

EXHIBIT C

Minutes
Senate Interim Committee on Children and Youth
House Interim Committee on
Aging, Children and Youth, Legislative and Military Affairs
Meeting Jointly

Tuesday, December 10, 2019

9:00 A.M.

Room 151, State Capitol
Little Rock, AR

Committee members present: **Senators** Bart Hester, Chair; Mathew Pitsch, Vice-Chair; Alan Clark, Breanne Davis, Gary Stubblefield, and David Wallace. **Representatives** Charlene Fite, Chair; LeAnne Burch, Craig Christiansen, Cindy Crawford, Julie Mayberry, Tippi McCullough, Jay Richardson, Keith Slape and Danny Watson

Non-committee members present: **Senators** Lance Eads, Scott Flippo, Ricky Hill, Missy Irvin and Bruce Maloch. **Representatives** Rick Beck, Harlan Breaux, Andy Davis, Jim Dotson, David Fielding, David Hillman, Lane Jean, Jack Ladyman, Reginald Murdock, Johnny Rye and DeAnne Vaught

Senator Hester called the meeting to order

Approval of Minutes: November 4, 2019 [Exhibit C]

Representative Burch made a motion for approval of the meeting minutes of November 4, 2019. Representative Richardson seconded the motion, and the motion passed.

Department of Human Services (DHS), Division of Children and Family Services (DCFS), [Exhibit J]

Ms. Mischa Martin, Director, DCFS, DHS, was recognized. Ms. Martin reviewed the Overturned Investigation Report. The report provided investigation covering January, 1, 2018, through December 31, 2018, submitted biannually to the Arkansas Legislative in accordance with Act 1025 of 2017. Director Martin further elaborated that the report details statistics such as number of calls received, percentage of investigations found true, and number of appealed investigations.

Department of Human Services, Division of Children and Family Services, Quarterly Performance Report, 1ST Quarter SFY 2020, July 1, 2019 – September 30, 2019 [Exhibit K]

Ms. Mischa Martin, Director, DHS, DCFS, was recognized to present the Quarterly Performance Report. She reported on child maltreatment, which totaled 8,203 reports during the quarter. A total of 1,491 were assigned to Crimes Against Children Division (CACD), while 6,712 were assigned to DCFS. Director Martin further reported on In-Home Services, stating that cases have decreased during the quarter, and that there are 4,362 children in foster care. There were a total of 457 kids available for adoption at the end of the first quarter.

Representative Burch inquired about the in-home visits and Ms. Martin stated that she can provide a breakdown of those visits by county.

Department of Human Services (DHS) – Division of Child Care and Early Childhood Education (DCCECE), Rules for Review [Exhibits D – D3]

Mr. Mark White, Chief of Legislative and Intergovernmental Affairs, DHS; Ms. Ashelyn Abney, Assistant Director, DHS, DCCECE, and Ms. Kelli Hilburn, Program Manager, DHS, Child Care Licensing Unit, were recognized. Ms. Abney stated that due to Act 530 of 2019, and the Federal Child Care Development Block Grant of 2014 they are mandated to update the regulations in the areas of: child maltreatment reporting, criminal background checks, job training, and disaster preparedness.

Representative Watson made a motion to consider Exhibit D rule to be reviewed. Senator Davis seconded the motion, and the motion passed.

Senator Clark made a motion to consider Exhibit D1 rule to be reviewed. Representative Fite seconded the motion, and the motion passed.

Senator Clark made a motion to consider Exhibit D2 rule to be reviewed. Representative Burch seconded the motion, and the motion passed.

Senator Clark made a motion to consider Exhibit D3 rule to be reviewed. Representative Burch seconded the motion, and the motion passed.

