



COALITION OF RESIDENTIAL EXCELLENCE

## Executive Director's Report June 2024



In celebration of the 30th anniversary of CORE, Kamehameha Schools crafted a video to commemorate the past and celebrate the future. The Video can be accessed through the CORE website: <https://www.core-dc.org> [Select Learn More] to activate the video.



### LEGISLATIVE ALERT - LEGISLATIVE ALERT - LEGISLATIVE ALERT - LEGISLATIVE ALERT

Rumors from Capitol Hill indicate that action may soon be taken toward passage of the **Stop Institutional Child Abuse Act** (S.1351 and H.R. 2955).

The legislation has been unofficially referred to as the Paris Hilton bill. Over the past three years, Hilton has repeatedly been on Capitol Hill advocating for legislation that would end abusive treatment for residents in residential treatment settings.

“On May 11, 2022, Paris Hilton, members of Unsilenced, and several legislators hosted a press conference on the National Mall in Washington, D.C.. Prior to the press conference, a concrete block solitary confinement installation was erected at the National Mall. The intent was to provide the public with a visual representation of the conditions that kids are often subjected to in what was referred to as the troubled teen industry - a network of mostly unregulated abusive congregate facilities that

Use ‘tough love’ and other non-evidenced based therapeutic services, schooling and shelter. They are privately owned, powerfully punitive and often wilderness-based therapy programs, residential treatment centers, therapeutic boarding schools, group homes, boot camps and faith-based academies.”

For Hilton, the pursuit is personal. She is a survivor of four different treatment settings during her adolescence in which she was subjected to horrific conditions. Everything from solitary confinement, physical restraints, sexual abuse, and a litany of medications provided without ever knowing the diagnosis were forced upon her. In every respect, hers is a horror story. What happened to Hilton should never happen to anyone.

**The Stop Institutional Child Abuse Act (S. 1351 and H.R. 2955) goes well beyond the troubled teen industry described in the previous paragraphs. In fact, it is extensively inclusive, and the only exclusions are hospitals and foster homes.**

The legislation does not address any immediate safeguards to eliminate or minimize the risk of institutional child abuse, seclusion, physical restraints, or a myriad of medications provided.

The Stop Institutional Child Abuse Act does two things which at face value may not seem overly concerning.

1. The bill establishes an interagency Federal work group on **Youth Residential Programs** to “**support and implement**” best practices regarding health and safety, care, treatment, and appropriate placement for youth in youth residential programs.

The Federal work group will include representatives from the Administration for Children and Families, the Administration for Community Living, the Substance Abuse and Mental Health Services Administration and other relevant federal agencies.

2. However, there is nothing in the legislation that indicates that providers of a youth residential program (which includes children’s home and residential schools) will have an opportunity for review and comment prior to finding themselves subjected to the recommendations of the Federal work group.

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**“Best Practice” is a loosely defined term.** It is of interest to me that Paris Hilton’s focus seems to have expanded significantly from her initial request to right the wrongs she experienced in the troubled teen industry.

On June 26, 2024, Paris Hilton's invited testimony before the Ways and Means Committee was much broader than her initial focus on the residential treatment center abuse she endured. Her invited testimony addressed foster care and reauthorization of Title IV-B of the Social Security Act. In addition to sharing her story, she said this:

**"Families need resources and support so they don't need to come into the child welfare system in the first place."**

Hilton's complete testimony can be found at:  
(<https://waysandmeans.house.gov/wp-content/uploads/2024/06/Hilton-Testimony.pdf>)

**"Families need resources and support so they don't come into the child welfare system in the first place,"** seems to be the theme of what some would describe as best practice.

In a recent publication by the Children's Bureau, the writer said that parents facing the threat of having a child removed from their family for abuse/neglect should be asking: "What are my rights?"

The publication went on to say that the Constitution's reference to inalienable rights as life, liberty and the pursuit of happiness could also potentially be construed to include "provision of housing" and provision of "child care."

The Children's Bureau publication also referenced that federal funds are now available to provide parents wanting legal representation to keep their children out of the child welfare system.

Some professionals are of the belief that the entire child welfare system needs to be revamped or dismantled. It is their posture that children are only best served when left with their parent(s) regardless of circumstance. Others maintain that to ensure safety when threat of harm seems imminent, a child must be removed from danger and placed elsewhere until things change.

As a side note, one of the things Paris Hilton reportedly wanted included in legislation was a bill of rights for children. The suggested bill of rights included the requirement that a child had the right to attend or not attend church. Church attendance was left to the child's discretion. Whether this issue will be one subsequently determined by the Federal Work Group is unknown.

