



**REQUEST FOR QUALIFICATIONS
FOR
FORENSIC EVALUATION SERVICES BY
PSYCHOLOGISTS**

Questions Due to DCFASKRFP@dcf.state.nj.us by: January 31, 2018

**Responses will be accepted on a rolling basis from
January 31 through April 2, 2018**

**Allison Blake, Ph.D., L.S.W.
Commissioner**

January 10, 2018

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FUNDING AGENCY

State of New Jersey
Department of Children and Families
50 East State Street 5th floor
P.O. Box 717
Trenton, New Jersey 08625-0717

Section I – General Information

A. Purpose:

The Department of Children and Families (DCF) is requesting qualified psychologists who can meet the requirements of the Department of Children and Families as set forth in this Request for Qualifications (RFQ) to provide forensic evaluations to support and inform child welfare proceedings and child protective service matters. The evaluators may be individual psychologists with their own practice or members of a group or agency practice that submits a response to the RFQ. Each individual practitioner providing services within a group or agency practice must meet the individual practitioner requirements set forth in this RFQ.

The purpose of this RFQ is to recruit new providers to perform this service. Providers with an established contract for this service do not need to respond to this RFQ, but are required to maintain the competency standards via continuing education as required by the New Jersey State Board of Psychological Examiners rule N.J.A.C 13:42-10.20.

Agencies and/or group practices who have an established contract for this service may request additional evaluators to be added to their contract outside of this RFQ schedule by submitting the individual's completed Attestation Form, along with the required supporting documents, to the agency's contract administrator.

DCF MAKES NO REPRESENTATION REGARDING THE VOLUME OF ACTIVITY THAT IS TO BE EXPECTED WITH RESPECT TO THIS RFQ OR ANY RESULTING CONTRACT. A FORMAL CONTRACT WILL BE REQUIRED WHICH IS SUBJECT TO NEGOTIATION.

DCF will provide eligible applicants additional and/or clarifying information about this initiative and application procedures through a time-limited electronic Question and Answer Period. Questions will be accepted until January 31, 2018 at 12PM. Answers will be posted on the website at: <http://www.state.nj.us/dcf/providers/notices/>

Questions must be submitted in writing via email to: DCFASKRFP@dcf.state.nj.us.

All inquiries submitted to this email address must identify, in the Subject heading, the specific RFQ for which the question/clarification is being sought.

Written questions must be directly tied to the RFQ. Questions should be asked in consecutive order, from beginning to end, following the organization of the RFQ. Each question should begin by referencing the RFQ page number and section number to which it relates.

All other types of inquiries will not be accepted. Applicants may not contact the Department directly, in person, or by telephone, concerning this RFQ.

B. Background:

DCF is charged with serving and safeguarding the most vulnerable children and families in the State and ensuring that service delivery is directed towards their safety, protection, permanency and well-being. The State of New Jersey's child welfare agency is comprised of the four major divisions:

- **Child Protection and Permanency (CP&P)** is New Jersey's child protection and child welfare agency within the DCF. CP&P is responsible for investigating allegations of child abuse and neglect and, if necessary, arranging for the child's protection and the family's treatment. Each year, CP&P contracts with many community based agencies throughout the state to provide services to children and families. Such services include case management, family support services (parenting skills, training, counseling, child care, etc.), therapeutic/supervised visitation, substance abuse treatment, domestic violence services, mental health services, foster care, and adoption and kinship legal guardianship.
- **Children's System of Care (CSOC)** serves children and adolescents with emotional and behavioral health care challenges and their families. CSOC is committed to providing these services based on the needs of the child and family in a family-centered, community-based environment. CSOC believes that the family or caregiver plays a central role in the health and well-being of children. DCF involves families throughout the planning and treatment process in order to create a service system that values and promotes the advice and recommendations of the family, a system that is friendly to families and one which provides them the tools and support needed to create successful life experiences for their children with emotional and behavioral problems.
- **Family and Community Partnerships (FCP)** goal is to build a continuum of child abuse prevention and intervention programs that are culturally competent, strengths-based and family-centered, with a strong emphasis on primary child abuse prevention. Services and programs funded through the FCP promote culturally-sensitive, strengths-based, positive outcomes for children, youth and families in the following areas: child cognitive development; child social and emotional development; child physical health development; prevention of child injury, abuse and neglect; parenting behavior, attitudes and knowledge; parents' mental health or risk behaviors; family functioning/resources, including economic self-sufficiency; empowerment and increased safety for domestic violence victims

and their children. FCP is committed to provide the resources and technical assistance needed to maintain a robust network of public/private partnerships and programs. Schools and community-based organizations are two prime locations for prevention and intervention services. These two portals are the broadest access to services for families.

- **The New Jersey Division on Women (DOW)** is a pioneering state agency that advances public discussion of issues critical to the women of New Jersey and provides leadership in the formulation of public policy in the development, coordination and evaluation of programs and services for women. DOW evaluates the effectiveness of program implementation and plans for the development of new programs and services. The Division is also charged with establishing a liaison with state departments and other public and private agencies involved with laws, regulations and program development affecting women in joint efforts to expand opportunities for women. In this capacity, DOW collaborates with other state departments to understand and address the changing needs and concerns of women.

Current priorities of DCF focus on improving case practice proficiency, improving permanency practice, increasing out of home placement stability, decreasing repeat maltreatment, and decreasing repeat placements.

Individuals and agencies contracting with the DCF must adhere to the core values and relevant principles of DCF which are:

DCF Core Values

- **Safety:** Children are, first and foremost, protected from abuse and neglect.
- **Permanency:** Children do best when they have strong families, preferably their own, and when that is not possible, a stable relative, foster or adoptive family. We must strive to ensure that children do not leave our supervision without a permanent and stable family living situation.
- **Well-Being:** We will offer relevant services to children and families to meet their identified needs and promote children's development, education, physical and mental health.
- Most families have the capability to change with the support of individualized service responses.
- Government cannot do the job alone; real partnerships with people and agencies involved in a child's life – for example, families, pediatricians, teachers, child care providers - are essential to ensure child safety, permanency and well-being, and to build strong families.

DCF Case Practice Principles

- In making determinations about plans and services, we consider the child's safety and health paramount.
- We must provide relevant services with respect for and understanding of children's needs and children's and families' culture.

- No child or family will be denied a needed service or placement because of race, ethnicity, sexual orientation, physical or emotional handicap, religion, or special language needs.
- Where appropriate, families will be provided with the services they need in order to keep their children safe and at home in order to avoid the trauma of removal.
- Understanding the disproportionate representation of children and families of color, we will utilize structured decision-making tools to support sound judgments about child safety, permanency and wellbeing, and as a strategy for counteracting racial and ethnic bias.

C. Services to be Funded:

DCF is seeking to approve one or more vendors to provide forensic evaluation services throughout the State of New Jersey whose qualifications conform to this RFQ and are most advantageous to the State, price and other factors considered. DCF MAKES NO REPRESENTATION REGARDING THE VOLUME OF ACTIVITY THAT IS TO BE EXPECTED WITH RESPECT TO THIS RFQ OR ANY RESULTING CONTRACT.

Applicants whose proposals are approved will be awarded a DCF contract for services with a contract term date determined by DCF. Bidders shall provide information that demonstrates their ability to meet the specified requirements listed in this RFQ.

1. Duties and Obligations – Using Agency

DCF shall provide the contractor with a clear purpose for the evaluation as well as specific questions to be answered. DCF shall also provide the contractor with appropriate information and background documents and the required completion date.

2. Duties and Obligations – Contractor

The contractor shall provide forensic evaluations and assessments upon request by DCF.

The contractor shall adhere to the following timeframes for scheduling evaluation interviews, reviewing collateral information, and preparing and submitting the evaluation report to DCPD:

- 1) The contractor shall schedule evaluation interviews to be conducted within two weeks of receiving a referral from DCPD
- 2) The contractor shall deliver the evaluation report to DCPD within three weeks of receiving sufficient collateral information (other evaluations, assessments, and reports as appropriate) from DCPD and completing the evaluation interviews.

These timeframes may be negotiable based on individual circumstances with approval from the DCPD Local Office manager or his/her designee.

