

In recognition of the one year anniversary of the attacks on our nation last month, BMS launched a capital fund drive, named for Ian Gray, to raise money for the health care needs of Baltimore's residents.

Ian Gray's dream of improving health care is something we all share. His work was noble and improved the lives of countless Marylanders. I would like to take this opportunity to extend my best wishes to Ian's wife, Ana, and their children and family members. Ian's commitment to the health care of Marylanders lives on through the dedication of a fund to assist Baltimore Medical System to help those in need.

Over one year after the tragic attacks on our nation, we remember and celebrate the life of Ian Gray and continue his important work.

#### TRIBUTE TO MR. RICHARD CLARK

### HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. SWEENEY. Mr. Speaker, I would like to take this opportunity to honor a constituent of the 22nd District of New York—a man who epitomizes the spirit of this great Nation, Mr. Richard Clark of Ticonderoga, New York. In March of 1952, Mr. Clark joined the Ticonderoga Fire Department by enrolling in the Defiance Hook and Ladder Co. #1. He has served his community continually since then, and throughout his half century of service, Mr. Clark has served the Fire Department as a Trustee, Caretaker, Warden, Assistant Foreman, Vice-President and Assistant Chief.

Mr. Speaker, Mr. Clark's selfless dedication to Ticonderoga and neighboring communities embodies the true spirit of an American hero. As the result of the September 11th attacks, firefighters have finally received the attention and admiration they have so long deserved. Firefighters put their lives in harm's way with every call, everyday. Some do this because it is their chosen profession as a paid firefighter, others do it as volunteers to assist those in their communities. Risking one's life for the sake of helping others is extremely admirable—to do so without compensation or reward for over 50 years is truly amazing.

Mr. Clark is a true volunteer. He is always willing to assist in training new members, conduct the Fire Company Fund Raisers and assist in the day-to-day operations of the Fire Company. His ability to safely operate the fire apparatus is unparalleled and he is often called on to assist the new driver trainees.

Mr. Speaker, the actions of Firefighter Richard Clark deserve to be recognized. I truly believe that the amount of service one dedicates to his community is a true measurement of one's character. Fifty years of continuous service to the community of Ticonderoga surely speaks volumes about the character of Mr. Richard Clark. I ask my colleagues, along with the 22nd District of New York, to join me as I thank Mr. Clark and for his continued service and contribution to the community.

BEN MCKIBBENS

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. ORTIZ. Mr. Speaker, I rise to pay tribute to an old friend and a pillar in the South Texas community, Ben McKibbens, the President and CEO of Valley Baptist Health System in Harlingen. Ben is a unique patriot and a consummate businessman, and the hospital system in our community will honor him upon his retirement on November 16, 2002.

The health care system in our nation has faced—and continues to face—enormous and mounting problems in the administration of medical services and health care in our communities.

It is people like Ben McKibbens who work hard to make hospitals function in an atmosphere of cost cutting. He is true leader both in our community and in the national healthcare network.

Born in Kentucky and raised in Mississippi, this son of the South won honors as an alumni from Mississippi State College. He completed his Masters program at the University of Alabama in Birmingham. After residency in Hospital Administration at Mobile Infirmary Medical Center in Mobile, Alabama, he moved up the ladder of administration.

An exemplary citizen with a caring heart, Ben has been the President and CEO of Valley Baptist Medical Center and Valley Baptist Medical Development Corporation since early 1977. In 1999, he became President and CEO of Valley Baptist Health system and affiliated corporations, which employs about 2,300 people.

He has a large breadth of experience. He is a fellow in the American College of Healthcare Executives and is a Preceptor to graduate programs in Hospital Administration at the University of Alabama, and Trinity University in San Antonio.

He is widely recognized for his efforts to improve regional health care needs for the South Texas/U.S. Mexico border region, a difficult geographical place to manage health care. In 2002 alone, he was honored with an award from the pharmacists of Texas, the Harlingen Hispanic Chamber of Commerce, and the American Heart Association.

He has always been enormously helpful when my office has asked for wisdom on issues related to healthcare. He has worked well together with the South Texas and state entities.

This true Southern gentleman is now Chairman of the Texas Hospital Association (2001-2002) and serves on the Voluntary Hospitals of America Board. He is also past Chairman of the Baptist Hospital Association and Past President of the Texas Baptist Hospital Association.

Ben has been supported throughout his career by his lovely wife Loren, and their children: Ben Jr., Mitchell, Merridy, and Woods. I ask my colleagues to join me today in wishing Ben the best in his retirement.

CHILDREN IN PERIL

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. GEORGE MILLER of California. Mr. Speaker, the story below, from Sunday's Pittsburgh Post Gazette, offers yet another example of a child welfare system's failure to provide children and their families with necessary services and safeguards—even in one of the nation's best child welfare systems.

The story below discusses several examples of bad casework that are frightening, and some examples of good casework that are inspiring. But most frightening is the fact that these stories come from one of the best child welfare systems in the country. In most other jurisdictions, the child welfare system is worse.

