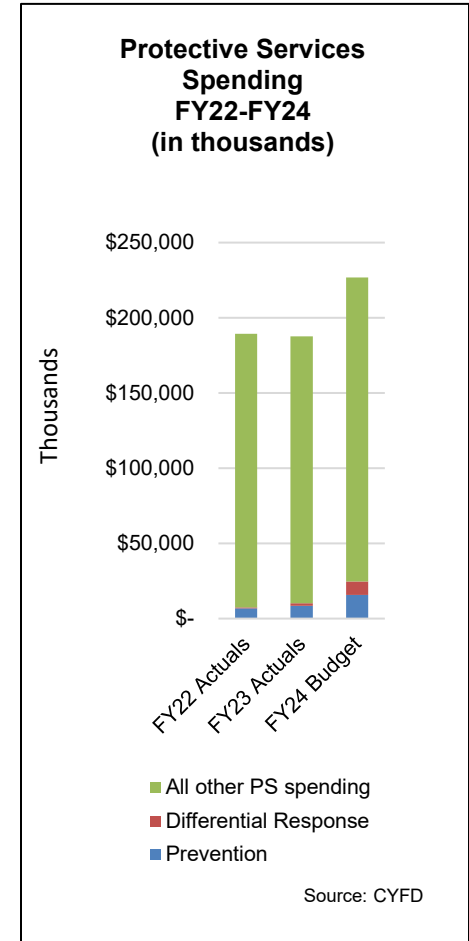
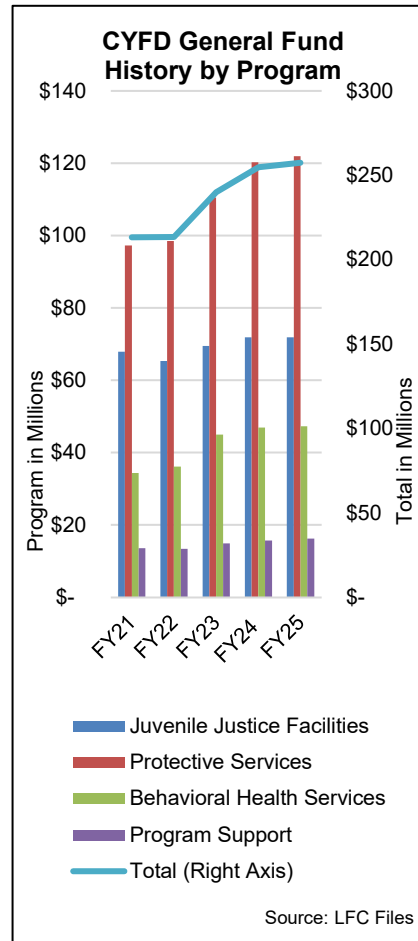
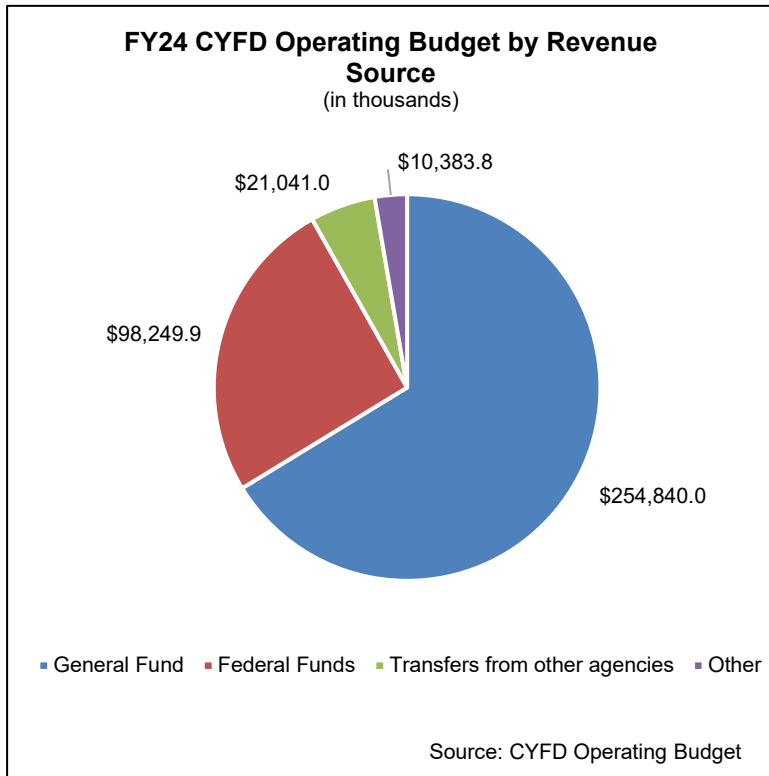
- Juvenile Justice Facilities
- Protective Services
- Behavioral Health
- Program Support



How much do we spend on the
child welfare system?



