



Office of the Washington State Auditor
Pat McCarthy

Whistleblower Investigation Report
Department of Social and Health
Services

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May 4, 2017

Patricia Lashway, Secretary
Department of Social and Health Services

Report on Whistleblower Investigation

Attached is the official report on Whistleblower Case No. 17-008 at the Department of Social and Health Services.

The State Auditor's Office received an assertion of improper governmental activity at the Department. This assertion was submitted to us under the provisions of Chapter 42.40 of the Revised Code of Washington, the Whistleblower Act. We have investigated the assertion independently and objectively through interviews and by reviewing relevant documents. This report contains the result of our investigation.

If you are a member of the media and have questions about this report, please contact Assistant Director for Communications Kathleen Cooper at (360) 902-0470. Otherwise, please contact Whistleblower Manager Jim Brownell at (360) 725-5352.

Sincerely,

Pat McCarthy
State Auditor
Olympia, WA

cc: Governor Jay Inslee
Andrew Colvin, Public Disclosure/Ethics Administrator
Kate Reynolds, Executive Director, Executive Ethics Board
Jennifer Wirawan, Investigator

WHISTLEBLOWER INVESTIGATION REPORT

Assertion and results

Our Office received a whistleblower complaint asserting two Department of Social and Health Services (Department) employees (Subjects 1 and 2) failed to ensure staff responded to allegations of abuse or neglect within the required time. The complaint asserted the subjects failed to ensure timely response to emergent 24-hour intakes.

We found no reasonable cause to believe an improper governmental action occurred.

Background

The Department's Children's Administration receives and responds to allegations of child abuse and neglect. Individuals may submit allegations of suspected child abuse or neglect at a local office or through a toll-free hotline.

Intake workers determine whether the allegations place a child at imminent risk of serious harm. When an intake worker identifies a child as a victim who is not in impending danger, a face-to-face meeting is required within 72 hours. If the intake worker believes the child is in impending danger, a face-to-face meeting is required within 24 hours.

About the Investigation

We requested a list of all emergent 24-hour intakes for San Juan County, which was named by the whistleblower in their complaint. Using the Department's case management system, we reviewed each intake to determine response timeliness.

We found an initial face-to-face meeting was conducted within 24 hours in all but one of the intakes. In this case, the initial face-to-face meeting was conducted later due to a specific request by law enforcement.

During interviews, both subjects said it is difficult to respond quickly to intakes due to the county's remote location. However, they said in each case they can and do respond within the required time.

Therefore, we found no reasonable cause to believe an improper governmental action occurred.

State Auditor's Office Concluding Remarks

We thank Agency officials and personnel for their assistance and cooperation during the investigation.

WHISTLEBLOWER INVESTIGATION CRITERIA

We came to our determination in this investigation by evaluating the facts against the criteria below:

RCW 26.44.030(11) Reports—Duty and authority to make—Duty of receiving agency—Duty to notify—Case planning and consultation—Penalty for unauthorized exchange of information—Filing dependency petitions—Investigations—Interviews of children—Records—Risk assessment process.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

- (i) Investigation; or
- (ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

- (i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

WAC 388-15-021 (1), (2)

How does CPS respond to reports of alleged child abuse or neglect?

- (1) CPS must assess all reports that meet the definition of child abuse or neglect using a risk assessment process to determine level of risk and response time.
- (2) CPS must provide an in-person response to alleged victims and must attempt an in-person response to the alleged perpetrator of child abuse and neglect in referrals assessed at moderate to high risk.