

SPONSOR: Sen. McDowell & Reps. Maier & M Marshall Sens. Amick, Blevins, Cloutier, Connor, Henry, Marshall, Peterson, Sokola, Sorenson, Still; Reps. Brady, Ennis, Hall-Long, Hudson, Keeley, Kowalko, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Valihura, Viola

## DELAWARE STATE SENATE 144th GENERAL ASSEMBLY

## SENATE BILL NO. 180

## AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES

1 WHEREAS, the Division of Family Services' ("DFS") frontline caseworkers provide direct services to Delaware's

- 2 abused, neglected and dependent children and their families in an effort to remedy those issues, and provide support to
- 3 strengthen these families;
- 4 WHEREAS, as a result of several child abuse deaths in the late 1990s, Delaware's General Assembly
- 5 implemented statutory caseload standards for DFS workers;
- 6 WHEREAS, Governor Minner's Executive Order No. 7 directed child safety as the first priority of the Delaware
- 7 Children's Department;
- 8 WHEREAS, since those standards were implemented, DFS has been impacted by countless federal and state
- 9 mandates which have focused on increasing safety, permanency and well-being for Delaware's children, but which have
- 10 significantly increased the workloads and responsibilities of DFS frontline workers;
- 11 WHEREAS, four reviews of Delaware child death and near death cases since December of 2004 have cited
- 12 caseloads/workloads as a contributing factor to the child's death or near death;
- 13 WHEREAS, the Child Protection Accountability Commission ("CPAC") once again created a subcommittee to
- study this issue which has resulted in a comprehensive report recommending statutory caseload reductions;
- 15 WHEREAS, CPAC concluded that workers have approximately 89 hours per month to provide direct services to
- 16 Delaware's children and families;
- 17 WHEREAS, CPAC concluded that DFS treatment workers need a minimum of 8.3 hours per month to work each
- 18 treatment case; and
- 19 WHEREAS, under current DFS statutory requirements of 18 cases per treatment worker, DFS treatment workers
- 20 need 149.6 hours per month to provide treatment services to 18 families and have only 89 hours, resulting in children being
- 21 left at serious risk, thereby requiring treatment caseloads to be reduced to 12 cases per treatment worker;

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- 22 NOW THEREFORE:
- 23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:
- 24 Section 1. Amend Section 9015(b)(2) of Title 29 of the Delaware Code by striking the number "18" and
- 25 inserting the number "12" in its place.
- 26 Section 2. In so appropriating funds and positions to comply with the reduction of treatment caseloads from
- 18 to 12, a three year fiscal plan shall be developed with a first year reduction of treatment caseloads to 15, with the ensuing
- 28 years' reductions to be accompanied by the consideration of federal and state mandates for safety, permanency and well-
- 29 being of Delaware's children.

## **SYNOPSIS**

This bill reduces treatment caseload standards of Division of Family Services' caseworkers. It reduces treatment caseloads from 18 to 12 with a fiscal impact. As a result of the fiscal impact, the bill provides for a three year fiscal plan for phasing in the reduction which is consistent with federal and state mandates for safety, permanency and well-being for Delaware's children.

Author: Senator McDowell