

## Report in Brief

Date: October 2017

Report No. A-02-15-02014

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES  
**OFFICE OF INSPECTOR GENERAL**



### Why OIG Did This Review

Congress has expressed concerns about the safety and well-being of children in foster care. These issues were highlighted in a series of media reports that provided several examples of children who died while in foster care. Accompanying the deaths were allegations of negligence as a contributing factor and evidence of sexual and physical abuse, sometimes after clear warning signs.

Title IV-E of the Social Security Act (the Act) established the Federal foster care program, which helps States to provide safe and stable out-of-home care for children in foster care. At the Federal level, the Administration for Children and Families administers the program.

Our objective was to determine whether New York ensured that allegations and referrals of abuse and neglect of children in foster care under Title IV-E of the Act were recorded, investigated, and resolved in accordance with State requirements, as required by Federal law.

### How OIG Did This Review

We reviewed 100 of 474 cases of credible reports of allegations of abuse and neglect made during the audit period October 2014 through June 2015. We evaluated and tested New York's procedures for monitoring, tracking, and investigating those complaints.

## New York Did Not Always Ensure That Allegations and Referrals of Abuse and Neglect of Children Eligible for Foster Care Payments Were Recorded and Investigated in Accordance With State Requirements

### What OIG Found

For 36 of 100 sampled cases, New York did not always ensure that allegations and referrals of abuse and neglect for children in foster care under Title IV-E were recorded and investigated in accordance with State requirements, as required by Federal law. For a majority of these cases, New York did not provide timely notice to individuals named in the allegation to alert them that the case was being investigated. In addition, New York did not make a determination timely and did not provide a copy of the written report from the individual who telephoned a hotline to make the associated allegation.

Based on our sample results, we estimated that 171 cases of reported allegations of abuse and neglect were not recorded or investigated in accordance with State requirements during our audit period.

New York completed all investigations and assigned an indicated disposition for each of the 96 cases reviewed (4 cases contained unfounded allegations and were not reviewed). For 1 of the 96 cases, the child's whereabouts was unknown and a missing persons report was filed.

### What OIG Recommends and New York's Comments

We recommend that New York ensure that allegations and referrals of abuse and neglect of children in foster care under Title IV-E are recorded and investigated in accordance with State requirements. We also made specific recommendations to address deficiencies we identified.

In written comments on our draft report, New York did not indicate concurrence or nonconcurrence with our recommendations and stated that our findings rested on factual inaccuracies and misinterpretations of the information contained in the case records. New York provided additional documentation related to required written reports, the timeliness and labeling of cases, and commencement of investigations. New York also stated that it would reiterate recording and timeliness requirements in trainings as well as in the text of its *Child Protective Services Program Manual* issued to all departments of social services.

We reviewed New York's comments and the additional information provided and revised our findings and statistical estimates accordingly. Specifically, we eliminated two findings related to timeliness, and revised our findings related to notification requirements, the labeling of cases, and mandated reporting.