CYFD Budget



House Bill 2: 2024

House Bill 2 appropriated a relatively flat operating budget for CYFD, while making targeted investments (one time funding) for three-year pilot projects, totaling \$18.6 million (GRO appropriations):

- \$1.69 million to **incentivize masters-level social work licensure** to develop and retain caseworkers
- \$4.2 million to expand **differential response** statewide, in alignment with research and existing statute
- \$9 million to implement evidence-based community-based **prevention and intervention (CBPIR)**
- \$3.75 million to recruit, support, and retain **resource families** and treatment foster care providers

HB2 also reauthorized unused prior year appropriations, including \$3 million to support **workforce** development and \$20 million to increase **behavioral health** provider capacity.



How could the system be improved?



Recent Evaluation Findings and Recommendations



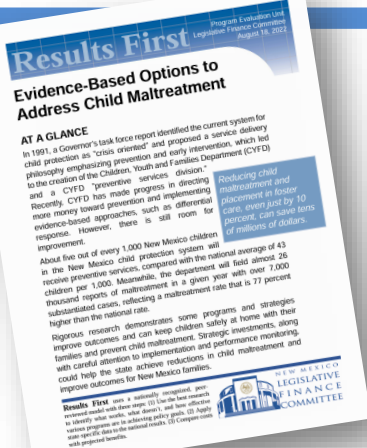
Though steps taken by the Legislature and CYFD to **promote preventive measures** are promising, prevention should be expanded by continued investments and enhanced piloting efforts and the state may wish to make increased **investments in proven early intervention programs**.



Early childhood services can lead to positive outcomes, and investments have increased over 50 percent since FY23; however, **challenges with program implementation and oversight remain**.



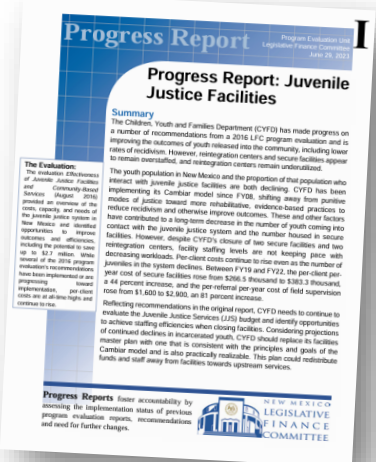
Recent Evaluation Findings and Recommendations



Over the last few years, LFC has produced a number of reports on early childhood topics covering prekindergarten, child welfare, and home visiting, as well as LegisStat briefs on childcare, prekindergarten, and home visiting.

ECECD and CYFD should review and implement the relevant recommendations from these previous LFC reports. These reports include:

- Program Evaluation: Implementation and Outcomes of the Comprehensive Addiction and Recovery Act
- Prekindergarten Quality and Educational Outcomes,
- Measuring impact of New Mexico prekindergarten on standardized test, scores and high school graduation using propensity score matching,
- Program Evaluation: Home Visiting Program,
- Results First: Evidence Based Options to Address Child Maltreatment,
- LegisStat: Repeat Child Maltreatment, December 2022,
- LegisStat: Child Maltreatment, May 2023,
- Policy Spotlight: Stacking of Income Supports,
- Progress Report: Addressing Substance Use Disorders,
- Accountability Report: Early Childhood 2021,
- Policy Spotlight-State Population Trends.



Teresa Casados
Secretary, Children Youth and
Families Department



Questions and Conversation

1. What questions do you have?
2. What challenges and opportunities do you see in the system?



Joe Ribsam
Director, Child Welfare and
Juvenile Justice, Annie E. Casey



Wrap-Up and Close



Questions and Conversation

Meeting	Focus Topic
May 24	Welcome and overview of systems
June 21	Prevention and Early Intervention
July 25	Workforce
August 16	Access to services: resource families and children's behavioral health
September 27	Juvenile Justice
October 18	Compliance and oversight Develop preliminary recommendations
November 15	Final task force recommendations



Public Comment



Thank you

Legislative Finance Committee
325 Don Gaspar Ave STE 101, Santa Fe, NM 87501
(505) 986-4550

More LFC Budget and Policy Documents can be found at:

<https://www.nmlegis.gov/Entity/LFC/Default>