Forensic Evaluation

For the purpose of this RFQ a forensic evaluation in child welfare proceedings and child protective service matters is an evaluation necessary to determine an issue before the court, to assist the court and/or CP&P in case planning, or to resolve a case. A forensic evaluation may be ordered by the court, or it may be requested by CP&P, or by another party to a proceeding. Although forensic evaluations may contain treatment recommendations, the primary function of the forensic evaluation is to inform the parties and to assist the court in rendering decisions in child welfare cases.

The primary function of an evaluation is to provide a report that contains relevant, professionally sound observations, results and opinions in matters where a child's health and welfare may have been harmed or placed at risk of harm. The specific purposes of the evaluation generally will be determined by the referral questions and/or concerns provided to the evaluator by the referring party or parties. When the child already has been found by the court to be at risk of harm, the evaluation of the parent(s) generally identifies interventions intended to reduce future risk to the child, and often focuses on rehabilitation recommendations designed to protect the child and help the family to improve their functioning and stability. An additional purpose of such an evaluation may be to make recommendations for interventions that promote the psychological and physical well-being of the child, and, when appropriate, facilitate the safe reunification of the child with the parent. Consistent with State law, evaluators appreciate the value of expediting family reunification, when possible and safe, while they also understand the value of other permanent plans when reunification is not possible.

This RFQ does not cover evaluations or assessments obtained primarily for mental health treatment purposes, substance abuse, anger management, psycho-sexual evaluation, or domestic violence, although any or all of these issues may be addressed in a forensic evaluation.

For further guidance regarding the definition and purpose of forensic evaluations, please see the attached Exhibit B, DCF Guidelines for Expert Evaluations in Child Abuse Neglect Proceedings or find it on DCF's website at <http://www.state.nj.us/dcf/providers/notices/>.

3. Quality Assurance

The contractor shall possess the professional competencies outlined in the DCF Guidelines for Expert Evaluations in Child Abuse/Neglect Proceedings as well as the required qualifications described below.

DCF recognizes that psychologists take care to acquire sufficient knowledge, skill, experience, training, and education prior to completing a child custody evaluation as well as other forensic work that DCF might engage providers in. In addition, an evolving and up-to-date understanding of child and family development, child and family psychopathology, the impact of relationship dissolution on children, and the specialized child custody literature is critical to sustaining competent practice in this area.¹

When children and families enter the child welfare system, they've likely experienced acute or chronic trauma. The New Jersey Department of Children and Families (DCF) is committed to becoming a trauma-informed system of care, and expects evaluators to address the effects that trauma may have had on a child's physical and behavioral health, emotional well-being, cognitive abilities, and relationships with others.

To establish an initial contract, each evaluator is required to provide documentation of satisfactory completion of competency-based child abuse forensic interview training that includes child development², and/or supervision under a licensed psychologist in accordance with the Board of Psychological Examiners in one or more of the following areas: domestic violence, child abuse and neglect, trauma, or sexual abuse. Additionally, the evaluator must provide information regarding the status of any license sanctions and a writing sample.

These requirements must be demonstrated by submitting the attestation form, attached here as Exhibit C, along with the supporting documents detailed above, as part of their application package.

DCF may require contracted providers to participate in a DCF orientation at any point in time during the life of the contract.

4. Confidentiality Compliance

The contractor shall, at all times, in performance of this contract, ensure that it maintains State supplied documents in a confidential manner.

Such compliance shall include, but not be limited to, the erasure and deletion of all personal, confidential information that may be contained on all personal computers and their drives prior to disposal, or any other disposition that may be required, of such informational technology equipment in accordance with the requirements set forth by the US Department of Defense (DoD) 5220.22-M Standard.

Such compliance shall further include, but not be limited to, ensuring that the release of forensic evaluations and client records is restricted to those situations identified in DCF Policy P8.01 – 2007 (revised January 1, 2012) and N.J.S.A. 30:4-24.3. Child Protection

¹ American Psychological Association. *Guidelines for Child Custody Evaluations in Family Law Proceedings*. American Psychologist. 2010. 65(9): 863-867.

² Vieth, V. *The Forensic Interviewer at Trial*.

& Permanency (CP&P) has a responsibility to keep confidential information about its clients and former clients as described by New Jersey statutes, N.J.S.A. 9:6-8.10a, and New Jersey rules, N.J.A.C. 10:133G. Non-employees who perform work for DCF are required to maintain this confidentiality as guided by the provisions of these statutes and rules.

All data supplied by DCF to the contractor are confidential. Any use, sale or offering of this data in any form by the contractor, or any individual or entity in the contractor's charge or employ, will be considered a violation of this contract and may result in contract termination and the contractor's suspension or debarment from DCF contracting. In addition, such conduct may be reported to the State Attorney General for possible criminal prosecution.

HIPAA's (Health Insurance Portability and Accountability Act) privacy regulations require protection of individually identifiable health information pursuant to 45 C.F.R. § 164.502(a). The regulations define "Protected Health Information" as information that relates to the:

- past, present, or future physical or mental health or condition of an individual
- provision of health care to an individual
- past, present, or future payment for the provision of health care to an individual

Protection applies to information collected from the individual or received or created by a health care provider, health plan, health care clearinghouse, or employer, and is maintained or transmitted in any form or medium. All providers shall be required to adhere to HIPAA and execute a HIPAA Privacy Agreement. Under the terms of Section 3.04 of DCF's Standard Language Document (SLD) for Social Service and Training Contracts, all contracted providers who receive protected health information (PHI) from DCF in performance of the contract are required to enter into a Business Associate Agreement (BAA). The BAA essentially requires the contracted provider to adhere to HIPAA. As such, regardless of whether or not the forensic evaluator is a covered entity in its own right, they must comply with HIPAA with respect to services provided under the contract with DCF pursuant to the SLD and BAA. The BAA is located at: <http://www.state.nj.us/dcf/providers/contracting/forms/index.html>.

5. Fiscal/Billing Requirements

DCF will contract with approved vendors on a fee for service basis. DCF's Child Protection and Permanency (CP&P) has 46 offices throughout New Jersey, with at least one in every county. These offices are known as "Local Offices" and house CP&P caseworkers, who work with children and families in their own homes and with children in out of home placements. Local Offices will initiate referrals via the CP&P Special Approval Request (SAR) form 16-76. Upon completion of the contracted service, the vendor will submit the CP&P form K-100, Client Service Invoice, to the referring office for payment.

Each provider that meets the qualifications and requirements set forth in the RFQ shall receive the published rate for providers of this service as set forth in Exhibit A. If the published rate shall change the amount received by the provider shall change. Note: When a provider functions as part of a professional group, conducting an evaluation as a "team," DCF will reimburse the group, as a single entity, the hourly rate for the service provided.

D. Funding Information:

For the purpose of this initiative, the Department will make available funding for forensic evaluation and assessment services as needed and required and only if funding is available. There is no guarantee that the services of the contracted evaluator will be accessed. Continuation funding is contingent upon the availability of funds in future fiscal years. Continuation of services is not guaranteed.

DCF intends to fund services offered by providers that meet the qualifications and agree to all the terms and conditions provided by the DCF contracting unit. Upon application the contractor shall be contacted by the contracting group and all contract awards shall be subject to contract negotiation.

E. Applicant Eligibility Requirements:

All applicants must:

1. Possess an active license to practice psychology issued by the New Jersey Division of Consumer Affairs State Board of Psychological Examiners.
2. Have the capability to uphold all administrative and operating standards as outlined in this document.
3. Comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, the State Affirmative Action policy.
4. Have a Data Universal Numbering System (DUNS) number. To acquire a DUNS number, contact the dedicated toll-free DUNS number request line at 1-800-705-5711 or inquire on-line at: <http://www.dnb.com>.

F. RFQ Schedule:

January 31, 2018	Period for Email Questions sent to DCFASKRFP@dcf.state.nj.us
Rolling from January 31, 2019 to April 2, 2018	Deadline for Receipt of Proposals by 12:00PM

All Requests for Qualifications proposals must be received by 12:00 PM on or before April 2, 2018. Proposals received after 12:00 PM on April 2, 2018 will **not** be considered. Applicants should submit one (1) signed original and one (1) CD ROM, including a signed cover letter or transmittal as indicated below.

