



WEST VIRGINIA  
**Foster Care  
Ombudsman**

**West Virginia Foster Care Ombudsman Program  
State Fiscal Year 2023 ~ 2nd Quarter Report  
October 1, 2022 - December 31, 2022**



## Foster Care Ombudsman Quarterly Report

Reporting Period: October 1, 2022 - December 31, 2022

*Voices Heard. People Empowered. Systems Informed.*

### Introduction

The Foster Care Ombudsman (FCO), located within the West Virginia Department of Health and Human Resources (DHHR), Office of Inspector General, receives, investigates, and resolves complaints filed on behalf of foster children, foster parents, kinship parents, and on the Foster Care Ombudsman’s own initiative. This quarterly report provides summary data relating to complaints pursuant to the requirements of W. Va. Code §9-5-27, §49-9-102, §49-2-126, and §49-2-127.

### **Mission:**

The Foster Care Ombudsman is an independent, impartial, and confidential resource that advocates for the rights of foster children and foster/kinship parents, investigates and resolves complaints, and makes recommendations for systemic reform.

### **Vision:**

The Foster Care Ombudsman envisions an empathic, healing, and accountable child welfare system where voices are heard, people are empowered, and systems are responsive.

Data in the quarterly report does not yet include systemic reviews/cases or those that are conducted on the FCO’s initiative. Information detailing this work product will be integrated into future reports. Quarterly reports are primarily statistical regarding characteristics of inbound complaints to the FCO.

### Complaint Count by Month and Quarter

Data below reflects complaints received by month and quarter within the state fiscal year (SFY) 2023. Complaint data in this report, unless otherwise specified, is presented to reflect complaints that were in a closed/concluded status as of December 31, 2022.

Complaint Count by Month and Quarter													
SFY 2023	2022						2023						State Fiscal Year End Running Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	62	57	65	64	42	56	0	0	0	0	0	0	
Total	Quarter 1			Quarter 2			Quarter 3			Quarter 4			346
	184			162			0			0			

### Complaint Count by Alleged Bill of Rights Violations

Data below reflects complaints received in the second quarter of the SFY when a Bill of Rights provision is alleged to be violated. The count reflects DHHR’s Bureau for Social Services (BSS) region by case county and the FCO determination of complaint validity. Complaints to the FCO that include an alleged Bill of Rights violation account for 57% of the total complaints received in the second quarter, as compared to 40% in the first quarter.

<b>Complaint Count by Alleged Bill of Rights Violations</b>					
<b>Bill of Rights</b>	<b>North</b>	<b>South</b>	<b>Unspecified</b>	<b>Total</b>	<b>% Validated</b>
Both BOR	29	13	1	43	37.2%
Child BOR	18	9	3	30	16.7%
Foster/Kinship BOR	8	12	0	20	65.0%
<b>Total</b>	<b>55</b>	<b>34</b>	<b>4</b>	<b>93</b>	<b>36.6%</b>

### Complaint Count by BSS Unit

Data below reflects complaints received in the second quarter of the SFY according to the BSS unit that is most closely associated with a complaint’s main theme. The federal Interstate Compact on the Placement of Children governs the placement of children in other states. The Institutional Investigative Unit within BSS is responsible for child abuse and neglect investigations in residential facilities, schools, and foster homes.

<b>Complaint Count by Bureau for Social Services Unit</b>						
<b>Bureau for Social Services Unit</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Total</b>	<b>Percent</b>
Child Protective Services	138	119	0	0	257	74.3%
Other	10	18	0	0	28	8.1%
Homefinding	11	8	0	0	19	5.5%
Post-Adoption	10	3	0	0	13	3.8%
Adoption	5	3	0	0	8	2.3%
Centralized Intake (Abuse & Neglect Hotline)	4	2	0	0	6	1.7%
Youth Services	2	3	0	0	5	1.4%
Legal Guardianship	1	4	0	0	5	1.4%
Institutional Investigative Unit	1	2	0	0	3	0.9%
Interstate Compact on the Placement of Children	2	0	0	0	2	0.6%
<b>Total</b>	<b>184</b>	<b>162</b>	<b>0</b>	<b>0</b>	<b>346</b>	
	<b>53.2%</b>	<b>46.8%</b>	<b>0.0%</b>	<b>0.0%</b>		<b>100.0%</b>

### Complaint Count by Main Complaint Theme

Data below reflects complaints received in the second quarter of the SFY according to the main theme of the complaint as expressed to the FCO. Most complaints, however, are a combination of issues and themes.