While this story describes caseworkers that failed to use resources available to them, in most communities, resources and supportive services are not available at all. In other jurisdictions, not only have child welfare workers been found derelict in their duties, but children have died under agency supervision. We cannot continue to spend billions of federal dollars on a system that does not provide what children need to thrive, or in some cases, even to survive. The government must require greater accountability to ensure the health and safety of every child in its custody.

The article follows:

[From the Pittsburgh Post Gazette, Oct. 13, 2002]

Dana Perkins wasn't looking for any help, though she'd admit getting by as a single mother of three was a relentless struggle. Sometimes, too tired to argue, she let her children skip school. Sometimes, too tired to face reality, she numbed herself with cocaine. Then, about 18 months ago, a judge informed her that she'd accept help whether she wanted it or not.

Common Pleas Judge Cheryl Allen decided the combination of truancy and drug abuse endangered the Perkins children. That meant the judge could place them in foster care. But she didn't.

She said Perkins could keep her children as long as she cooperated with Allegheny County's Office of Children, Youth and Families. Allen directed CYF to help Perkins get off drugs and get her kids to school.

Perkins' first caseworker reached into the treasure chest of tools and services available to Allegheny County caseworkers with one hand and grasped Perkins with the other, in a focused attempt to pull her and her family up to the solid ground of sobriety and school success. Perkins' second caseworker, however, seemed to have no reach at all.

The quality of a caseworker can make or break a family. It can be the difference between reunification and termination of parents and children. Some caseworkers are renowned in juvenile court for their ability to solve problems and bring together strengthened families. Others are notorious for the opposite.

Frustrated juvenile court judges have tried to crack down on such workers. Last month, Common Pleas Judge Kathleen R. Mulligan directed CYF to pay a \$150 penalty because a caseworker had failed for 30 days to formally explain why she'd placed children in foster care and neglected to call witnesses for a hearing to determine whether the removal was justified.

Lawyers who practice in juvenile court say casework has improved over the past five

years as workers' salaries have risen and a promotional ladder was constructed within CYF to retain the best ones. Still, they say, bad casework happens all too often.

Allen, who has the longest tenure on the juvenile bench at nearly 11 years, and who worked as a lawyer for CYF for more than a dozen years before that, recognizes the stress under which caseworkers labor, with high caseloads and constant fear that a child will be hurt.

"Most caseworkers try to do the best they can under horrible circumstances," she said. But, she added, "You just never know how far away from a disaster you are."

#### FAULT ON BOTH SIDES

The Perkins case was relatively simple for CYF. The children weren't in foster care and hadn't missed so much school that they were failing. The mother used drugs but wasn't so addicted that she sold the children's toys to pay for them. And the family had a home, even if it was in a Garfield public housing project liberally splattered with the brown of boarded windows.

Perkins' first caseworker, Juanita Bryant, signed her up for a drug treatment program and set her up with a recovery sister—a former drug addict who acts as a mentor. Bryant also got the family an in-home service worker to visit several days a week and help with budgeting and getting the kids to school.

At that point, however, Perkins' cooperation was not as good as Bryant's casework. She started one treatment program, then left. She attended another, but quit it too. Good caseworkers, like Bryant, know such behavior is typical of addicts. But Bryant would remain on the case only a few months because she is an intake worker. She investigates allegations against parents, then begins help. In August 2001, Perkins' case was moved to Bill Besterman, a family service worker, the kind who assist families through recovery.

Soon after Besterman was assigned to her case, Perkins decided she wanted to go into a 28-day in-patient drug treatment program. She says Besterman frustrated her efforts by losing papers, failing to sign forms and missing appointments.

Besterman is prohibited by CYF policy from speaking about the Perkins family, but CYF is sanctioning him for his handling of this case.

In a review hearing last May, Allen again ordered Besterman to help Perkins get in treatment, to enroll the two younger children, Brandon, 12, and Brittany, 13, in summer camps and help the oldest, Bryan, 15, get a summer job. Juvenile court routinely orders CYF to send teens to camp or summer school to keep them busy and out of trouble. Allen also repeated an order that was by then more than a year old. She wanted CYF to arrange for psychological evaluations of the children.

By July, Besterman hadn't enrolled the children in camp or Perkins in treatment. So Perkins signed up for Zoar New Day program herself. She told Besterman it would require her to be gone for several hours a day, and he told her not to leave the children home alone.

Perkins did it anyway, reasoning that they were old enough, especially since her brother and sister lived in the same housing complex. On Perkins' second day of treatment, Besterman showed up on her doorstep to take the children.

Only the intervention of Perkins' brother and sister, who said they would watch over the youngsters, kept them out of foster care.

Perkins stopped going to treatment while she pleaded with Besterman for a letter permitting her to leave the teens alone. He fi-

nally wrote it, she says, but by then the treatment program had discharged her.

When the case returned to court for review on Sept. 4, Besterman told Allen that Perkins had dropped out of another drug treatment program, but he never mentioned that it was because he'd threatened to take her kids away while she was there.