Proposals must be delivered either:

1) In person to:

Catherine Schafer, Director of Grants Management, Auditing and Records
Department of Children and Families
50 East State Street, 3rd floor
Trenton, New Jersey 08625-0717

Applicants submitting proposals in person or by commercial carrier shall submit **one (1) signed original** and should submit **one CD ROM** with all documents.

2) Commercial Carrier (hand delivery, federal express or UPS) to:

Catherine Schafer, Director of Grants Management, Auditing and Records
Department of Children and Families
50 East State Street, 3rd floor
Trenton, New Jersey 08625-0717

Applicants submitting proposals in person or by commercial carrier shall submit **one (1) signed original** and should submit **one CD ROM** with all documents.

3) Online:

DCF offers the alternative for our bidders to submit proposals electronically. Only a registered Authorized Organization Representative (AOR) or the designated alternate is eligible to send in a submission by submitting an AOR form.

AOR Registration forms and online training are available on our website at: www.nj.gov/dcf/providers/notices/

Forms are directly under the Notices section-See Standard Documents for RFPs

- [Submitting Requests for Proposal Electronically PowerPoint \(pdf\)](#)
- [Registration for the Authorized Organization Representative \(AOR\) Form](#)

We recommend that you do not wait until the date of delivery in case there are technical difficulties during your submission. Registered AOR forms may be received 5 business days prior to the date the bid is due.

G. Administration:

1. Screening for Eligibility, Conformity and Completeness

DCF will screen applications for eligibility and conformity with the specifications set forth in this RFQ. A preliminary review will be conducted to determine whether the application is eligible for evaluation or immediate rejection.

The following criteria will be considered, where applicable, as part of the preliminary screening process:

- a. The application was received prior to the stated due date;
- b. The application is signed and authorized by the applicant's Chief Executive Officer or Equivalent;
- c. The application is complete in its entirety, including all required attachments and Appendices; and
- d. The application conforms to the specifications set forth in the RFQ.

Upon completion of the initial screening, proposals meeting the requirements of the RFQ will be distributed to the Proposal Evaluation Committee for its review and recommendations. Failure to meet the criteria outlined above, or the submission of incomplete or non-responsive applications constitutes grounds for immediate rejection of the proposal if such absence affects the ability of the committee to fairly judge the application.

2. Proposal Review Process

Applicants whose qualifications are approved will be eligible to provide services. Applicants shall provide information that demonstrates their ability to meet the specified requirements detailed in this RFQ.

The Department also reserves the right to reject any and all proposals when circumstances indicate that it is in its best interest to do so.

The Department's best interests in this context include, but are not limited to:

State loss of funding for the contract; the inability of the applicant to provide adequate services; the applicant's lack of good standing with the Department, and any indication, including solely an indication of misrepresentation of information and/or non-compliance with any State of New Jersey contracts, policies and procedures, or State and/or Federal laws and regulations.

All applicants will be notified of the Departments intent to contract with the provider.

3. Special Requirements

The successful Applicant shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

Applicants must comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, the State Affirmative Action policy. A copy is attached as **Exhibit D**

Applicants must comply with laws relating to Anti- Discrimination as attached as **Exhibit E.**

H. Post Award Review:

As a courtesy, DCF may offer unsuccessful applicants an opportunity to review the Evaluation Committee's rating of their individual proposals. All Post Award Reviews will be conducted by appointment.

Applicants may request a Post Award Review by contacting:
DCFASKRFP@dcf.state.nj.us

Post Award Reviews will not be conducted after six months from the date of issuance of this RFQ.

I. Appeals:

An appeal of the selection process will be heard only if it is alleged that the Department has violated a statutory or regulatory provision in awarding the grant. An appeal will not be heard based upon a challenge to the evaluation of a proposal. Applicants may appeal by submitting a written request to

Office of Legal Affairs
Contract Appeals
50 East State Street 4th Floor
Trenton NJ 08625

no later than five (5) calendar days following receipt of the notification or by the deadline posted in this announcement.

J. Post Award Requirements:

Selected applicants will be required to comply with the terms and conditions of the Department of Children and Families' contracting rules and regulations as set forth in the Standard Language Document, the Contract Reimbursement Manual and the Contract Policy and Information Manual. Applicants may review these items via the Internet at www.nj.gov/dcf/providers/contracting/manuals

Selected applicants will also be required to comply with all applicable State and Federal laws and statutes, assurances, certifications and regulations regarding funding.

Upon receipt of the award announcement, and where appropriate, selected applicants will be minimally required to submit one (1) copy of the following documents:

1. A copy of the Acknowledgement of Receipt of the NJ State Policy and Procedures returned to the DCF Office of the EEO/AA
2. DCF Third Party Contract Reforms Attestation
3. Proof of Insurance naming DCF as additionally insured from agencies Bonding Certificate
4. Notification of Licensed Public Accountant (NLPA) with a copy of Accountant's Certification
5. ACH- Credit Authorization for automatic deposit (for new agencies only)

The actual award of funds is contingent upon a successful Contract negotiation. If, during the negotiations, it is found that the selected Applicant is incapable of providing the services or has misrepresented any material fact or its ability to manage the program, the notice of intent to award may be rescinded.

Section II – Application Instructions

A. Proposal Requirements:

All applications shall be created in accordance with the following criteria:

The narrative portion of the proposal should be double-spaced with margins of 1 inch on the top and bottom and 1 inch on the left and right. The font shall be no smaller than 12 points Arial font. There is a ten (10) page limitation for the narrative portion of the grant application. The narrative must be organized appropriately and address the key concepts outlined in the RFQ. Items included in the transmittal cover letter, budget pages, and attachments do not count towards the narrative page limit. Please include page numbers.

Proposals may be bound or fastened by heavy-duty binder clip. Do not submit proposals in loose-leaf binders, plastic sleeves or folders or staples.

Each proposal must contain the following items organized by heading:

1) Applicant Experience

Describe the applicant's philosophy and experience in providing forensic evaluations, the capacity of individuals performing evaluations, and a record of accomplishments in working in collaboration with the Department of Children and Families and/or the Department of Human Services. Provide an indication of the agency/applicant's demonstrated capability to provide services that are consistent with the Department's Guidelines for Expert Evaluations in Child Abuse/Neglect Proceedings.

2) Approach

- a) Describe which types of forensic evaluations you can provide.
- b) Provide information on the accessibility of services, including the hours and days that services will be available, and the geographic location(s) where evaluations/assessments will be provided.
- c) Describe your ability to accommodate clients who do not speak English (i.e., any capacity in additional languages).
- d) Describe your approach to conducting evaluations in a culturally competent manner.
- e) Describe how you integrate evidence into your report when making findings and recommendations.
- f) Provide a description of your procedures to ensure the confidentiality of records.
- g) Describe capacity to meet reasonable time frames established by DCF.
- h) Indicate the number, qualifications and skills of all staff and consultants who will perform the proposed service activities, if applicable.
- i) Attach, in the Appendices section of the application, an organizational chart for the proposed program operation; job descriptions that include all educational and experiential requirements; and resumes of any existing staff who will perform the proposed services.
- j) Describe the management and supervision methods that will be utilized, if applicable.
- k) Provide information on availability to begin services within the next 30 to 60 days.

B. Supporting Documents:

Applicants must submit a complete proposal signed and dated by the Chief Executive Officer or equivalent and should submit a CD ROM containing all the documents in PDF or Word format. There is a 10 page limitation for the narrative portion of the grant application. A one (1) point reduction per page will be administered to proposals exceeding the page limit requirements. Failure to submit any of the required documents requested in this RFQ will result in a loss of five (5) points per item from the total points awarded for the proposal.

All supporting documents submitted in response to this RFQ must be organized in the following manner:

Requirements for all applicants; including agencies, LLC or LLP providers, and individual providers, are listed below. An “individual provider” is someone who is conducting business under his or her own name and social security number and is unincorporated.

