

# EXHIBIT C

## Minutes

### Senate Committee on Children and Youth and the House Committee on Aging, Children and Youth, Legislative and Military Affairs Meeting Jointly Thursday, October 27, 2016

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The Senate Committee on Children and Youth and the House Committee on Aging, Children and Youth, Legislative and Military Affairs met jointly on Thursday, October 27, 2016, at 1:00 p.m., at the State Capitol Building, Room 171, Little Rock, Arkansas.

Committee members present: **Senators** Stephanie Flowers, Chair; Linda Chesterfield, Alan Clark and Greg Standridge. **Representatives** George McGill, Chair, Charlene Fite, Vice Chair; Mary Broadaway, Karilyn Brown, Mickey Gates, Julie Mayberry, David Meeks, Marcus Richmond, Laurie Rushing, Sue Scott and Dan Sullivan.

Non-committee members present: **Representatives** Charles L. Armstrong, John Baine, David Fielding and Ken Henderson.

Representative McGill called the meeting to order.

#### **Consideration to Approve Minutes of September 14, 2016** [Exhibit C]

**Representative Fite made a motion to approve the September 14, 2016 meeting minutes;**

**Representative Scott second the motion and without objection the minutes were approved.**

#### **Safe Families for Children, Tim Nolan, National Director, Bethany Christian Services** [Exhibit D]

Representative McGill recognized Mr. Nolan of “Safe Families for Children”. Mr. Nolan explained the program and its purpose in supporting families experiencing crisis but not yet at the point where children are abused. The goal of this program is to provide a safe alternative to prevent child welfare custody, thus reducing the number of children entering the child welfare system. Since 2003, 108 Chapters have started across the United States. “Safe Families for Children” is in thirty states as well as four countries: United Kingdom, Canada, Japan and Nairobi, Kenya. Safe Families has a 96% success rate with kids returning to their families after the crisis has passed. An amendment drafted for consideration in the next session encourages proactive child abuse prevention and paves the way for reducing the number of children entering the foster care system. (*See Exhibit D for the full summary*)

Senator Flowers asked how a referral is made and if legislation is needed to make referrals. Mr. Nolan stated that children are referred to “Safe Families” by the state. He pointed out that in most states legislation is not required; however in Arkansas there is a provision in existing legislation that would require a change. Funding for this program is provided through a variety of resources such as: individual contributions, fund raising efforts and state contracts.

Representative Mayberry asked what needs to happen in the upcoming session to get “Safe Families” off the ground. Representative Meeks mentioned that he has draft legislation that he will present in the upcoming session to assist with getting this program established in Arkansas. Copies of the draft legislation will be forwarded to the committee members.

Senator Flowers asked if the host families are required to be certified foster parents. Mr. Nolan stated

“no they do not” have to be certified for two reasons: (1) the children are not in the custody of the state and (2) families volunteering are not required to have a license to help others. Volunteers receive liability protection insurance through the agency.

There are 25 organizations around the country with “Safe Families for Children Programs” each organization must meet the requirements of the program which include: screenings, background checks and other checks.

**Department of Human Services (DHS), Division of Children and Family Services (DCFS), Quarterly Performance Report (QPR) 4<sup>th</sup> Quarter, SFY 2016** [Exhibit E]

Senator Flowers recognized Ms. Mischa Martin, Director, DCFS. Ms. Martin provided an overview of the report. (*See Exhibit E for the full report*)

- The overall substantiated rates stands at 25%, meaning that 25% of the investigations that were investigated by DHS or CACD were found to be true. Two-thirds of the children involved in true maltreatment investigations were under the age of 10
- Inadequate supervision and environmental neglect were the most commonly cited allegations for differential response
- Twelve percent of victim children were involved in reoccurrence of maltreatment within 12 months
- During this period 2,860 in-home cases were opened across the state involving 6,604 children
- The foster care count during this period reflects that 4,957 kids remain in foster care; currently there are over 5200 kids in foster care. Neglect and substance abuse were the most prevalent reasons for children entering foster care
- Adoption statistics indicate that 681 kids were available for adoption; 62% white – 17% black with the largest age group being 10-13 years of age
- Adoption subsidy began for 166 kids; 149 federally funded and 17 state funded; with a total of 5,516 kids receiving adoption subsidies
- The foster home count shows that 243 new foster homes were open, 150 closed, with a net gain of 93 homes

Senator Clark asked that DCFS add to the report the number of kids in foster care that have been moved three or more times and the reasons for the removal as well as the number of times the reason occurred. Ms. Martin directed the committee to page 14 of the report which list information regarding placement stability in percentages. She stated that she can provide that information in real numbers.

Senator Flowers requested that Jerald Sharum, Deputy Counsel, DHS, Office of Chief Counsel (OCC) be available for the next meeting to present information on what is he currently working on in terms of collection of data and to make recommendations for the upcoming session on anything the legislature can do to assist with collection of data.

Senator Flowers asked about providing subsidies to an adoptive family. Ms. Martin stated there is a contractual agreement made between the adoptive family and the state that outlines the monetary agreement between both parties. ***Senator Flowers requested a copy of the adoption contract.***  
***Senator Clark requested information on failed adoptions where parental rights are terminated.***

Senator Clark mentioned the oversight authority of Citizen Review Panels (CRPs) required by federal law; CRPs are needed to provide oversight. He stated his interest in why the state is not implementing the law and creating these panels. Ms. Martin followed up stating that there are three (3) panels across the state in Logan, Pope and Hempstead County (covering Wichita, Columbia, Lafayette, Nevada County). These panels are federally funded through the Child Abuse Protection and Treatment Act (CAPTA). Ms. Martin will explore CAPTA funding to see if funds are available for expansion.

**Summary of Garrett's Law Referrals Report for SFY 2016** [Exhibit F]

Ms. Martin presented the Garrett's Law Report. Garrett's Law is the report that details information regarding a newborn child being born with an illegal substance present in the newborns bodily fluids or bodily substance as a result of a pregnant woman knowingly using illegal substance before the birth of a newborn. It does not require that every child who test positive at the time of birth enter foster care. Only 22% of newborns that tested positive entered into foster care. (*See Exhibit F for the full report*)

**Other Business**

The next meeting of the committee is scheduled for Wednesday, November 30, 2016 at 1:00 p.m.

**Adjournment**

With no further business the meeting adjourned at 3:45 p.m.