#### INFORMATION, DISINFORMATION

The kind of information—or disinformation—caseworkers give judges can be crucial in deciding a case. "If you do not trust the case work done by CYF, and you are not sure of the information presented in court, then you are in a quandary," Mulligan said, "You could get involved in a case with no basis, and that is not fair to the parents. Or you could end up dismissing a case that does have a basis, and that is not fair to the child."

"In a civil case," she said, "if the plaintiff attorney does not present enough evidence, I dismiss, and the plaintiff can go after the attorney for malpractice. But in these cases, the consequences are so scary. You have children's lives at stake. You cannot say, 'I will just dismiss it.'"

One caseworker who simply didn't have the information a judge needed arrived in Allen's courtroom Aug. 21. In March, the caseworker had placed a teenage girl, a runaway who was working as a prostitute, in what was supposed to be a temporary shelter until the teen could be moved to a therapeutic group home. Five months later, the girl remained in the shelter, not placed where she could get help, and the worker couldn't tell the court whether she was receiving any therapy.

The child's lawyer asked, "is she getting therapy?"

The caseworker replied, "I know she is in a shelter."

Allen pressed, "You are not sure if she is getting mental health services?"

"I am not sure. She should be getting it," the worker said. She told the judge she did know the child was taking medication. "For what," Allen asked. "I am not sure," the worker said.

#### FRUSTRATIONS ON THE BENCH

As Besterman testified at the Perkins review hearing in September, Allen grew increasingly red in the face. It wasn't so much what he didn't know as what he hadn't done.

Allen asked Besterman if he'd set up drug screens for Perkins at the Allegheny County Health Department, as the judge had ordered repeatedly for a year. "It was never done, I don't think," Besterman said.

Had Besterman arranged psychological evaluations of the Perkins children? Allen asked. That was never done either, Besterman said. How about helping the older Perkins boy get a job? Besterman had done nothing more than get a copy of his birth certificate.

Besterman also admitted he never enrolled the two younger children in camp.

Finally, Allen told him, "Mr. Besterman, it just seems as though nothing happens in this case. We drag these people in here every three months and nothing has happened."

That frustration is a common one for judges and families alike: The work just doesn't get done. Caseworkers don't return phone calls, don't process payments, don't follow court orders.

The claims of ignored phone calls are so commonplace that judges don't doubt them. In one case, CYF wanted Common Pleas Judge Robert Colville to relieve the agency of its duty to work toward reunification for a father who hadn't visited his baby. Colville refused after the father testified he'd repeatedly called his caseworker, left message after message and none was returned.

"It is a plausible, credible scenario that he called through December and no one an-

swered his phone calls," Colville said. The failure of the agency to make various types of payments is just as problematic.

In one case, a judge ordered CYF in June to cover the rent of a 17-year-old girl for three months until she turned 18. CYF was responsible for her until then, and the program that was supposed to teach her independent living skills while she lived in an apartment had closed down. CYF did not pay the rent, however, and the landlord threatened to evict the girl and her 10-month-old baby. Though ordered again in September to pay, CYF still hasn't done it.

In another instance, a caseworker refused to provide bus passes for a low-income mother who needed to take two buses to get to her court-mandated drug screens. Though the agency routinely provides such passes, this caseworker refused. The mother pleaded for Allen to order it. She did.

In a more egregious case, CYF failed to provide payments to a woman who was caring for her three nephews, even though they received Social Security, which was forwarded to CYF when the boys were removed from their mother. For months, the aunt cared for the boys without getting either foster care payments or the Social Security money.

Finally, the financial stress in the household prompted the aunt to ask the caseworker to move the boys. A month later, CYF paid the \$4,392 it owed her.

Marc Cherna, Allegheny County's director of Human Services, conceded casework could be better. "Not every case is handled as well as it should be," he said. "I am very realistic about this stuff. I get the stack of complaints from the Director's Action Line."

Still, he noted, the agency is always trying to improve the quality of casework, and the good work of the agency should not be forgotten.

"We do things that other places do not do," he pointed out. And if the agency is a little slow in providing these services—such as bus passes—it should still be commended for doing it at all.

He stressed that he believes most caseworkers handle the job with empathy and professionalism.

Perkins' new caseworker, Nadiyah McLendon, is among those. She took over the case after Besterman was removed in September.

She helped get Perkins re-enrolled at Zoar, which will also do the drug screens, saving Perkins extra trips to get them. And she got the psychological evaluations of the three children done.

She did everything she was supposed to do, fulfilling the duties of CYF. Allen reminded the agency at Perkins' September hearing that it must be accountable: "Once kids are brought to court, CYF has some responsibility."

#### HONORING THE AMERICAN-ARAB HERITAGE COUNCIL

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 2002

Mr. KILDEE. Mr. Speaker, I rise today to pay homage to the 2002 honorees of the American-Arab Heritage Council in my hometown of Flint, Michigan. The Council is an organization committed to promoting the American-Arab community. They also seek to preserve their culture for future generations. On October 18th the Council will be hosting the