Part I: Proposal	
1	<input type="checkbox"/> Proposal Cover Sheet – (signed and dated) Use the RFP form found directly under the Notices section on Website: www.nj.gov/dcf/providers/notices/ Form: http://www.nj.gov/dcf/providers/notices/Proposal.Cover.Sheet.doc
2	<input type="checkbox"/> Table of Contents – Please number and label with page numbers if possible in the order as stated in Part I & Part II Appendices for paper copies, CD and electronic copies.
3	<input type="checkbox"/> Qualification Narrative in following order (10) Page Limitation a) Applicant Experience b) Approach
Part II: Appendices	
4	<input type="checkbox"/> Job descriptions of key personnel- required. If available to support your application. Make sure to include the training required under this RFQ in the job description
5	<input type="checkbox"/> Resumes of any existing staff who will perform the proposed services. (please do not provide home addresses or personal phone numbers).
6	<input type="checkbox"/> Safe-Child Standards Description of your agency’s implementation of the standards (no more than 2 pages)
7	<input type="checkbox"/> Copies of any audits (not financial audit) or reviews (including corrective action plans) completed or in process by DCF (inclusive of DCF Licensing, Divisions and Offices) or other State entities from 2014 to the present. If available, a corrective action plan should be provided and any other pertinent information that will explain or clarify the applicant’s position. If not applicable, include a written statement. Applicants are on notice that DCF may consider all materials in our records concerning audits, reviews or corrective active plans as part of the review process.

8	<input type="checkbox"/>	DCF Signed Standard Language Document (SLD) [Version: Rev. June 6, 2014] Form: http://www.nj.gov/dcf/documents/contract/forms/StandardLanguage.doc
9	<input type="checkbox"/>	Document showing Data Universal Numbering System (DUNS) Number [2006 Federal Accountability & Transparency Act (FFATA)] Website: http://www.dnb.com Helpline: 1-866-705-5711
10	<input type="checkbox"/>	System for Award Management (SAM) printout (or Renewal) showing "active" status (free of charge). Website: https://www.sam.gov/portal/public/SAM Helpline: 1-866-606-8220
11	<input type="checkbox"/>	Business Associate Agreement/HIPAA , with signature under Business Associate [Version: Rev. 9-2013] Form: http://www.nj.gov/dcf/providers/contracting/forms/HIPAA.doc
12	<input type="checkbox"/>	Professional Licenses related to job responsibilities for this RFQ. If not applicable, include a written statement
13	<input type="checkbox"/>	Certification Regarding Debarment-(Signed and dated) Form: http://www.state.nj.us/dcf/providers/notices/Cert.Debarment.pdf
14	<input type="checkbox"/>	Statement of Assurances – (Signed and dated) Use the RFP form found directly under the Notices section: Website: www.nj.gov/dcf/providers/notices/ Form: http://www.nj.gov/dcf/providers/notices/Statement.of.Assurance.doc
15	<input type="checkbox"/>	Tax Forms: Schedule C from tax forms
16	<input type="checkbox"/>	Applicable Consulting Contracts , Affiliation Agreements/Memoranda of Understanding related to this RFQ. If not applicable, include a written statement

Additional requirements for agencies and corporations, non-profits and LLC/LLP Providers that do not meet the "individual provider" criteria above are listed below:

Part I: Proposal		
1	<input type="checkbox"/>	Proposal Cover Sheet – (signed and dated) Use the RFP form found directly under the Notices section on Website: www.nj.gov/dcf/providers/notices/ Form: http://www.nj.gov/dcf/providers/notices/Proposal.Cover.Sheet.doc

2	<input type="checkbox"/>	Table of Contents – Please number and label with page numbers if possible in the order as stated in Part I & Part II Appendices for paper copies, CD and electronic copies.
3	<input type="checkbox"/>	Qualification Narrative in following order (10) Page Limitation a) Applicant Experience b) Approach
4	<input type="checkbox"/>	Organizational chart for the proposed program operation
5	<input type="checkbox"/>	Current Organization Chart
6	<input type="checkbox"/>	Copy of agency Code of Ethics and/or Conflict of Interest policy, if applicant is a Corporation
7	<input type="checkbox"/>	Copy of agency's Conflict of Interest policy
8	<input type="checkbox"/>	Dated List of Names of Board of Directors a. Titles, b. Address and c. Terms OR- Managing Partners , if an LLC or Partnership
9	<input type="checkbox"/>	Affirmative Action Certificate -or- Renewal Application [AA302] sent to Treasury Website: http://www.state.nj.us/treasury/purchase/forms.shtml Form: http://www.state.nj.us/treasury/purchase/forms/AA_%20Supplement.pdf
10	<input type="checkbox"/>	Certificate of Incorporation Website: http://www.nj.gov/treasury/revenue/filecerts.shtml
11	<input type="checkbox"/>	For Profit: NJ Business Registration with the Division of Revenue Certificate with the Division of Revenue. See instructions for applicability to your organization. Website: http://www.nj.gov/njbusiness/registration/ If not applicable, include a written statement.
12	<input type="checkbox"/>	Agency By-laws or Management Operating Agreement if an LLC
13	<input type="checkbox"/>	Tax Exempt Certification - IRS Determination Letter regarding applicant's charitable contribution or non-profit status Website: http://www.state.nj.us/treasury/taxation/exemption.shtml

14	<input type="checkbox"/>	Disclosure of Investigations & Other Actions Involving Bidder Form (PDF) (signed and dated) Form: http://www.state.nj.us/treasury/purchase/forms/DisclosureofInvestigations.pdf
15	<input type="checkbox"/>	Disclosure of Investment Activities in Iran (PDF) (signed and dated) Form: http://www.state.nj.us/treasury/purchase/forms/DisclosureofInvestmentActivitiesinIran.pdf
16	<input type="checkbox"/>	For Profit: Statement of Bidder/Vendor Ownership Form (PDF) (signed and dated) See instructions for applicability to your organization. Form: http://www.state.nj.us/treasury/purchase/forms/OwnershipFinal12-14.pdf If not applicable, include a written statement
17	<input type="checkbox"/>	For Profit: Two-Year Chapter 51/Executive Order 117 Vendor Certification -and- Disclosure of Political Contributions (signed and dated) [Version: Rev 4/17/15]. See instructions for applicability to your organization. Website: http://www.state.nj.us/treasury/purchase/forms.shtml If not applicable, include a written statement.
18	<input type="checkbox"/>	Form 990 for Non-Profits or Form 1120 intended for For-Profit entities or LLC/LLP shall provide an applicable tax form and may delete or redact any SSN or personal information

* Standard forms for RFP's are available at: www.nj.gov/dcf/providers/notices/
Forms for RFP's are directly under the Notices section.

** Treasury required forms are available on the Department of the Treasury website at
<http://www.state.nj.us/treasury/purchase/forms.shtml>
Click on Vendor Information and then on Forms.

Standard Language Document, the Contract Reimbursement Manual and the Contract Policy and Information Manual. Applicants may review these items via the Internet at www.nj.gov/dcf/providers/contracting/manuals

C. Requests for Information and Clarification

DCF will provide eligible applicants additional and/or clarifying information about this initiative and application procedures through a time-limited electronic Question and Answer Period. Answers will be posted on the website at: <http://www.state.nj.us/dcf/providers/notices/>

Questions must be submitted in writing via email to: DCFASKRFP@dcf.state.nj.us.

All inquiries submitted to this email address must identify, in the Subject heading, the specific RFQ for which the question/clarification is being sought.

Written questions must be directly tied to the RFQ. Questions should be asked in consecutive order, from beginning to end, following the organization of the RFQ. Each question should begin by referencing the RFQ page number and section number to which it relates.

All other types of inquiries will not be accepted. **Applicants may not contact the Department directly, in person, or by telephone, concerning this RFQ.** Inquiries should only be addressed for technical support through DCFASKRFP@dcf.state.nj.us. Inquiries will not be accepted after the closing date of the Question and Answer Period. Written inquiries will be answered and posted on the DCF website as a written addendum to the RFQ.

Exhibit A
Relevant Sections from Current Policy and Rates

CP&P-IX-F-3-1200

Psychological/Therapeutic Services

8-9-2004

Psychological/therapeutic services are services provided through referral to a mental health professional (i.e., a duly credentialed psychiatrist, psychologist, therapist, counselor or social worker, see CP&P-V-A-1-900) in order to assess and/or treat a variety of problems related to behavior, living, intra and/or inter-personal development, and/or psychopathology.