Arkansas Department of Human Services, Division of Youth Services (DYS), Review of Rules [Exhibit H]

Mr. Mark White, Chief of Legislative and Intergovernmental Affairs, DHS; Marq Golden, Assistant Director of Diversion, DHS, and Dr. Marcella A. Dalla Rosa, Superintendent, Department of Education, DHS, were recognized. Mr. Golden presented a rule change on Dyslexia, Anti-Bullying, and DHS Operations Manual Updates.

Mr. Golden provided a brief summary on the termination of pregnancy policy, indicating that previously it was an extremely general policy, therefore new language was added to be in compliance with state law. He further stated that DHS is required to implement steps concerning dyslexia screenings and have 30 days to reach that goal, which screens all juveniles that comes to DHS and to provide follow-up services as needed.

Senator Clark made a motion for DHS to add quarterly reporting on Dyslexia findings. Representative Christiansen seconded the motion, and the motion passed.

Senator Stubblefield made a motion to consider Exhibit H rule to be reviewed. Senator Clark seconded the motion, and the motion passed.

Arkansas Department of Human Services, Division of Children and Family Services, Review of Rules [Exhibit E]

Ms. Christin Harper, Assistant Director, DCFS, was recognized, to present a rule relating to Referrals of Infants Born with and Affected by Fetal Alcohol Spectrum Disorder or Prenatal Drug Exposure. This rule allows health care providers involved in the delivery and care of infants to call the child abuse hotline when an infant is affected by prenatal drug exposure to any illegal drug in accordance with Act 598 of 2019. A child maltreatment investigation does not occur, however DCFS staff will still meet with these families to assess their needs and develop a plan of care making necessary referrals.

Representative Burch made a motion to consider the rule reviewed. Senator Clark seconded the motion, and the motion passed.

Arkansas Department of Human Services, Division of Children and Family Services, Review of Rules [Exhibit F]

Ms. Christin Harper, Assistant Director, DCFS, was recognized, to present a rule on Permanency Efforts for Children in Foster Care. This rule is to establish the condition and protocol for home placement of a child with a non-custodial parent in accordance with Act 541 of 2019. Also it includes policy changes to follow Act 558 of 2019 that if a court orders supervised visitation, the parent must receive a minimum of at least four hours per week, unless otherwise ordered by the court. Also, Act 984 of 2019, requires the evidence to be considered when the court authorizes a permanency for a child.

Representative Watson made a motion to consider the rule reviewed. Representative Fite seconded the motion, and the motion passed.

Arkansas Department of Human Services, Division of Children and Family Services, Review of Rules [Exhibit G]

Ms. Christin Harper, Assistant Director, DCFS, was recognized to present a rule on Subsidized Guardianship. Pursuant to Act 968 of 2019, DCFS has amended its policy to expand the definition of relatives to include fictive kin for the purpose of determining guardianship eligibility. Fictive kin are people not related to the child by blood or marriage but who do play a positive and supportive role in the child's life. Typically examples are teachers, coaches and pastors. This expanded definition will allow fictive kin to become a legal guardian of a child in foster care whom unification and adoption have been ruled out.

Senator Wallace made a motion to consider the rule reviewed. Representative Burch seconded the motion, and the motion passed.

Arkansas Department of Human Services, Division of Children and Family Services, Review of Rules [Exhibit I]

Ms. Christin Harper, Assistant Director, DCFS, was recognized, and presented a rule on Ensuring Child Safety and Confidentiality. This rule reflects Act 802 of 2019, regarding the secondary review of the maltreatment report, administrative closures, and maltreatment investigations. The new requirement determines whether an offender poses a risk to a vulnerable population prior to placement on the child maltreatment central registry, and if not selecting exempt from placement on the registry due to no risk.

Representative Burch made a motion to consider the rule reviewed. Senator Wallace seconded the motion, and the motion passed.

Senator Clark made a motion for the rules to be returned to the committee if any member needed more information before being reviewed by the Arkansas Legislative Council on Friday, December 20, 2019. Senator Wallace seconded the motion, and the motion passed.

With no further business, the meeting adjourned at 9:50 a.m.