
Appendix E

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United States Senate

COMMITTEE ON FINANCE
 WASHINGTON, DC 20510-6200

CHRIS CAMPBELL, STAFF DIRECTOR
 JOSHUA SHEINKMAN, DEMOCRATIC STAFF DIRECTOR

June 17, 2015

Bruce F. Nardella, President
 The MENTOR Network
 313 Congress Street
 Boston, Massachusetts 02210

Dear Mr. Nardella:

The title IV-E Foster Care program benefits children who meet certain eligibility requirements and who have been removed from their homes due to mistreatment, lack of care, lack of supervision, or other problems attributed to a relative caregiver. Under the program, title IV-E state and tribal agencies place these children, who can no longer remain safely in their own homes, in temporary living arrangements with the goal of achieving permanency for them through family reunification, adoption or legal guardianship. The program provides federal funds to title IV-E state and tribal agencies in all 50 states, the District of Columbia and Puerto Rico. Those agencies use the federal funds to support the daily living costs of eligible children by making subsidy payments to individual foster caregivers or to organizations that provide foster care services to a number of eligible children. Federal funds are also used by the agencies to meet the administrative costs they incur in managing the title IV-E program and to pay for the costs of training foster parents, agency staff and others. Individuals and private entities may apply to the title IV-E agencies to become sub-grantees or contracted providers of foster care services.

Over the last several months, a number of deeply disturbing articles have appeared in the media regarding The MENTOR Network, which appears to be comprised of a variety of for-profit and not-for-profit affiliates, subsidiaries, branches and related entities (collectively referred to herein as "Mentor.") Mentor contracts directly with title IV-E agencies in a number of states to provide foster care services for children who have been removed from their homes. These media articles have focused attention on what appear to be serious deficiencies in Mentor's screening, training and oversight of foster parents. According to these media stories, at least six children have died while in the custody of foster parents recruited or trained by Mentor. Others have been abused, neglected and physically injured by foster parents who were wholly unqualified to hold such a prominent position of trust in the lives of these children. Serious errors in judgment by Mentor and lapses in due diligence when screening these foster parents, as well as failures to heed plain warning signs regarding the unsuitability of foster parents after children have been placed in their

homes, have reportedly led to a number of tragic consequences. These reports raise serious questions about Mentor, its operations and its business practices.

The title IV-E program is a health program under the Social Security Act. As such, it falls within the oversight jurisdiction of the Senate Finance Committee. Moreover, state title IV-E agencies pay Mentor for foster care services in large part with federal title IV-E funds. In accordance with the Committee's oversight responsibility for this program, we request that you provide the following information to the Committee no later than close of business, July 10, 2015:

1. Please describe the corporate structure of Mentor as follows:
 - a. Identify each and every Mentor affiliate, subsidiary, branch and related organization;
 - b. For each entity so identified, state whether it is for-profit or not-for-profit, and whether it is tax-exempt;
 - c. Describe each entity's lines of business and the services that it provides; and
 - d. Identify the geographic locations where each entity carries out its primary lines of business and its primary place of business.
2. For those Mentor entities identified in response to Question 1 that operate as tax-exempt organizations, please provide copies of the publicly available portions of their IRS Form 990 filings made since 2010.
3. Please describe Mentor's relationship to Civitas Solutions, Inc.
4. Please describe Mentor's relationship to Alliance Human Services.
5. Please describe Mentor's relationship to Alliance Children's Services.
6. Please provide the total number of children who are currently in Mentor foster homes nationwide, as well as in Mentor foster homes in each state.
7. Please provide a copy of every assessment or performance review of state Mentor programs and contracts issued by state or local title IV-E agencies from January 2012 to the present.
8. Have any Mentor entities identified in response to Question 1 as providing foster care services ever been the subject of a statewide investigation related to the provision of those services? If so, please identify the state in question, the Mentor entity investigated, and the results of the investigation. Please provide copies of any reports issued by the state investigative agencies, to the extent that they are in the possession of Mentor.
9. Do any Mentor entities identified in response to Question 1 as providing foster care services require caseworkers to meet numerical quotas or targets for placements of

children in Mentor foster care homes? If so, please provide those numerical quotas or targets for each state in which they are required or imposed, together with copies of all written policies or procedures that describe said numerical quotas or targets.

10. Have any Mentor entities identified in response to Question 1 as providing foster care services ever offered any employees or contractors bonuses (cash or other consideration) for placing individual children in foster homes, or for attaining numerical targets for placements of children in foster homes? If so, please describe when such bonuses were paid, their amounts, the conditions under which they were paid, and provide copies of all written policies or procedures that describe the payment of such bonuses.
11. Please provide the following information on a state-by-state basis for each Mentor entity identified in response to Question 1 as providing foster care services:
 - a. The current average caseload of social workers employed by the entity; and
 - b. The total number of social workers currently employed by the entity.
12. For each state in which a Mentor entity identified in response to Question 1 has provided foster care services from January 2012 to the present, please provide the following information on an annual basis:
 - a. The total dollar amount of payments made by state, local or tribal title IV-E agencies to Mentor entities within that state for foster care services;
 - b. The total dollar amount of payments made by Mentor entities to foster care providers/parents within that state;
 - c. The total dollar amount of costs claimed by Mentor entities as overhead and operating expenses;
 - d. The total dollar amount of payments made by local Mentor entities that provide foster care services within the state to Mentor corporate entities (within or without the state) for services received from those entities (please identify those services); and
 - e. The total dollar amount of profit earned by Mentor entities for providing foster care services within the state.
13. Please describe the current process employed by each Mentor entity identified in response to Question 1 as providing foster care services for investigating and vetting applicants who desire to become foster caregivers. Please provide copies of all written policies and procedures descriptive of that process. If the current process is different than the process employed by the Mentor entity in January 2012, please describe how it has changed since January 2012 and the dates of each change to the process up to the date the Mentor entity adopted its current process.

