

Statement from Senator Stephen Baldwin Regarding CPS, DHHR

On February 24, 2022, the West Virginia House of Delegates passed a bipartisan, omnibus child welfare bill relating specifically to Child Protective Services and foster care.

On March 4, 2022, the Senate Health Committee passed a revised bill with bipartisan support. I personally worked with Senator Maroney, Chair of Health, to strengthen the bill.

On March 11, 2022, the Senate Finance Committee passed a version of the bill which gutted nearly all of the key provisions relating to child welfare and investing in the DHHR workers charged with protecting our children. The committee took out requirements for DHHR to develop a program with child placement agencies to support kinship care families, conduction of an outside study on how the agency handles centralized intake for abuse and neglect cases, requiring immediate investigation of reports made by mandated reporters, creation of a foster family database, and other important provisions—all recommended by on-the-ground practitioners and best practices in other states.

On March 12, 2022, the Senate passed the gutted version of the bill and sent it back to the House. The bill died there. It was the biggest disappointment of my time in the Legislature. I'd worked for over a year to bring policy suggestions from on-the-ground DHHR workers, foster parents, and law enforcement officials to the table. And it simply wasn't a priority for those in charge.

On January 3, 2023, Senate leadership sent a letter to Interim DHHR Secretary Jeff Coben, outlining proposed child welfare policies. I was stunned to read these words: "We have been stuck in neutral on the side of a hill. Doing nothing is causing us to go the opposite direction of where we want to be. We have to move past just talking about how broken CPS is and actually fix it. This is not something that can wait."

To be crystal clear, this situation was not for lack of effort; it was a deliberate a choice by Senate leadership. The Senate put the truck in neutral last March, by killing the only child welfare bill we considered all year. We lost nine months in the meantime. Vacancies continue to be sky-high across the state. Children go unserved every single day. The foster care dashboard we got is unhelpful, as it does not contain the data needed to enact improved policy.

While I wish Senate Republicans would have listened last year, I am nonetheless glad they are listening now. They messed up last year, and they are working to make amends. Good for them. No issue in our state is more important. Children's lives are at stake.

At the same time, I caution my colleagues. The base problem is high caseloads, compounded by vacant positions. They advocate collapsing more vacant positions to fund pay raises. That did not work last year, and it will not work now. Collapsing vacancies to pay for raises means the vacancies continue. Ask any CPS worker, as I have done in all five counties I represent, and they will tell you priority #1 should be filling vacancies. That helps them and the kids they serve. DHHR and the Legislature must fully fund pay raises for all social service workers in DHHR, new hires and current employees, vacant and filled positions, in order to ensure caseloads decrease and every child receives the attention they deserve.

The state can absolutely afford to fill vacancies with qualified, fully-resourced individuals. Our surpluses are running in the billions. Will the Legislature put their money where their mouth is? I pray they will, and take today's letter from President Blair as a positive sign of progress.

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