Forensic evaluations and assessments may be used during child welfare investigations, to assist with permanency planning, or during litigation of guardianship complaints. In addition, evaluations may be used to determine a child's behavioral functioning or developmental status, or to assess the needs of children and families and formulate service recommendations. Evaluations may be completed when the Division is bringing a matter before the court, when ordered by a court, or upon the request of the Deputy Attorney General in anticipation of a court action (see PRS Litigation Manual). Providers may also give "expert witness" testimony at court on behalf of the Division based on an evaluation and/or treatment rendered. See CP&P-II-C-7-100.

Psychological/Therapeutic Services Activities

5-10-2004

ACTIVITY I: Psychiatric Evaluation:

Psychiatric assessment and evaluation activities are intended to determine the nature of a person's or family's problems, the extent and kind of services needed, and to prescribe a course of service delivery or treatment.

ACTIVITY II: Psychological Evaluation:

Psychological evaluation activities include evaluations to determine the nature of a person's or family's problems, the extent and kind of services needed, and to prescribe a course of service delivery or treatment. Psychological evaluations also include in-depth evaluations, undertaken to address one or more legal issues before a court (e.g., termination of parental rights, child custody, findings of abuse or neglect). The role of the evaluator is to provide the court with an objective recommendation. The Office of the Attorney General represents CP&P in the legal matter. DAG approval is required to obtain an evaluation for court. The DAG assigned to the case may request an evaluation in anticipation of - or to determine whether to pursue relief from - court. In addition to completing the evaluation for court, CP&P may call on the provider to testify at court as to the evaluation - observations, recommendations, diagnosis, prognosis etc. (See Testimony at Court/Expert Witness, Activity V.)

ACTIVITY V: Testimony at Court/Expert Witness

See CP&P-II-C-7-100, Professional Witness Fees and Services.

CP&P Rates for Psychological/Therapeutic Services 1-1-2008

PSYCHIATRIC EVALUATIONS (Activity I) -- paid per person (e.g., child, parent, foster parent) per provider as follows:

- Psychiatrist - paid \$107.05 per hour (60 minutes), up to 4 hours, to a maximum of \$428.20.
- Marriage and Family Therapist, Professional Counselor, Licensed Clinical Social Worker -- CP&P will not reimburse; provider must hold applicable doctoral degree.

PSYCHOLOGICAL EVALUATIONS (Activity II) -- paid per evaluation (or for a set of evaluations conducted for one, specified purpose), paid per provider, as follows:

- Psychologist - paid \$106.05 per hour (60 minutes), up to 16 hours, to a maximum of \$1,696.80.
- Marriage and Family Therapist, Professional Counselor, Licensed Clinical Social Worker -- CP&P will not reimburse; provider must hold applicable doctoral degree.

Note: When a provider functions as part of a professional group, conducting an evaluation as a "team," CP&P will reimburse the group, as a single entity, the hourly rate for the service provided (i.e., \$106.05 paid to the group per hour for psychological evaluative services provided by their team, NOT \$106.05 paid per hour to each member of the group individually).

Reimbursable hours include charges for one-on-one interviewing/testing of clients, report writing, testimony preparation, travel time and travel-associated costs, supervised visits, record reviews, consultations with other professionals and family members, etc. Cases that require evaluations which cannot be obtained within the above limitations will require Assistant Director, Program/Adoption Operations approval. If the provider testifies at court based on the evaluation, the evaluator is entitled to compensation for his testimony at the Activity V rate as explained below.

The reimbursement guidelines for evaluations for court-related purposes, above, apply to evaluations associated with child protective services, termination of parental rights and guardianship litigation brought by CP&P, conducted on behalf of CP&P. The guidelines also apply when the court orders CP&P to pay for evaluations conducted on behalf of:

- a parent (represented by a defense attorney); and/or

- The interests of a child (represented by a Law Guardian).

The Deputy Attorney General is responsible for sharing expert witness reports obtained by CP&P with all parties to the litigation. See CP&P-II-C-7-100.

Consult the DAG if staff question who should be responsible to pay the fee.

TESTIMONY AT COURT/EXPERT WITNESS (Activity V) -- paid per hour of service provided. May include:

- up to one hour travel time;
- time used to prepare for testimony (consultation with CP&P or DAG, etc.); and
- giving live testimony at court.

See CP&P-II-C-7-100. 5

Psychological/Therapeutic Policy References

8-30-99

For related policy, see

- Health Services Manual, CP&P-V-A-1-900, "Mental Health Therapeutic/Evaluative Services."
- Foster Care Services, CP&P-IV-B-6-300, "Psychological Care," CP&P-IV-B-8-100
- Residential Services, CP&P-IV-E-1-100, "Mental Health Services.
- Protective Services Manual, CP&P-II-C-7-100, "Professional Witness Fees."
- **PRS Litigation Manual.**
- Special Approval Request, CP&P Form 16-76 (form and instructions).

Exhibit B

New Jersey Department of Children and Families

**Guidelines for Expert Evaluations in
Child Abuse/Neglect Proceedings (Mental Health)**

November 8, 2012

Commissioner Allison Blake, PhD LSW

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I. Introduction

This is the Department's first comprehensive effort to address the use of expert evaluations in child welfare and child protective services proceedings. These guidelines lay out best practices for forensic evaluations and assessments that may be needed during child protection/welfare investigations, to assist with permanency planning, or during litigation of guardianship complaints.

Child abuse and neglect cases are often complex. Expert consultants are frequently used to assist caseworkers, attorneys, law guardians, judges, and parents in making determinations, case planning, and decision making. The experts' services are often in the form of forensic evaluations of the mental health status and/or capabilities of the parents of dependent children. In addition, an evaluator may assess a child's behavioral functioning or developmental status as well. CP&P and the courts often rely on these evaluations and recommendations for effective case planning and to guide the court's decision making process.

In developing the guidelines that follow, the Department reviewed and analyzed professional guidelines and the work of other states, and convened an interdisciplinary group of experts to form DCF's Advisory Group on Child Abuse and Neglect Mental Health Evaluation and Treatment.

The role of the Advisory Group was to assist in formulating a framework that is flexible enough to accommodate differences in disciplines while providing clear practice guidelines that address the questions to be asked, the information required, the tools necessary to inform the evaluation, the credentials and qualifications of the evaluator, and the essential components of the evaluation itself.

The guidelines that follow are intended to improve the quality of expert forensic evaluations provided for CP&P and the courts, as well as the ability of stakeholders involved in child welfare proceedings and child protective service matters to make better use of them. It is clear that representatives of different disciplines with differing philosophical orientations will have varying approaches to the task of providing a forensic assessment. Each unique discipline will organize their work in a way that reflects their individual expertise. These guidelines are not meant to supplant the professional judgment of evaluators regarding their response to the unique features of each case.

The first sections of this document are general guidelines, followed by more specific recommended practices.

II. Definition/Application

For the purpose of these guidelines, a forensic evaluation in child welfare proceedings and child protective service matters is an evaluation necessary to assist the court and/or CP&P in case planning, or to resolve a case. A forensic evaluation may be requested by CP&P, by another party to a proceeding, or the court. Any evaluation that may reasonably be expected to be

submitted to the court is termed forensic. Although forensic evaluations may contain treatment recommendations, the primary function of the forensic evaluation is to inform the parties and to assist the court in rendering decisions in child welfare cases.

These guidelines do not cover evaluations or assessments obtained primarily for mental health treatment purposes, substance abuse, anger management, psycho-sexual evaluation, or domestic violence, although any or all of these issues may be addressed in a forensic evaluation.

These guidelines recognize that, in child welfare cases, the emphasis is on the safety, permanency, and well-being of the child.

III. General Principles and Guidelines³

1. The Role and Function of Forensic Evaluations in Child Welfare Matters

The primary function of an evaluation is to provide a report that contains relevant, professionally sound observations, results and opinions in matters where a child's health and welfare may have been harmed or placed at risk of harm. To ensure the reliability of the evaluator's conclusions all opinions that are rendered must be given within a reasonable degree of medical/psychological/clinical certainty. The specific purposes of the evaluation generally will be determined by the referral questions and/or concerns provided to the evaluator by the referring party or parties. When the child already has been found by the court to be at risk of harm, the evaluation of the parent(s) generally identifies interventions intended to reduce future risk to the child, and often focuses on rehabilitation recommendations designed to protect the child and help the family. An additional purpose of such an evaluation may be to make recommendations for interventions that promote the psychological and physical well-being of the child, and, when appropriate, facilitate the safe reunification of the child with the parent. Consistent with State law, evaluators appreciate the value of expediting family reunification, when possible and safe, while they also understand the value of other permanent plans when reunification is not possible.