**Frankly, because of the great divide in defining best practice, supporting the legislation as written, feels like signing a blank check and handing it to the Federal Government to fill-in at their discretion. You be the judge, but let your legislators know your opinion. I personally prefer that we not take the chance.**

When it comes to legislation, the stakes are too high for CORE not to have a credible and well respected registered lobbyist advocating on our behalf on Capitol Hill



This month, the CORE Board of Directors voted to engage Watkins & Eager PLLC in Jacksonville, MS to provide services as lobbyist for the Coalition of Residential Excellence. Gregg Harper, former congressman from Mississippi will be fulfilling that role.

First elected to Congress in 2009, Gregg served five terms representing Mississippi's 3<sup>rd</sup> Congressional District. Since choosing not to run for re-election, Gregg reportedly has engaged as a lobbyist since that time and has a good rapport with legislators and staff with whom he previously served.

Of greatest interest is assistance in finding support for **H.R. 3852 - Creating Accountable Respectful Environments (CARE) for Children Act**. The legislation is aimed at increasing capacity, keeping sibling groups together, and providing children a normalized home and community environment with opportunities for age-appropriate normalized extracurricular, enrichment, cultural and social activities and the same freedoms afforded peers living with families.

The Act adds "cottage family homes" to the continuum of care for which Title IV-E funding can be used. The term "cottage family home" means a family-like home

operated by a public or private child-care agency licensed or approved by the state where it is located.

The cottage family home model:

- Equips children with full time cottage parents available to provide supervision and nurturing around the clock.
- Enables siblings to stay together.
- Provides a myriad of checks and balances to ensure the child's safety.
- Offers community and enrichment opportunities for child.
- Creates a layer of support for the parents of children in care. Instead of attempting to replace parents of children, agencies work with parents and their children to resolve difficulties with the goal of reunification.
- Guarantee that staff receive extensive training and use a systemic approach in providing trauma informed care.

Because the health, safety and well-being of children is so critically important, this Act offers the following stipulations:

- Requiring the implementation of a trauma informed approach to care.
- Prohibiting the use of seclusion, mechanical or chemical restraints.
- Allowing the use of short-term physical restraint if approved in the agency's policies to prevent injury to self or others and the prohibiting the use of prone physical restraint.
- Requiring providers to have a system in place for children to alert a staff person(s) if they have concerns or feel they have unfairly been denied their rights or are subject to the threat of mistreatment.
- Requiring a continuous quality improvement methodology that regularly solicits information from children concerning their perceptions of the quality of care and identification of strengths and weakness of the program.

The Act is intended to address or assist in resolving the shortage of appropriate foster homes for children. It provides a system of checks and balances to ensure a child's on-going safety and well-being in a cottage family home and makes the child's placement eligible foster care maintenance payments.

## **STRATEGIC PLANNING**

The CORE Board of Directors is meeting on August 12 & 13th to dedicate time to look carefully at strategic planning. You expect a report from us in the Executive Director's Report for August 2024

## Systemic Taxpayer-funded Child Abuse and Neglect in Residential Treatment Centers Across The United States

*“Two-year investigation of four major companies reveals RTFs receive billions of dollars in federal funding - including Medicaid and child welfare dollars - and provide substandard care and subject kids to abuse and neglect Report calls for Congress, industry, federal government agencies, and states to raise standards for congregate care, strengthen oversight, and invest more in community-based alternatives.”*

**Washington, D.C.** - Senate Finance Committee Chair Ron Wyden, D-Ore., today released the findings of a two-year investigation exposing systemic tax pay-funded child abuse and neglect in youth residential treatment facilities (RTFs) across the United States.

The Committees investigation into four major RTF operators revealed that children in these facilities are regularly subjected to physical, sexual, and verbal abuse; inappropriate restraints and seclusions; unsafe and unsanitary conditions; and lack of necessary behavioral health care...

**“It’s clear that the operating model for these facilities is to warehouse as many kids as possible while keeping costs low in order to maximize profits. Too often, abuse and neglect is the norm at these facilities, and they’re set up to let this happen,”** Widen said. **“These findings demand bold action. In addition to recommendations in the report that facilities, states, and federal agency can implement now, I’ll be introducing legislation in this Committee’s jurisdiction in the come months to raise health and safety standards, require real oversight and enforcement, and invest in the community based services that are proven to actually help kids.”**

Please see the 136 page report at this link: <https://www.finance.senate.gov/chairmans-news/wyden-investigation-exposes-systemic-taxpayer-funded-child-abuse-and-neglect-in-youth-residential-treatment-facilities#:~:text=The%20Committee's%20investigation%20into%20four,of%20necessary%20behavioral%20health%20care>.