Complaint Count by Main Complaint Theme							
Main Complaint Theme	Q1	Q2	Q3	Q4	Total	Percent	Percent Validated
Placement of Children	41	30	0	0	71	20.5%	15.5%
Action/Inaction of Agency/Employee	38	30	0	0	68	19.7%	25.0%
Lack of Communication	37	24	0	0	61	17.6%	49.2%
Financial Issue/Reimbursement	24	29	0	0	53	15.3%	58.5%
Removal of Children	10	16	0	0	26	7.5%	7.7%
Decision of Agency/Employee	12	13	0	0	25	7.2%	24.0%
Policy/Regulation Issue	12	7	0	0	19	5.5%	10.5%
Rude/Unfair Treatment	9	6	0	0	15	4.3%	6.7%
Other	1	6	0	0	7	2.0%	0.0%
Threat/Retaliatory Treatment	0	1	0	0	1	0.3%	100.0%
Total	184	162	0	0	346		Total % Validated
	53.2%	46.8%	0.0%	0.0%		100.0%	29.2%

### Complaint Count by Complainant Relationship to Child

Data below reflects complaints received in the second quarter of the SFY according to the relationship of the complainant to the child.

Complaint Count by Complainant Relationship to Child						
Relationship to Child	Q1	Q2	Q3	Q4	Total	Percent
Relative/Kinship Parent	67	58	0	0	125	36.1%
Non-Relative Foster Parent	32	23	0	0	55	15.9%
Other Non-Caregiving Relative/Kinship	29	25	0	0	54	15.6%
Birth Parent	21	20	0	0	41	11.8%
Other or Unspecified	12	16	0	0	28	8.1%
Community Professional/Service Provider	6	12	0	0	18	5.2%
Adoptive Parent	8	1	0	0	9	2.6%
State Employee/Specific Unit	3	4	0	0	7	2.0%
Legal Guardian	3	2	0	0	5	1.4%
Child	2	1	0	0	3	0.9%
Child's Attorney/GAL	1	0	0	0	1	0.3%
Other Attorney	0	0	0	0	0	0.0%
Birth Parent's Attorney	0	0	0	0	0	0.0%
Total	184	162	0	0	346	
	53.2%	46.8%	0.0%	0.0%		100.0%

## Complaint Count by FCO Case Intensity

Data below reflects complaints received in the second quarter of the SFY according to the level of assistance provided by the FCO. A case may be withdrawn by a complainant if the issue naturally resolves prior to active FCO involvement or the complainant decides not to move forward with the complaint.

- *Intervention* involves routine case documentation review, interaction by the FCO with four or fewer contacts inside or outside of DHHR, facilitating communications between the complainant and other case participants and authorities, as well as providing education, context, and referrals to other entities, people, or resources. Cases of this intensity average 26 days from initial contact with the FCO to case closure by the FCO, according to cumulative data since program inception in late 2019.
- *Information* involves providing education, context, and referrals to other entities, people, or resources. Cases of this intensity average 12 days from initial contact with the FCO to case closure by the FCO, according to cumulative data since program inception in late 2019.
- *Investigation* involves non-routine, systemic, or more intensive/on-site review, interaction with five or more contacts inside or outside of DHHR, and may necessitate formal meetings/reports involving internal or external agency leadership. Cases of this intensity average 71 days from initial contact with the FCO to case closure by the FCO, according to cumulative data since program inception in late 2019.