The evaluation addresses the particular psychological, behavioral, and developmental needs of the child and/or parent(s). Relevant issues may include, but are not limited to, abuse or neglect of the child, safety, parental capabilities, or reunification or other permanency plans. In considering psychological factors affecting the health and welfare of the child, evaluators may focus on caregiver capacities in the context of the psychological and developmental needs of the child. This may involve an assessment of:

- The adult's capacities for parenting, including those attributes, skills, strengths and abilities most relevant to abuse and/or neglect concerns;

³ Washington State Supreme Court Commission on Children in Foster Care. "Guidelines for Expert Evaluations in Child Welfare Proceedings." Washington, 2007. Available online at, [http://www.courts.wa.gov/committee/pdf/Guidelines%20for%20Expert%20Evaluations%20in%20Child%20Welfare%20Proceedings%20\(2007\).pdf](http://www.courts.wa.gov/committee/pdf/Guidelines%20for%20Expert%20Evaluations%20in%20Child%20Welfare%20Proceedings%20(2007).pdf)

- The psychological functioning, behavioral, and developmental needs of the child, particularly with regard to vulnerabilities and special needs of the child, as well as the quality of the child's attachment to the parent(s) and the possible developmental and emotional effects of separation from the parent(s), siblings, extended family members, and other caregivers;
- The current and potential functional abilities of the parent(s) and, when necessary for resolution of the case, other relatives, to meet the needs of the child; and/or
- The need for and likelihood of success of clinical or other interventions for identified problems, which may include recommendations regarding treatment modalities and objectives, frequency of services, specialized interventions, parent education, and the child's placement.

2. General Competencies of Expert Evaluators

Evaluators should gain and maintain specialized competence. Expert evaluators in child protection matters are aware that special competencies and knowledge are necessary for the undertaking of such evaluations. Competence in performing expert evaluations of children, adults and families is necessary but not sufficient. Education, training, experience and/or supervision in the areas of forensic practice, child and family development, child and adult psychopathology, the impact of separation on the child, the nature and consequences of different types of child abuse and neglect, and the significance of human differences may help to prepare evaluators to participate competently in expert evaluations in child protection matters.

Evaluators:

- Use current knowledge of scholarly and professional developments, consistent with generally accepted clinical and scientific practice, in selecting evaluation methods and procedures⁴ and are aware of evidence-based practices.
- Strive to become familiar with applicable legal and regulatory standards and procedures, including local State and Federal laws governing child protection issues. These may include laws and regulations addressing child abuse, neglect, and termination of parental rights.
- Describe the scientific basis for their judgments or recommendations, and state when their judgments or recommendations may expand on, or not be fully supported by, currently accepted clinical and scientific practice.
- Are aware of, and develop their knowledge and special competencies for, evaluation of specific populations including, but not limited to, issues related to literacy, the needs of persons who do not speak English, sensory impairment, psychological disorders, and developmental impairments.
- Should be fluent in the child's/parent's native language, when possible (have experience using a court appointed interpreter, if language presents a difficulty).

⁴ Note: Examples of standard setting organizations include American Psychological Association, the National Association of Family and Conciliation Courts, The American Academy of Child and Adolescent Psychiatry and others.

- Have appropriate qualifications to conduct an evaluation and/or to testify at court, including language, cultural competency, and other qualifications specified in CP&P contracts.
- Should be competent in the cultural norms of the child/parent being evaluated.
- Utilize language and culturally correct testing.
- Have expertise in working with relevant clinical populations, including:
 - Children;
 - Sex offenders;
 - Domestic violence victims and batterers;
 - Persons with developmental disabilities; and,
 - Persons with psychiatric/neurological/neuropsychiatric diagnosis.
- Have expertise with the instruments employed, including psychological and intellectual tests that will need to be interpreted by a licensed psychologist, who is familiar with the norms and the uses of that test with the relevant population.
- Are experts in the use of appropriate interview techniques.
- Must not serve as an expert evaluator if they are the treating professional.

Evaluators must be aware of personal and societal biases and engage in nondiscriminatory practice. Evaluators engaging in expert evaluations in child protection matters consider how biases regarding age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, culture, and socioeconomic status may interfere with an objective evaluation and recommendations. Evaluators should be aware of the potential for defensiveness on the part of participants, given the circumstances, and must take this into account when conducting the evaluation and upon making recommendations. Evaluators recognize and strive to overcome any such biases. If unable to overcome his or her own biases, the evaluator will either withdraw from the evaluation or seek assistance in completing the evaluation. When interpreting evaluation results, evaluators must be aware that there are diverse cultural and community methods of child rearing, and consider these in the context of the existing local State and Federal laws. Also, evaluators should use, whenever available, tests validated with populations similar to those being evaluated.

Evaluators avoid multiple relationships to maintain objectivity. In conducting expert evaluations in child protective matters, evaluators avoid multiple role relationships. Evaluators generally do not conduct forensic evaluations in child protection matters in which they have provided clinical services for the child or the immediate family, or have had other involvement that may compromise their objectivity. Providing clinical services to the child or other participants following an expert evaluation is discouraged. A treating professional can be called to testify, but should NOT recommend a permanency plan.

3. Procedural Guidelines: Conducting an Evaluation

Evaluators and referring parties understand that forensic evaluations in child welfare and child protection matters may present a wide variety of legal and/or ethical considerations. Evaluators and all parties appreciate the need for timeliness in child protection matters (e.g., response to evaluation referral, scheduling appointments, completion of reports).

The purpose of the evaluation should be clear upon referral and should outline the specific questions to be addressed by the evaluation. In all cases, the referring party or parties should clearly state the purpose of the evaluation in writing and pose specific questions to be addressed in the evaluation.

Based on the nature of the referral issues and questions, the scope of the evaluation is determined in the referral or by the court, in consultation with the evaluator. Once the referral questions and scope of the evaluation have been accepted by the evaluator, the expert evaluator chooses appropriate methods with which to address the questions. Evaluators may also identify relevant issues not anticipated in the referral questions that could enlarge the scope of the evaluation; these should be conveyed to the parties as early as possible. For issues outside the scope of the evaluator's competency, the evaluator considers recommending additional services or evaluations.

Evaluators inform participants about the disclosure of information and the limits of confidentiality.

- When an evaluation is court ordered, it is not privileged and the evaluator informs the individuals of the nature of the evaluation and that the evaluation will be distributed to other parties as provided by court order. Evaluators conducting an evaluation in child protection matters ensure that the participants, including the child (to the extent feasible), are aware of the limits of confidentiality for the evaluation results. If the public agency or court is paying for the evaluation, the evaluator so informs the individual.
- When an evaluation is not court ordered, evaluators performing evaluations in child protection matters should obtain informed consent from all adult participants, and children and youth consistent with their developmental capacity to understand.
- When an evaluation is obtained by a party in an abuse/neglect or termination proceeding without the apparent knowledge or consent of the child welfare agency, guardian ad litem, and/or the court, the evaluator should advise the party being evaluated of the need to obtain and review appropriate and relevant information from the child welfare agency, guardian ad litem, and/or the court.

Evaluators use multiple methods of data gathering. Evaluators generally use multiple methods of data gathering, including, but not limited to, clinical interviews, observation, and/or psychological testing that are sufficient to provide appropriate substantiation for their findings. Evaluators should review relevant reports (e.g., information from child protection agencies, social service providers, law enforcement agencies, health care providers, child care providers, schools, and institutions). In evaluating parental capacity to care for a particular child or the quality of the parent-child interaction, evaluators should make reasonable efforts to perform formal observations of the child together with the parent, unless such observation is not necessary to respond to the questions posed in the evaluation or to support the recommendations and conclusions of the evaluator. Evaluators in some circumstances may rely on formal observations conducted by other neutral and competent professionals. It is recognized that in some circumstances, parent-child observations may not be necessary. Also, in some

circumstances, it may not be advisable to require parent-child contact for purposes of the evaluation. For example, in cases where the safety or well-being of the child is clearly in jeopardy or parental contact with the child has been prohibited by the court. In such cases, the evaluator should note explicitly the reason(s) that a parent-child observation was not included. Evaluators may also interview extended family members and other individuals, when appropriate (e.g., caregivers, grandparents, and teachers). However, these should not be considered as substitutes for formal observation.

