

**Minutes**  
**Senate Interim Committee on Children and Youth**  
**House Interim Committee on**  
**Aging, Children and Youth, Legislative and Military Affairs**  
**Meeting Jointly**  
**Monday, November 4, 2019**

---

The Senate Interim Committee on Children and Youth and the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs met jointly on Monday, November 4, 2019, at 10:00 a.m., at the State Capitol, Room 151, Little Rock, Arkansas.

**Committee members present: Senators** Bart Hester, Chair; Mathew Pitsch, Vice-Chair; Will Bond and Alan Clark. **Representatives** Charlene Fite, Chair; LeAnne Burch, Cindy Crawford, Brian Evans, Denise Garner, Jasen Kelly, Julie Mayberry, Tippy McCullough, Rebecca Petty, Stu Smith, and Danny Watson

**Non-committee members present: Senators** Jonathan Dismang, Greg Leding and Kim Hammer. **Representatives** Stan Berry, Carol Dalby, Jon S. Eubanks, Lanny Fite, Jack Fortner, Lane Jean, Roger Lynch, Marcus Richmond, Johnny Rye, Nelda Speaks, and Les Warren

**Approval of Minutes: September 11, 2019** [Exhibit C]

**Senator Pitsch made a motion for approval of the meeting minutes of September 11, 2019, and without objection the motion was approved.**

**Department of Human Services (DHS), Division of Children and Family Services (DCFS)**

[Exhibits E1 and E2]

**Ms. Mischa Martin, Director, DCFS, DHS,** was recognized to present Exhibit E1 - Summary of Garrett's Law Referrals for (SFY) 2019 and Exhibit E2 Garrett's Law (GL) Referrals, July 1, 2018 – June 30, 2019. Ms. Martin provided a summary of the reports:

- The number of GL reports accepted for investigation has steadily increased since the law's inception 14 years ago. During SFY 2019, 1,311 GL reports were accepted for investigation, a 2% increase from the previous year.
- Marijuana was the most commonly mentioned illegal substance in GL reports. For SFY 2019, 70% cited marijuana usage, either separately or in combination with other drugs, followed by amphetamines/methamphetamines (27%) and then opiates (11%). Benzodiazepines were cited in 8% of the reports, while cocaine was cited in 4%.
- During SFY 2019, 94% of the GL reports statewide were substantiated, similar to the substantiation rate observed in recent years.
- The rate at which DCFS caseworkers opened a CPS case in response to a substantiated GL report was 95% for SFY 2019, similar to the rates observed for the previous three years.

- Compared to recent years, DCFS demonstrated greater restraint during SFY 2019 with respect to removing newborns from the mother's custody in response to a true GL report.
- Of the children removed in response to a substantiated GL report during SFY 2018, 33% either returned home or were discharged to relatives within 12 months. Among those not removed initially, 5% were removed within 12 months and 3% were cited in a subsequent substantiated maltreatment report over the same period.

**Standards for Community Mental Health Centers and Clinics and the Accreditation Policy for Community Mental Health Centers and Clinics - Rule** [Exhibit D]

**Mr. Jay Hill, Director, Division of Aging, Adult and Behavioral Health Services, Department of Human Services (DAABHS, DHS); Patricia Gann, Deputy Director, DAABHS, DHS; Marq Golden, Assistant Director, Division of Youth Services,** were recognized. Hill explained the rules:

A rule from 1990 and 1996 as cited in special language of appropriation funds required minimum standards from Community Mental Health Centers. With DHS now holding these standards in their contract and with funding coming through procurement laws, they feel that the two rules are no longer valid and should be repealed.

**Representative Evans made a motion to consider the rule reviewed, and Representative Petty seconded the motion. Without objection the rule was reviewed.**

**Arkansas State Police (ASP), Crimes Against Children Division (CACD), Quarterly Report, April-June 2019** [Exhibit F]

Representative Fite recognized **Ms. Debbie Roark, CACD, ASP,** and **Mr. Jeff Drew, Commander, ASP.** Ms. Roark reviewed the quarterly report for April – June 2019 which included:

From April – June, 2019 there were 15,033 reports deemed priority 1. In accordance with these numbers there was a substantiation rate of 34%. The reports were further broken down by number of cases per county and age of child.

- The number of mandated reporters has increased which was lauded as positive.
- CACD is attempting to get more prosecutors into the Child Advocacy Center

Newly implemented in the report was allegation types in accordance with the relations the victim has with the alleged offender.

**Senator Pitsch requested that CACD provide a total number on the allegation type for “14 years and above”.**

**Presentation of ISP-2019-134 “An Act To Amend The Law Concerning Adoptions; And for Other Purposes”** [Exhibit G]

Representative Penzo and Mr. Josh Bryant were recognized to present further discussion on ISP 2019-134. Mr. Bryant spoke at length on the issues pertaining to this ISP, and how the efforts and the

support of the legislators are needed to amend the law concerning adoptions in the state. The need to push for further legislation and amend the current legislation would further help with those efforts and increase the awareness of private adoptions in the state.

Senator Bond asked if they had contacted the American Adoption Attorney's; "Quad A", for legal advisement concerning this ISP. Mr. Bryant, stated that they will be working with them to come up with better language for the amendment of this legislation.

The next meeting is scheduled for December 10, 2019

With no further business, the meeting adjourned at 10:56 a.m.

DRAFT