Complaint Count by FCO Case Intensity						
FCO Case Intensity	Q1	Q2	Q3	Q4	Total	Percent
Intervention	114	96	0	0	210	60.7%
Information	65	60	0	0	125	36.1%
Withdrawn by Complainant	3	4	0	0	7	2.0%
Investigation	2	2	0	0	4	1.2%
Total	184	162	0	0	346	
	53.2%	46.8%	0.0%	0.0%		100.0%

## Complaint Count by Referral Source

Data to the right reflects complaints received in the second quarter of the SFY according to the referral source, i.e., the means by which the complainant learned about the FCO.

Complaint Count by Referral Source						
Referral Source	Q1	Q2	Q3	Q4	Total	Percent
Prior Contact with FCO	38	29	0	0	67	19.4%
Friend/Family	32	25	0	0	57	16.5%
Community Professional/Service Provider	28	24	0	0	52	15.0%
State Employee	29	18	0	0	47	13.6%
Conference/Training	19	27	0	0	46	13.3%
Other	12	12	0	0	24	6.9%
Social Media/Internet	6	13	0	0	19	5.5%
Attorney/GAL	7	1	0	0	8	2.3%
Court Appointed Special Advocate	3	4	0	0	7	2.0%
Elected Official	3	3	0	0	6	1.7%
Media (TV, Brochures, Pamphlets, Other Literature)	2	2	0	0	4	1.2%
FCO Website	2	2	0	0	4	1.2%
Unspecified	2	1	0	0	3	0.9%
Teacher/School Employee	1	1	0	0	2	0.6%
Email	0	0	0	0	0	0.0%
Initiated by FCO	0	0	0	0	0	0.0%
Total	184	162	0	0	346	
	53.2%	46.8%	0.0%	0.0%		100.0%

### Complaint Count by Closure

Data below reflects complaints according to characteristics of the case closure. In nearly all cases, complaints determined valid are with the concurrence of and notification to the involved agency, which may or may not be the BSS. The term valid is synonymous with the term substantiated.

Complaint Count by Closure						
Closure	Q1	Q2	Q3	Q4	Total	Percent
Not Valid	67	47	0	0	114	32.9%
Information Exchange	59	55	0	0	114	32.9%
Valid - Resolved	31	32	0	0	63	18.2%
Partially Valid	14	8	0	0	22	6.4%
Valid - Not Resolved	7	9	0	0	16	4.6%
Insufficient Information to Rate Validity	3	6	0	0	9	2.6%
Withdrawn by Complainant	3	4	0	0	7	2.0%
Declined by FCO	0	1	0	0	1	0.3%
Other	0	0	0	0	0	0.0%
Total	184	162	0	0	346	
	53.2%	46.8%	0.0%	0.0%		100.0%
	Validity %					29.2%

### Complaint Count by BSS Region

Data to the right reflects complaints received by BSS region in the second quarter of the SFY. Complaints were grouped into four BSS regions then grouped into two regions (North and South) after a BSS organizational redesign.

Complaint Count by Bureau for Social Services Region						
Region	Q1	Q2	Q3	Q4	Totals	Percent
North	92	80	0	0	172	49.7%
South	83	63	0	0	146	42.2%
Unspecified	9	19	0	0	28	8.1%
Total	184	162	0	0	346	
	53.2%	46.8%	0.0%	0.0%		100.0%

### Complaint Count by Method of Initial Contact with FCO

Data below reflects complaints received in the second quarter of the SFY according to the means by which the complainant made initial contact with the FCO. On average, the FCO responds to initial contacts within one business day.

Complaint Count by Method of Initial Contact with FCO						
Method of Contact	Q1	Q2	Q3	Q4	Total	Percent
Telephone	134	117	0	0	251	72.5%
Email	35	30	0	0	65	18.8%
No Prior Contact	9	14	0	0	23	6.6%
Fax/Letter/Text/Other	4	1	0	0	5	1.4%
In Person	2	0	0	0	2	0.6%
Total	184	162	0	0	346	
	53.2%	46.8%	0.0%	0.0%		100.0%

### Complaint Count by BSS Case County

Data to the right reflects complaints received in the second quarter of the SFY according to the BSS case county.