Evaluators are able to provide clarification and answer questions relating to the evaluation(s) completed. Once an evaluation is completed, the evaluator must be available to speak with CP&P staff such as the assigned caseworker if there are any questions or concerns regarding the evaluation.

IV. Best Practices for Expert Forensic Evaluations

Forensic evaluations may be needed at any point in time during the lifespan of a child protective services case. The need for a forensic evaluation may emerge during the course of an investigation to assist with developing understanding or seeking clarity around the allegations of child abuse/neglect. More commonly, mental health evaluations may be required to contribute to the decisions by the court of the Division made about placement, reunification, permanency, and visitation. Finally, forensic evaluations are typically required for guardianship (termination of parental rights) litigation.

1. During an Investigation

The Role and Function of Forensic Evaluations during an Investigation

During an investigation, evaluations may be needed to assist CP&P and the Courts in assessing whether abuse and/or neglect occurred. These evaluations are meant to assist in clarifying or gathering additional information for investigative purposes with the lens of an expert. When sufficient evidence or clarity about the case has been achieved through the investigative work of the CP&P caseworker via interviews and collateral review, or teamed efforts with law enforcement or others involved in the investigative process, it is often not necessary to engage the services of an expert for an evaluation during an investigation

Forensic evaluations during the investigatory phase of the case may be warranted as part of the investigative efforts conducted by CP&P (and law enforcement). These situations most often include allegations of sexual abuse and emotional abuse/neglect. In addition, an evaluation during the initial involvement with a child may assist CP&P in determining the impact of an event on a child's psychological functioning.

Evaluations that may be required during the course of an investigation are almost always time sensitive matters. Thus, it is recommended that referrals be made as close to the point in time of the allegation or the occurrence of the alleged incident as possible:

- Evaluators should receive referrals within 10 working days of the report.
- An appointment by the evaluator should be granted within 10 working days of the referral.
- CP&P shall provide available background materials by the time of the evaluation.
- Evaluators should complete their reports and provide them to CP&P within 10 working days following completion of the evaluation.

These guidelines recommend that no more than 45 days pass between the initial referral to a provider for an assessment, to the date the written report, with recommendations, is provided to CP&P for review.

The Forensic Evaluation Process during an Investigation

In consultation with supervisory staff, and the DAG if litigation is contemplated or a complaint has been filed, CP&P caseworkers should select a provider who has the appropriate credentials to perform the evaluation. In many cases, child protection staff should access their Regional Diagnostic Treatment Center to conduct these evaluations. CP&P requires licensed individuals to conduct evaluations. In most cases, these will be licensed psychologists. When the impact of physiological factors, medical illness, medication, neurological, or psychiatric disorder is complex, an evaluation by a psychiatrist or physician may be necessary. In limited circumstances, an assessment by a LCSW may be appropriate.

The purpose of the evaluation during the investigatory phase of a case must be clear and should outline the specific questions to be addressed by the evaluator. Confirm with the evaluator the purpose of the evaluation. It is particularly important to limit the number of interviews or evaluations a child experiences for both validity reasons and to avoid re-traumatizing a child.

Investigation Evaluation Referral Questions:

- Is this child's presentation consistent with the allegation?
- To what degree has the child been harmed or traumatized by the event?
- Is this child able to participate in court proceedings?
- Other questions relevant to the specific case.

Evaluators should use multiple methods of data gathering.

The evaluator should be provided with certain background information, which includes:

- CP&P investigation report (or summary report) that is current/up to date;
- Existing prior psychological and psychiatric evaluations of the child and biological parent(s);
- Available law enforcement records including police reports; criminal charges and convictions; taped interviews, if available; and Promis/Gavel history of offenses;
- Prior CP&P history, including all prior referrals, with a finding for each allegation/investigation; investigative summaries;

- Complaint filed in court; and,
- Known mental health, substance abuse, or domestic violence history.

If a child is to be evaluated, the CP&P caseworker assigned to the case should accompany the child to the evaluation to support the child, to be available to provide any additional information and to hear directly from the evaluator any initial findings or recommendations. Whenever possible so as to best inform the evaluation, the investigative worker should accompany the child. Whenever possible a trusted adult should also accompany the child.

During the clinical interview, an evaluator:

- Establishes “Ground Rules” between the evaluator and the child.
- Explains to the child, in age appropriate and developmentally appropriate terms, the nature and the scope of the evaluation.
- Establishes the child’s developmental and cognitive ability to participate in the evaluation.
- Establishes the child’s competency. Does the child know the difference between the truth and a lie, real or pretend?
- Obtains the child’s version of the incident.
- Notes the child’s affect upon describing the incident.
- Asks questions to gather past history.
- Determines family relationships.
- Determines peer relationships.

Once the evaluation has been completed, the summary and report should include:

- Reason for the report – summary background;
- Nature of the allegation;
- Prior history;
- Documentation including a summary of the interview and direct quotes by the person being interviewed;
- Clinical finding and explanation;
- Any formal diagnosis;
- Clinical determination – indicate whether supported/not supported; and,
- Recommendations.

2. During Permanency Planning/Hearings

The Role and Function of Forensic Evaluations during Permanency Planning/Hearings

At the time of referral and over the course of a child or adolescent’s time under CP&P custody, mental health evaluations may be required to contribute to the decisions made about placement, permanency, and parental rights. During permanency planning and hearings, evaluations are often used for:

- Interim Evaluation: The interim evaluation is meant to guide reasonable efforts for reunification.
- Ten Month Conference: The ten month conference is used to prepare a permanency plan for the child or youth in out-of-home placement. Before moving forward, any previous reports should be reviewed. It would be useful if the evaluator from the interim evaluation was also utilized at this point.
- Periodic Evaluation – Evaluation of Imminent Concerns Arising during Placement: An evaluation of imminent concerns is used to assess any risks or challenges that the child may incur during the course of the protective services or guardianship litigation. Examples include:
 - Disruption of the current placement;
 - Acute crisis (e.g., psychiatric hospitalization, severe medical illness, runaway, arrest, school disruption); and
 - Significant change in response to visitation.

Forensic Evaluation Process during Permanency Planning/Hearings

The purpose of the evaluation should be clear and should outline the specific questions to be addressed by the evaluation. The following referral questions should help to guide forensic evaluations at each of the stages identified for permanency planning/hearings:

Interim Evaluations Referral Questions:

- What services are needed for reunification?
- What impact has the abuse/neglect history had on the child?
- What are the risks that need to be addressed?
- Is the parent fit and able to parent the child?
- What actions are recommended to address the risks?
- What are the strengths that can be built upon?
- What visitation can be safely afforded between parents and their child(ren)?

Ten Month Conference Referral Questions:

- What progress has been made towards eliminating the harm?
- What still needs to be done?
- Are there any new areas of need?
- If a home other than the child(ren)'s current placement is being considered, is it in the best interest of the child(ren) to move to another placement if proposed by the parents, or to stay permanently where he or she is residing?
- Can this child transition back to the biological parents, without experiencing more harm than good?

- If bonding and attachment are issues, an evaluation by a psychologist is necessary. A psychiatrist may contribute information within his or her area of expertise.
- Have the correct services been provided so far, and is there a need for a reduction, modification, or expansion of services?

It may be necessary to reevaluate the permanency plan. All of the questions above would apply to any such reevaluations.

Evaluators should use multiple methods of data gathering.

For these evaluations, the evaluator should be provided with certain background information, which includes:

- Existing prior psychological and psychiatric evaluations of the child and biological parent(s);
- Existing treatment reports for biological parents and child;
- Known mental health, substance abuse, or domestic violence history;
- Visitation reports;
- Complaint for guardianship, if filed;
- CP&P investigation report (or summary report) that is current/up to date;
- Prior CP&P history, including all prior referrals, with a finding for each allegation/investigation; investigative summaries;
- Most recent CP&P court report;
- Important selected contact sheets from the CP&P case record;
- Available law enforcement records including police reports; criminal charges and convictions; taped interviews, if available; and Promis/Gavel history of offenses;
- Additional information the parent wants to share with the evaluator; and,
- Any further available information requested by the evaluator.

