



SERVING PEOPLE WITH DISABILITIES AND SENIOR CITIZENS

*The Protection and Advocacy System for Louisiana*

## **FOR IMMEDIATE RELEASE**

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## **Advocacy Center Releases *Out of Control: Louisiana's Failure to Insure the Health and Safety of Children in Residential Facilities***

New Orleans, LA, June 24, 2008 - Approximately one thousand Louisiana children live in child residential facilities. They were placed there because they come from abusive homes or from families who can no longer care for them. Yet, many of these children have gone from the frying pan into the fire. A newly released report by the Advocacy Center, *Out of Control: Louisiana's Failure to Insure Health and Safety of Children in Residential Facilities*, asserts that many of these facilities provide substandard care.

Advocacy Center staff began visiting child residential facilities approximately five years ago, and what they discovered was alarming. "All children in Louisiana's foster care system deserve to be treated with respect, affection, and a home-like environment. The child residential facilities we visited, all licensed by the Department of Social Services, fall well short of that standard," said Lois Simpson, Executive Director of the Advocacy Center.

According to the American Academy of Pediatrics, more than 80% of children in foster care have developmental, emotional, or behavioral problems. The Advocacy Center is the agency designated by federal law to protect and advocate for the rights of individuals with disabilities in the State of Louisiana; as such the Advocacy Center seeks to ensure that the rights of children with disabilities who live in child residential facilities are protected.

*Out of Control* was released by the Advocacy Center on June 24, 2008. The report describes the substandard conditions in child residential facilities, as noted in Department of Social Services, Bureau of Licensing, inspection reports, and verified by Advocacy Center staff. In addition, the report emphasizes the lack of oversight and control exercised by the Bureau of Licensing, the State agency that is responsible for assuring that the facilities meet established minimum standards. Among these violations: fifty-three percent (53%) of these facilities failed to assure that children received proper medical and/or dental care; sixty-nine percent (69%) were cited for not assuring children were living in the proper physical environment; and sixty-four percent (64%) were cited repeatedly for violations of the same standard over at least two

monitoring visits.

Stephanie Patrick, who oversees the visits to these facilities for the Advocacy Center, states, “When Advocacy Center staff went to the facilities to monitor conditions and talk to the children about the care they were receiving, we were shocked. In some cases, we found evidence that the Bureau of Licensing had identified the same problems and cited the same facility over and over again. However, nothing changed. In other cases, we found no evidence that the facility was cited for practices we knew had occurred; we were unable to understand how these issues remained unidentified.”

According to the report, even though facilities are cited by the Bureau of Licensing for serious violations, it has no authority to monetarily sanction a facility and can only recommend that a facility’s license be removed.

The Advocacy Center believes that the system under which these children are served must be changed. Among other recommendations, the Advocacy Center suggests that the Legislature adopt a more effective licensing framework, which should include civil fines and sanctions for facilities that violate standards, and that it insure that the Department has adequate resources for enforcement. Nell Hahn, Director of Systems Advocacy for the Advocacy Center, asserts, “The Department of Social Services should strengthen the licensing standards for all facilities, and enforce them vigorously. However, the benefit to children of placement in this type of facility—even if the facilities complied with minimum standards—has not been shown. Department of Social Services should quickly move to a system in which few, if any, children are kept in residential facilities.”

Louisiana, through its Department of Social Services, has an obligation to the children in its care to keep them from harm and to provide them the best care possible. This report provides evidence that this is far from reality. The Advocacy Center suggests that several organizations, including the Department of Social Services and the Office of Youth Development, make lasting and positive changes to the foster care and juvenile justice systems that will provide children the environments they need to grow and mature into productive citizens.

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***About the Advocacy Center***

The **Advocacy Center** is a statewide non-profit organization dedicated to assisting people with disabilities and seniors in Louisiana to achieve maximum potential and independence. The Advocacy Center employs 70 people statewide who assist people to achieve employment, education, housing, and health care goals.