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Testimony for the Finance Subcommittee on Health and Medicaid On Custody Relinquishment and Multi-System Youth

Gayle Channing Tenenbaum,
Children, Youth and Family Advocate
The Center for Community Solutions
Chairwoman of Multi-System Youth Coalition

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Chairman Hackett, Ranking Member Thomas, members of the Health and Medicaid Subcommittee of the Senate Finance Committee, I am Gayle Channing Tenenbaum. I have been an advocate for Children, Youth and Families for more than 52 years. I began as a caseworker in Child Welfare, worked for the Public Children Services Association of Ohio for 35 years, and now work for The Center for Community Solutions on Behavioral Health Issues for Children, Youth and Families.

I am very honored to be here with a panel of parents and youth who know firsthand the devastation of a practice we call custody relinquishment. Some forms of custody relinquishment occur when families, even loving, caring and engaged families, have to relinquish custody of their child to the state in order to get them the services they need. These people are here to share their personal stories with you, and to support funding for a crisis intervention fund for Multi-System Youth, in order to prevent some children or youth from being removed from their families and to prevent this process of custody relinquishment in the State of Ohio. Each of your counties have families with their own custody relinquishment stories like those you will hear today

Concern about Multi-System Youth accelerated dramatically a few years ago, specifically due to a sub-set of caring and engaged families who gave up custody of their children as the only way to get them needed services. State systems that serve Ohio children and families became increasingly concerned about the number of parents relinquishing custody of their children to Child Protective Services in order to secure services and supports they were unable to access any other way. Many of these are earnest, committed and supportive families who were doing

their best to care for their child but were unable to afford or access the services their children needed and, as a last resort, relinquished custody to the state.

Parents, advocates, policy makers and practitioners (much as you see here today) joined together to explore possible solutions to this. What resulted was a set of recommendations developed by the Joint Legislative Committee on Multi-System Youth under the then leadership of both Senator Randy Gardner and Representative Sarah LaTourette. Two members of this committee were active members of the Joint Committee, Senators Cecil Thomas and Nickie Antonio.

The official recommendations defined Multi-System Youth as those involved in **two or more** of our state's systems: Child Protective Services, Juvenile Justice, Behavioral Health and Developmental Disabilities. In addition, many of these youth have experienced significant levels of trauma. The committee recommendations focus on youth whose challenges rise to such a high level that no single system can adequately address their physical, emotional, behavioral and developmental concerns. In these circumstances a highly coordinated, multisystem treatment plan is needed to avert custody relinquishment or unnecessary out-of-home placement including out-of-state placements. These plans include things like mobile crisis response, intensive home-based and community-based treatments, respite and stabilization.

Ohio is not alone in addressing the challenge. Recent studies note that:

- At least 13 percent of young people ages 8 to 15 have a diagnosable mental health condition that causes severe impairment in their day-to-day lives...that percentage increases to 21 percent for ages 13 to 18
- Nearly 85 percent of all screened youth in Child Protective Services screened positive for a diagnosable mental health condition
- Seventy percent of young people in the juvenile justice system have a diagnosable mental health disorder
- Thirty to 50 percent of children and adolescents with Intellectual Disability (ID) have co-occurring mental health disorders or challenging behaviors. Very high rates of co-occurring emotional disorders are also found among children with developmental disorders such as Autism Spectrum Disorders (41-70 percent), Cerebral Palsy and Epilepsy, including those who have normal intellectual levels

The Committee Report recommended specific actions for the state that, if implemented, would reduce custody relinquishment and unnecessary out of home placements. These recommendations are summarized here:

Committee Recommendations

1. Improve data collection and sharing related to Multi-System Youth to inform state and local decision-making capabilities

2. Ensure youth and families have access to peer support and peer mentor programs with a consistent funding source
3. Establish a safety net of state level funding for Multi-System Youth
4. Ensure youth with moderate to severe needs have access to a High-Fidelity Wraparound service
5. Modernize Family and Children First Councils
6. Create a Children's Congregate Care Study Committee

Our dedicated coalition members are here today not only out of a sense of urgency but also one of hope. We are grateful that the needs of these youth and their families have been recognized by the legislature and the administration. We believe that with the necessary funding and infrastructure, Ohio can end the practice of this type of custody relinquishment and unnecessary out-of-home placements and pave the way for these vulnerable youth and families to stay together, thrive and achieve the best level of health and wellness possible. There are many encouraging signs that indicate our hope is justified, such as:

- The administration's commitment to children, youth and families: prevention, crisis and treatment
- Cabinet-level coordination through the Office of Children's Initiatives
- Increased dedicated resources to support Ohio's seriously stressed Child Protective Services. The system has been significantly impacted due to the opioid crisis
- Dedicated resources for expansion of behavioral health and developmental disabilities prevention, treatment and crisis response capacity
- Continuing education and implementation of trauma-informed care
- Family First Prevention Services Act
- Family and Children First modernization
- Flexible Funding for a crisis intervention fund dedicated to the MSY Initiative

But we also know that to accomplish our goals, we must have **dedicated, flexible** funding that provides crisis intervention for Multi-System Youth, prevents children coming into custody and ends this type of custody relinquishment.

Governor Mike DeWine committed \$25 million in each year of the 2020- 2021 biennium to be used specifically to support Multi-System Youth needing services and treatment. You will hear from these brave and wonderful families as to why their children or youth required such services and treatment.

There was however, not a separate line item in the administration's budget proposal for a crisis intervention fund to prevent custody relinquishment. Without this fund, many parents of Multi-System Youth struggle, taking out loans or second mortgages, needing to sell their cars even when both parents work and need transportation, in short - families are often simply out of financial resources.

Last week you heard from Director Kimberly Hall that the aforementioned \$25 million is part of the \$74 million for each year, earmarked by Governor DeWine, for much needed investments in the struggling County Child Protection Agencies. Additionally, Speaker Larry Householder added another much needed \$30 million, which we enthusiastically support, for the care and treatment of children who need custody and stay longer in care.

However, the budget bill from the DeWine administration and the House sub-bill keeps this \$25 million in the ODJFS-523 line item. This line item dictates that the money is to be used for multiple purposes - to pay for room and board not covered by Medicaid, for Children and Youth already in custody of the county agencies AND to create a crisis intervention fund to prevent custody relinquishment of Multi-System Youth solely to pay for services and treatment. All of which are important purposes and which we totally support; however, we believe that the **entire** \$25 million in ODJFS-523 should be used to pay for room and board for children already in custody. In the last biennium this cost a full \$54 million **increase** over the previous biennium amount of \$384 million.

We **further** recommend that a **separate** crisis intervention fund of new flexible funding in the amount of \$6 million in 2020 and \$12 million in 2021 be placed in the Family and Children line item in the OMHAS budget solely for the **prevention of custody relinquishment** for Multi-System Youth. The Multi-System Youth Coalition, also strongly supports new language in the budget bill, passed by the House, that develops a Multi-System Youth action plan that includes implementation the other recommendations of the Joint Legislative Committee on Multi-System Youth. We look forward to continuing to work with the administration, members of the Senate and this committee to address the myriad of problems these children, youth and families face in getting the services they need.

Thank you for your time. I know you are anxious to hear from our panel. I would be happy to try and answer any questions you might have both now and after they speak. Panel members are listed below in the order they are speaking.