

Office of Child Welfare Programs

Lois Ann Day, Director of Child Welfare Programs
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Number: CW-IM-14-006
Issue date: 5/09/14

Topic: Foster Care

Subject: Foster Care Ombudsman - Foster Care Hotline and Grievance Process

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental |
| <input checked="" type="checkbox"/> Child Welfare transmittal group | Disabilities Services (ODDS) |
| <input type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Foster parents,
CASA, child advocates |

Message:

Pursuant to May 2014 being Foster Care Awareness month and in alignment with the Foster Children's Bill of Rights, the Governor's Advocacy Office (GAO) is fast-tracking the rollout of the Foster Care Ombudsman role, which includes a Foster Care Youth Hotline and grievance process. The Foster Children's Bill of Rights (Senate Bill 123) was passed into law (ORS 418.200-202) during the 2013 Oregon Legislative Session with a January 1, 2014 effective date and identifies the establishment of a foster child-specific hotline available to any foster child or youth for confidential contact regarding complaints, concerns or alleged violations of their rights in foster care. The GAO has designated Darin Mancuso as the Foster Care Ombudsman to fulfill these duties.

All foster children in the legal custody of the Department of Human Services (DHS) and placed in substitute care with a foster parent, a child caring agency or an independent residential facility will have access to a dedicated hotline commencing on May 12, 2014. The hotline number is 1-855-840-6036 and will be staffed Monday-Friday from 9-5 p.m. with voicemail for after-hour calls. The Foster Care Ombudsman will initially be structured in adherence to the current process within the GAO as detailed below, with an emphasis on empowering children and youth in foster care and resolving issues at the local level as diplomatically and proactively as possible.

The Foster Care Ombudsman and designated staff are authorized to:

1. Communicate with any foster child or youth regarding the subject youth's care, placement, services or related matters.
2. Investigate and research issues or grievances to determine whether Child Welfare program staff and substitute providers are in compliance with DHS policies and procedures.
3. Communicate on behalf of foster children who perceive inequities or inconsistencies within the DHS and substitute care systems.
4. Provide appropriate, timely and quality services to children and youth in substitute care; assist with information and access to relevant programs and services.
5. Provide guidance on navigating within the Child Welfare systems; including essential rights of foster youth and available due processes.
6. Make appropriate referrals to the proper source for remedy or due process, including notification to the subject office or unit of the referral – unless it is determined that advance notice will unduly hinder the review or generate unintentional escalation.
7. Inform complainants and concerned parties of actions that the Ombudsman will take in response to their complaint or concern, including whether the complaint will be reviewed by the Ombudsman or that the matter is being referred to another entity for response.
8. Track and identify systemic trends or training needs; recommend modifications to a policy and practice when findings determine that an existing policy has an unintended or adverse impact on clients.
9. The Ombudsman must adhere to Oregon statutes, administrative rules, DHS policies and final orders without exception.

At this time, it is of the utmost importance that:

- Any and all complaints and communications regarding a foster child **must** honor the subject foster child or youth's confidentiality to the fullest extent possible; and
- Retaliation, harassment or adverse consequences for reporting a complaint or concern does **not** occur in any form.

The development of this grievance process is ongoing and DHS and partner workgroups will be established in the near future to develop a comprehensive model to be instituted in administrative rule. Launching this program is an exciting opportunity for Oregon to showcase its commitment to empower and further safeguard the children and youth in DHS care.

If you have any questions about this information, contact:

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