14. Do Mentor entities identified in response to Question 1 as providing foster care services currently perform criminal and non-criminal background checks on: a) applicants who desire to become foster caregivers; b) individuals who reside temporarily or full-time in the home of such applicants, or; c) individuals providing references for applicants who desire to become foster caregivers? If so, when did these Mentor entities first begin to perform such background checks? Please provide state-specific responses for each category of background checks for each state in which a Mentor entity provides foster care services.
15. What standards are used by Mentor entities identified in response to Question 1 as providing foster care services to determine whether they will approve/disapprove an application from an individual who desires to become a foster caregiver? Please provide a copy of all written policies and procedures descriptive of the process by which Mentor entities apply these standards when they evaluate applicants. If the process varies from state to state or from entity to entity, describe those differences and provide copies of the relevant documentation applicable to that state or entity.
16. Please describe how Mentor entities identified in response to Question 1 as providing foster care services recruit or solicit applicants for the position of foster caregiver and provide copies of all written policies and procedures descriptive of the recruitment process. If the process varies from state to state or from entity to entity, describe those differences and provide copies of the relevant documentation applicable to that state or entity.
17. Please describe how Mentor entities identified in response to Question 1 as providing foster care services train foster caregivers and the frequency and duration of such training. Please provide copies of all written policies and procedures descriptive of that training. If the training process varies from state to state or from entity to entity, describe those differences and provide copies of the relevant documentation applicable to that state or entity.
18. Please describe how Mentor entities identified in response to Question 1 as providing foster care services monitor foster caregivers and the frequency of their monitoring activities. Please provide copies of all written policies and procedures descriptive of those monitoring practices. If the process varies from state to state or from entity to entity, describe those differences and provide copies of the relevant documentation applicable to that state or entity.
19. Please describe how allegations of misconduct against foster caregivers reported to Mentor entities identified in response to Question 1 as providing foster care services are currently handled by those entities and provide copies of all written policies and procedures descriptive of the process for handling such allegations. If the current process is different than the process employed by Mentor entities in January 2012,

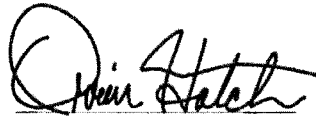
please describe how it has changed since January 2012 and the dates of each change to the process up to the date the Mentor entity adopted its current process.

20. Please describe how Mentor entities identified in response to Question 1 use non-disclosure/confidentiality agreements and clauses with regard to:
- a. Employees of Mentor;
 - b. Foster caregivers providing services on behalf of Mentor;
 - c. Individuals (victims, witnesses or any others) alleging misconduct by foster caregivers in the performance of their foster parent responsibilities.
21. To the extent that Mentor entities use non-disclosure/confidentiality agreements and clauses with respect to the above individuals, please provide copies of five representative agreements of each such type of agreement signed in the past five years together with copies of all written policies and procedures that describe the use of such agreements and clauses and conditions for their use.
22. Since January 2005, has Mentor entered into any agreements containing non-disclosure/confidentiality clauses with the legal representatives of children who were, or are now, placed in Mentor foster care homes? For each such agreement, indicate the legal status (i.e., parent, guardian ad litem, etc.) of the individual who signed the agreement on behalf of the child.
23. Please provide the number of settlements entered into by Mentor since 2005, either before or after the commencement of litigation, in which a claim for damages against Mentor was asserted based upon the alleged negligent performance by Mentor in recruiting, selecting, training, or monitoring foster care providers. Please provide a copy of each settlement agreement with the names and addresses of specific individuals redacted consistent with the requirements of 45 CFR Parts 205 and 1355. For each such settlement, please briefly summarize the allegations against Mentor.
24. Please provide the number of judgments entered against Mentor as the result of litigation since 2005 in which a claim for damages against Mentor was asserted based upon the alleged negligent performance by Mentor in recruiting, selecting, training, or monitoring foster care providers. Please provide a copy of each judgment with the names and addresses of specific individuals redacted consistent with the requirements

of 45 CFR Parts 205 and 1355. For each such judgment, please briefly summarize the allegations against Mentor.

Questions regarding this request for information may be directed to Kim Brandt, Chief Oversight Counsel, Majority Staff, or David Berick, Chief Oversight Counsel, Minority Staff. Ms. Brandt may be reached on extension (202) 224-4515 and Mr. Berick may be reached on extension (202) 224-6399.

Sincerely,



Orrin G. Hatch
Chairman, Senate Committee on Finance



Ron Wyden
Ranking Member