All evaluations should include a review of comprehensive, accurate background information; a clinical interview; and the use of an appropriate assessment tool.

The evaluator should have access to all information he or she deems necessary in order to respond to the questions posed.

Periodic Evaluation – Evaluation of Imminent Concerns Arising during Placement Referral Questions:

- Identify impact of presenting problem.
- What are the recommended services or actions to address the problem?
- Should the permanency plan change?

For Periodic Evaluations of Imminent Concerns Arising during Placement, documented relevant information is needed as well as all available relevant reports, such as:

- Medical reports;
- Police reports;
- School reports;
- Psychiatric reports; and
- Relevant contact sheets.

3. During Litigation for Guardianship Complaints

The Role and Function of Forensic Evaluations during Litigation for Guardianship Complaints

Guardianship evaluations consist of fitness and bonding assessments during trial preparation after a guardianship complaint has been filed. Ideally, both the fitness and bonding assessments are completed by the same psychologist.

The presumption is that fitness and bonding assessments are required for guardianship litigation. It is recognized that in some circumstances, parent-child observations may not be necessary or advisable for purposes of the evaluation. For example, in cases where the safety or well-being of the child is clearly in jeopardy or parental contact with the child has been prohibited by a prior fitness and bonding assessment, parent-child observations may be bypassed. In such cases, the evaluator should note explicitly the reason(s) that a parent-child observation was not included.

A bonding evaluation assesses the relationship between the child(ren) and the proposed caregivers and other household members as appropriate.

Forensic Evaluation Process during Litigation of Guardianship Complaints

Guardianship Evaluation Referral Questions:

- What progress has been made towards eliminating the harm?
- What still needs to be done?
- Are there any new areas of need?
- If a home other than the child(ren)'s current placement is being considered, is it in the best interest of the child(ren) to move to another placement if proposed by the parents, or to stay permanently where he or she is residing?
- Can this child transition back to the biological parents, without experiencing more harm than good?
 - If bonding and attachment are issues, a psychological evaluation is necessary. A psychiatrist may contribute information within their area of expertise.
- Assess the child's bond and attachment to the biological parent(s).
- What harm, if any, will result if parental rights are terminated?
 - Can the resource family parents mitigate the harm?
- Assess the child's bond and attachment to any proposed adoptive resource parent(s).

- Would severe and enduring harm occur if the child is removed from the proposed adoptive resource parents?
 - Can the biological parents mitigate the harm?

Guardianship evaluations call for specific competencies⁵ that are referred to in this section.

The evaluator at this stage in most circumstances will be a *licensed psychologist* or a psychiatrist. The licensed professional must be qualified to perform custody/parenting time evaluations and/or termination of parental rights evaluations through education, training, and/or supervision in all of the following categories:

1. Child growth and development;
2. Psychological testing;
3. Parent-child bonding;
4. Parenting skills;
5. Adult development and psychopathology;
6. Family functioning;
7. Child and family development;
8. Child and family psychopathology;
9. The impact of divorce or family dissolution on children; and,
10. The impact of age, gender, race, ethnicity, national origin, language, culture, religion, sexual orientation/identity, disability, and socioeconomic status on custody/parenting time evaluations.

When the following topics are involved, the licensed psychologist or psychiatrist shall have specialized education, training, and/or supervision in the specific topic, or the licensee shall refer to a licensed mental health care provider who has that education, experience, training, and/or supervision. The topic areas include:

1. Physical, sexual, or psychological abuse of spouse or children;
2. Physical and emotional neglect of children;
3. Alcohol or substance abuse that impairs the ability to parent;
4. Medical/physical/neurological impairment that affects the ability to parent; or
5. Other areas beyond the licensee's expertise that are relevant to the custody/parenting time evaluation.

Evaluators may identify relevant issues not anticipated in the referral questions that could enlarge the scope of the evaluation. At this stage, it is important to consider some relevant factors or issues in responding to the bonding and attachment referral questions.

These factors include:

1. Age of the child;
2. The developmental stage of the child;
3. Child's history of abuse and/or neglect;
4. Child's resiliency;

⁵ N.J.A.C. 13:42-12.2. Available online at, http://www.njconsumeraffairs.gov/adoption/psychado_090710.HTM

5. Any special needs - medical or emotional - of the child or biological parents;
6. Parenting skills of both sets of parents;
7. Length of time in biological parents' care;
8. Number of placements;
9. Length of time in each placement;
10. Previous failed reunification attempts;
11. Child's wishes, weighted in accordance with developmental functioning;
12. Demonstrated willingness and ability of both biological parents and proposed adoptive resource parents to comply with services;
13. Demonstrated willingness and ability of both biological parents and proposed adoptive resource parents to recognize and meet the child's needs, including issues relating to reunification or adoption;
14. History of child's interaction with both biological parents and proposed adoptive resource parents;
15. Issues that may affect child's behavior during a bonding evaluation; and,
16. Sibling bonds/other attachments.

Evaluators should use multiple methods of data gathering.

Evaluators should be provided with the same background information listed under *Section 2: During Permanency Planning/Hearings*.

All evaluations should include a review of comprehensive, accurate background information; a clinical interview; and the use of an appropriate assessment tool.

The evaluator should have access to all information he or she deems necessary in order to respond to the questions posed.

EXHIBIT C
STATE OF NEW JERSEY
DEPARTMENT OF CHILDREN AND FAMILIES
ATTESTATION FORM FOR PSYCHOLOGISTS
UNDER CONTRACT WITH DCF TO PERFORM FORENSIC EVALUATIONS

The following statements must be answered True or False. Please circle "T" for true and "F" for false. **Supporting documents must be included with submission of this form.**

Agencies and/or individuals **applying for a contract under the RFO process, or applying to add an additional evaluator under their existing contract**, must complete questions #1 and #2, and submit a writing sample from each evaluator to be included in the contract.

1. I attest that I have completed one or both of the following:
 T / F satisfactory completion of competency-based child abuse forensic interview training that includes child development (Date of Completion : _____); and/or
 T / F supervision under a licensed psychologist in accordance with the Board of Psychological Examiners in one or more of the following areas: domestic violence, child abuse and neglect, trauma, or sexual abuse (Date of Completion: _____).

2. **T / F** I have never been sanctioned by, nor do I have any action pending before, any employer, association, society, or other professional group related to the practice of psychology or other professional practice in New Jersey, any other state, the District of Columbia or in any other jurisdiction. If false, please attach further explanation on a separate document.

Agencies and/or individuals **renewing a contract** must complete questions #3 and #4 every two years and submit a writing sample from each evaluator included in the contract.

3. **T / F** In the past twenty four months, I have completed a minimum of 20 hours of continuing education covering the topics of forensic interviewing, understanding child and family development, child and family psychopathology, and the impact of relationship dissolution on children. These courses addressed cultural competence in the area of forensic evaluation and child welfare.

4. **T / F** I have never been sanctioned by, nor do I have any action pending before, any employer, association, society, or other professional group related to the practice of psychology or other professional practice in New Jersey, any other state, the District of Columbia or in any other jurisdiction. If false, please attach further explanation on a separate document.

Print Name

DCF Contract Number (if renewing a contract or adding evaluators to an existing contract)

NJ Psychology License Number

Signature

Date

EXHIBIT D
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression,

disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically available at www.state.nj.us/treasury/contract_compliance).

The contractor and its subcontractors shall furnish such reports or other documents to the Department of Children and Families, the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Department of Children and Families, the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

EXHIBIT E
TITLE 10. CIVIL RIGHTS
CHAPTER 2. DISCRIMINATION IN EMPLOYMENT ON PUBLIC WORKS

N.J. Stat. § 10:2-1 (2012)

§ 10:2-1. Antidiscrimination provisions

Antidiscrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;

c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$ 50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

No provision in this section shall be construed to prevent a board of education from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L.1985, c.490 (*C.18A:18A-51 et seq.*).