

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Pollan**

A Bill

ACT 1222 OF 1995
HOUSE BILL 2115

For An Act To Be Entitled

"THE ARKANSAS CHILD WELFARE PUBLIC ACCOUNTABILITY ACT; AND
FOR OTHER PURPOSES."

Subtitle

"THE ARKANSAS CHILD WELFARE PUBLIC
ACCOUNTABILITY ACT."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. This act shall be known as and may be cited as the "Arkansas
Child Welfare Public Accountability Act".

SECTION 2. To enhance the public_s access to child welfare program
performance indicators; to raise the public_s awareness of the child welfare
program_s client outcomes; to enable the General Assembly to monitor and
assess the performance of the DHS Division of Children and Family Services and
Division of Youth Services; and to specifically monitor the DCFS compliance
with court-ordered settlement agreements and compliance with state and federal
regulations, the General Assembly finds that special and extraordinary
provisions for legislative oversight of the child welfare system should be
established.

SECTION 3. (a) The Division of Youth Services and the Division of
Children and Family Services are hereby directed to issue to the Joint
Committee on Children and Youth a quarterly report on the performance of the
child welfare system. These quarterly reports will be known as the DYS and
DCFS Quarterly Performance Reports and shall be transmitted to the Joint
Committee on Children and Youth no later than thirty (30) calendar days after
the end of each calendar quarter. The first quarterly report is due October

1 30, 1995.

2 (b) The DYS and DCFS Quarterly Performance Report shall contain, but
3 not be limited to, client outcome information, case status information,
4 compliance information, management indicators and other data agreed to by the
5 Joint Committee on Children and Youth, DCFS and DYS.

6 (c) Prior to July 1, 1995, the DYS and the DCFS shall submit its
7 recommended format and content for the report to the Joint Committee on
8 Children and Youth for its review and comment.

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10 SECTION 4. (a) Beginning December 1, 1995, the DYS and the DCFS shall
11 issue an annual report on the performance of the child welfare system on a
12 county-by-county basis. This annual report will be known as the Arkansas
13 Child Welfare Report Card.

14 (b) The Arkansas Child Welfare Report Card shall contain, but not be
15 limited to, for each county and the state as a whole client outcome
16 information, case status information, compliance information, management
17 indicators and other data specified by the Joint Committee on Children and
18 Youth.

19 (c) Prior to July 1, 1995, the DYS and the DCFS shall submit its
20 recommended format and content for the report to the Joint Committee on
21 Children and Youth for its review and comment.

22 (d) The Arkansas Child Welfare Report Card shall be published and
23 transmitted to the Joint Committee on Children and Youth no later than
24 December 1 of each year and it must be published in a format that can be
25 easily understood by the general public.

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27 SECTION 5. (a) The Joint Committee on Children and Youth shall conduct
28 annual performance audits of the DYS and the DCFS.

29 (b) To establish performance auditing standards the Joint Committee on
30 Children and Youth shall use for guidance the Standards for Audit of
31 Governmental Organizations, Programs, Activities and Functions (revised)
32 published by the General Accounting Office.

33 (c) The performance audits shall contain, but not be limited to, a
34 complete assessment of DYS and DCFS compliance with state and federal
35 regulations and with the terms and conditions of the court-ordered settlement

1 agreement.

2 (d) To conduct the performance audit, the Joint Committee on Children
3 and Youth may utilize surveys, client interviews, and other research
4 methodology that it deems necessary.

5 (e) The Joint Committee on Children and Youth shall commence
6 preparations for the performance audits immediately.

7 (f) The Joint Committee on Children and Youth shall review the
8 performance audit procedures, methodology and design no later than July 1,
9 1995.

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11 SECTION 6. (a) The DYS and the DCFS shall make available to the Joint
12 Committee on Children and Youth a list of all reports the unit submits to the
13 Director of the Arkansas Department of Human Services.

14 (b) Under the direction of the Director of the Arkansas Department of
15 Human Services, the DYS and the DCFS shall work cooperatively with and provide
16 any necessary assistance to the Joint Committee on Children and Youth.

17 (c) The DYS and the DCFS shall furnish information to legislative
18 committees upon request.

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20 SECTION 7. The Joint Committee on Children and Youth shall report
21 annually to the General Assembly its findings and recommendations regarding
22 the child welfare program.

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24 SECTION 8. All provisions of this act of a general and permanent nature
25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
26 Revision Commission shall incorporate the same in the Code.

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28 SECTION 9. If any provision of this act or the application thereof to
29 any person or circumstance is held invalid, such invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

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34 SECTION 10. All laws and parts of laws in conflict with this act are
35 hereby repealed.

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SECTION 11. EMERGENCY. It is hereby found and determined by the General Assembly that the child welfare program is vitally important to this State; that oversight by the General Assembly is imperative; that this act establishes the oversight mechanism; and that this act should go into effect immediately in order to implement the child welfare program oversight as soon as possible. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: 4-11-95

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