

# Legislative Analysis

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## CHILD WELFARE STAFFING RATIOS

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**House Bill 5038 (Substitute H-1)**

**Sponsor: Rep. Kenneth Kurtz**

**Committee: Families, Children, and Seniors**

**Complete to 2-12-14**

## A SUMMARY OF HOUSE BILL 5038 AS REPORTED FROM COMMITTEE ON 2-5-14

The bill would amend the Social Welfare Act to require the Department of Human Services and a child placing agency under contract with the Department to maintain child welfare staffing ratios so that child welfare caseworkers and supervisors to maintain ratios that do not exceed the following:

- 12 cases per child protection investigation worker;
- 17 cases per each child protection ongoing worker;
- 15 cases per each direct foster care or direct adoption worker;
- 90 cases per each purchase-of-service monitor worker;
- 30 licensed foster homes per each foster home licensing worker; and
- 5 child welfare workers per each child welfare supervisor.

The bill would define "worker" to mean an individual who is employed and working full time. The term would not include an employee on extended medical leave, a trainee who has not completed training, or a worker with a restricted caseload. The term "child placing agency" would be defined to mean that term as defined in the Child Care Organization Act (MCL 722.111)

Proposed MCL 400.18f

## FISCAL IMPACT:

House Bill 5038 should not have a fiscal impact on the state and local units of governments. DHS is already mandated to maintain these caseload standards to comply with the Children's Rights Settlement Agreement, and the DHS budget has been appropriated accordingly.

## BACKGROUND INFORMATION:

On July 3, 2008, DHS entered into a settlement agreement with Children's Rights, a nonprofit advocacy group, in response to a class action lawsuit alleging certain failings within the state's child welfare system. This settlement agreement mandated the caseload standards listed above (with the exception of the caseload standard for purchase-of-service workers) be met by 95% of the workers no later than October 2011.

DHS and Children's Rights agreed to modify the settlement agreement on July 18, 2011, which mandates the caseload standard listed in this bill be met by 95% of the workers no later than December 31, 2013.

Since Fiscal Year 2007-08, the DHS budget has included increased appropriations for approximately 1,900 new child welfare staff to meet these mandated caseload standards and other requirements with the settlement agreement.

**POSITIONS:**

Maura Corrigan, Director of the Department Human Services, testified in support of the bill. (2-5-14)

Michigan Catholic Conference supports the bill. (2-5-14)

Michigan County Social Services Association supports the bill. (2-5-14)

Representatives of the Association of Accredited Child and Family Agencies testified and is neutral on the bill. (2-5-14)

Michigan Federation for Children and Families indicated they were neutral on the bill and requested further discussion of the issue. (2-5-14)

A representative of Wolverine Human Services testified and is neutral on the bill. (2-5-14)

Legislative Analyst: E. Best  
Fiscal Analyst: Kevin Koorstra

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.