Complaints are geographically determined by the county of the BSS case. When reviewing complaint totals by county, it is important to consider that each county exhibits differences, including population, demographics, and number of child abuse and neglect petitions filed. Additionally, the likelihood of a complaint conveyed to the FCO may relate to the general awareness, geographically, of the FCO program.

### Conclusion

The FCO is committed to providing a helping service and endorsing that the voices of those served and affected by West Virginia’s foster care system are valued, respected, and actively integrated into the system’s development and improvement.

For more information about the Foster Care Ombudsman, email [FosterCareOmbudsman@wv.gov](mailto:FosterCareOmbudsman@wv.gov).

Complaint Count by Bureau for Social Services Case County						
County	Q1	Q2	Q3	Q4	Total	Percent
Barbour	3	3	0	0	6	1.7%
Berkeley	5	5	0	0	10	2.9%
Boone	3	1	0	0	4	1.2%
Braxton	4	4	0	0	8	2.3%
Brooke	1	1	0	0	2	0.6%
Cabell	8	4	0	0	12	3.5%
Calhoun	2	0	0	0	2	0.6%
Clay	5	3	0	0	8	2.3%
Doddridge	0	1	0	0	1	0.3%
Fayette	7	4	0	0	11	3.2%
Gilmer	0	0	0	0	0	0.0%
Grant	1	0	0	0	1	0.3%
Greenbrier	0	1	0	0	1	0.3%
Hampshire	2	0	0	0	2	0.6%
Hancock	1	1	0	0	2	0.6%
Hardy	1	1	0	0	2	0.6%
Harrison	3	7	0	0	10	2.9%
Jackson	8	2	0	0	10	2.9%
Jefferson	0	0	0	0	0	0.0%
Kanawha	18	21	0	0	39	11.3%
Lewis	2	0	0	0	2	0.6%
Lincoln	1	2	0	0	3	0.9%
Logan	5	2	0	0	7	2.0%
Marion	6	6	0	0	12	3.5%
Marshall	2	2	0	0	4	1.2%
Mason	3	0	0	0	3	0.9%
McDowell	1	1	0	0	2	0.6%
Mercer	3	4	0	0	7	2.0%
Mineral	0	2	0	0	2	0.6%
Mingo	3	1	0	0	4	1.2%
Monongalia	5	7	0	0	12	3.5%
Monroe	2	1	0	0	3	0.9%
Morgan	0	0	0	0	0	0.0%
Nicholas	3	2	0	0	5	1.4%
Ohio	3	4	0	0	7	2.0%
Pendleton	2	0	0	0	2	0.6%
Pleasants	0	0	0	0	0	0.0%
Pocahontas	1	0	0	0	1	0.3%
Preston	6	3	0	0	9	2.6%
Putnam	4	3	0	0	7	2.0%
Raleigh	2	7	0	0	9	2.6%
Randolph	6	7	0	0	13	3.8%
Ritchie	2	0	0	0	2	0.6%
Roane	2	1	0	0	3	0.9%
Summers	3	2	0	0	5	1.4%
Taylor	5	3	0	0	8	2.3%
Tucker	2	0	0	0	2	0.6%
Tyler	0	1	0	0	1	0.3%
Upshur	1	2	0	0	3	0.9%
Wayne	3	1	0	0	4	1.2%
Webster	3	2	0	0	5	1.4%
Wetzel	2	2	0	0	4	1.2%
Wirt	0	0	0	0	0	0.0%
Wood	19	13	0	0	32	9.2%
Wyoming	1	3	0	0	4	1.2%
Unspecified	9	19	0	0	28	8.1%
Total	184	162	0	0	346	
	53.2%	46.8%	0.0%	0.0%		100.0%