

Reps. Gramlich and Madigan: Concerns for foster kids highlight system that falls short

As the Legislature sets priorities this year, we cannot afford to neglect the critical services necessary for Maine children in foster care.

BY REP. LORI GRAMLICH AND REP. COLLEEN
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CUMBERLAND FORESIDE, ME - JANUARY 6: Jack Woodcock is a lawyer who has filed a federal class action lawsuit against the state of Maine on behalf of children in foster care who are being given psychotropic drugs without proper safeguards and oversight. (Staff photo by Ben McCanna/Staff Photographer) *Ben McCanna/Staff Photographer*

As lifelong advocates for the health and protection of Maine's children, we are stunned by the Maine Department of Health and Human Services' difficulties addressing the issue of monitoring the prescription of psychotropic drugs among our state's fostered population

vulnerable population.

[According to a Jan. 7 article](#) in the Portland Press Herald, children's advocates have filed federal suit on behalf of six foster children who, according to the complaint, are being given powerful psychiatric medication without proper support and oversight.

If these allegations prove accurate, the department has not adequately responded to a 2018 federal report that singled out Maine as one five states that medicate the most children in state custody and do so without following critical guidelines to ensure these medications are used safely and appropriately. The report revealed that nearly a third of children in Maine's foster care system are administered psychiatric drugs. Of those children, 30% lacked a treatment plan or regular reviews of their medication.

There are serious risks and side effects associated with administering these drugs to children.

Behavioral health care providers know that children receiving services must have a thorough and accurate assessment of their needs and a treatment plan. If medication is necessary, its use should be closely monitored and consistently evaluated.

Foster children are by definition a vulnerable population and many have suffered heartbreaking trauma. The federal report noted that up to 80% of

children entering foster care have “significant mental health needs.” It is unacceptable that our state government has such difficulty delivering proper treatment and services to children in its care.

This problem is indicative of inadequate support, but not only for the children in our foster care system. It highlights systemic flaws in how our state deals with mental health issues. As both legislators and social workers with decades of experience, we have seen firsthand countless times how our state’s foster care and behavioral health care systems don’t measure up. We both ran for office in part because we know our frontline behavioral health care workers cannot do it alone.

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These problems did not happen overnight nor is it fair to expect they will be fixed overnight either. The state has been working to improve things, but not enough. Over the past decade, the availability of community- and home-based services has decreased, particularly in rural areas. To properly address this issue will require increasing access to services that are evidence based and more effective than medication alone for kids and families. A major part of the solution involves raising the rates the state pays for these services so providers can afford to offer them.

We also need to better serve foster care families.

They are the ones that are actually providing much of the care and emotional support these children so desperately need, and we have to listen to their voices and be more responsive to them. By increasing the availability of crucial services we can get these children and their foster families the support they need.

We've both sponsored legislation to strengthen our behavioral health care system and provide more comprehensive services for Maine kids. Rep. Gramlich has led efforts to bring the dozens of children receiving residential care out-of-state back home to Maine. These young people have been receiving treatment in far-flung places because they couldn't get the help they needed here at home. Rep. Madigan authored the law creating Maine's Commission to Study Children's Mental Health and has advocated for crucial services for at-risk families. And we've both fought to raise the reimbursement rates so that service providers can stay afloat.

During the coming session, we'll continue to keep these issues at the forefront. We will also be pushing the Department of Health and Human Services for the answers it owes all Mainers around the care of our foster kids. We can and must do better.

This legislative session, the Legislature will have tough choices to make as we craft a state budget in the face of decreased revenues and pandemic-related needs. As we set our priorities, we cannot afford to neglect the critical services necessary for Maine's young people, including children in foster care. Their future — and our state's — depend on it.

Rep. Lori K. Gramlich, D-Old Orchard Beach, is serving her second term in the Maine House. Rep. Colleen Madigan, D-Waterville, is a third-term House member who previously served a term in the Maine Senate. Both are social workers.