

## Minutes

Senate Interim Committee on Children and Youth

House Interim Committee on

Aging, Children and Youth, Legislative and Military Affairs

Meeting Jointly

Thursday, February 1, 2018

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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 Thursday, February 1, 2018, at 10:00 a.m., at the State Capitol, Room 171, Little Rock, Arkansas.

**Committee members present: Senators** Stephanie Flowers, Chair and Alan Clark. **Representatives** Charlene Fite, Chair; David Meeks, Vice Chair; Charles Blake, LeAnne Burch, Bruce Coleman, Michael John Gray, Steve Hollowell, Clint Penzo, Danny Watson and Carlton Wing.

**Non-committee members present: Representatives** Fred Allen, Scott Baltz, Sarah Capp, Dan M. Douglas, Trevor Drown, Kenneth B. Ferguson, David Fielding, Lanny Fite, Ken Henderson, Fredrick J. Love, Roger D. Lynch, Austin McCollum, Reginald Murdock, Aaron Pilkington, Marcus E. Richmond, Johnny Rye, Brandt Smith and James Sorvillo.

Senator Flowers called the meeting to order.

**Approval of Minutes: September 12, 2017, October 25, 2017 and November 1, 2017** [Exhibits C1. C2. C3.]

Representative Fite made a motion to approve the minutes of: September 12, 2017, October 25, 2017 and November 1, 2017. Representative Meeks seconded the motion and without objections the minutes were approved.

**Department of Human Services, Division of Aging and Adult Services and BHS** (DAAS-BHS)

Senator Flowers recognized Mr. Jay Hill, Division Director, DAAS and Behavioral Health Services. Mr. Hill stated that they were present to address questions the committee had about DHS restructuring and the Adult Protective Services (APS) backlog. He shared that Mark White, will be the new Deputy Director, DAAS-BHS responsible for overseeing several of the programs coming over to DAAS including APS.

Mr. Craig Cloud, Director, Provider Services and Quality Assurance, DAAS-BHS was recognized to address DHS reorganization. He noted that last year DHS began looking at licensure survey certification processes and provider oversight functions housed within the various DHS divisions and

exploring ways to bring these services together within DHS. They looked at strengthening accountability and creating consistency in policies, procedures and manuals as well as strengthening provider relationships. DHS also looked at creating a one-stop shop for the provider community as well as consistency in training, provider engagement and technical assistance. The recruitment and retention of quality staff was also a concern, especially in the health care fields. The new division was created with an emphasis on all of these things, designed to operate more efficiently and effectively.

Mr. Cloud stated the APS investigations backlog is currently at 9,400 dating back to 2012. Senator Flowers recognized Shannon Halijan, Director, APS, who noted that the Adult Maltreatment Hotline (AMH) call center takes calls of abuse, neglect and exploitation of impaired and endangered adult as well as reports concerning adults in the custodianship of DAAS, who have been removed from their homes and found to be in imminent danger. The call center has been in place since 2009 with one staff person located in Arkansas and a third party vendor, Southwest Call Center of Lake Charles, Louisiana taking the majority of the calls.

Total reports investigated in 2009 was 4,400 and remained fairly steady until 2016 when the number increased to 5,340; at the end of State Fiscal Year (SFY) 2015 the number was 2,923 and at the end of SFY 2017 the number was 6,200 and as of today the backlog is 9,400 which includes current investigations not all of them are past due. Some of the investigations in the 9,400 also appear to be open when the data is run but are actually closed. The AMH currently receives 1600 calls per month with a majority of the calls being answered by the Southwest Call Center. It was recommended that the term “backlog” be replaced when describing the numbers of cases that are being investigated by APS since not all of the cases included in the numbers are in backlog status.

**Representative Fite asked for an organizational chart. Senator Flowers requested a quarterly report on the status of investigations and a copy of the contract with the Southwest Call Center.**

**Infant and Child Death Review (ICDR) Program Annual Report, Compiled: Death Year Review 2015** [Exhibit D]

Senator Flowers recognized Dr. Mary Aitken, Director, Infant and Child Death Review Program. Dr. Aitken noted that the ICDR teams review unanticipated deaths of children ages 0-18. The program has matured and volunteer teams now provide statewide coverage reviewing local child deaths. In summary there were 438 child deaths in 2015, 42% of those were eligible for review as an unanticipated child death. As of November 2017, 117 of those were reviewed by teams. Dr. Aitken stated that the next report will be forwarded in 2019. *Please see Exhibit D for further details.*

**Department of Human Services (DHS)-Division of Children and Family Services (DCFS), Garrett’s Law Referrals Report** [Exhibit E]

Senator Flowers recognized Ms. Mischa Martin, Director, DHS, DCFS. Ms. Martin provided a brief summary of the report. Representative Meeks pointed out that the Garrett's Law Report can be found on the website and it states on the bottom of the report "State of Arkansas Confidential". Ms. Martin stated that she will consult with DHS Office of Chief Counsel to determine whether to remove the report from the web or remove the language from the report. **Senator Flowers requested a map of the DCFS Areas.** *Please see Exhibit E for further details.*

**Department of Human Services-DCFS, Review of Rules** [Exhibits F1. F2. F3. F4.]

Senator Flowers recognized Ms. Christin Harper, Assistant Director, DHS, DCFS. Ms. Harper presented the following rules:

- 1). **Case Opening** – Representative Wing made a motion to review and Representative Meeks seconded the motion, without objection the rule was reviewed.
- 2). **Foster Parent Access to Records and Case Proceedings** – Representative Meeks made a motion to review and Representative Wing seconded the motion, without objection the rule was reviewed.
- 3). **Resumption of Services Post** – Termination and Reinstatement of Parental Rights – Representative Clark made a motion to review and Representative Burch seconded the motion, without objection the rule was reviewed.
- 4). **Volunteer and Relative Support and Involvement** – Representative Wing made a motion to review and Representative Burch seconded the motion, without objection the rule was reviewed.

**Caseload Report for County Legal Operations: Child Welfare Cases, 1<sup>st</sup> Quarter Report, SFY 2017-2018** [Exhibit G]

Senator Flowers recognized Mr. Jerald Sharum, Managing Attorney, County Legal Operations. Mr. Sharum provided a brief summary of the report. He noted that two attorney positions have been added as well as two para-legal positions; these positions have been allocated across the state and should make a definite impact on this report.

Senator Flowers recognized Jennifer Craun, Juvenile Justice Division Director, Administrative Office of the Courts (AOC) and Stasia Burk-McDonald, Attorney Ad Litem Program Director, AOC. Senator Flowers asked Ms. Craun if AOC has been looking at other states specifically, how they are collecting data on juveniles. Ms. Craun stated that Diane Robinson, Research and Justice Statistics Director has attended conferences nationwide on this topic and AOC is looking at ways to compile and maintain better data. The current process of collecting data involves other parties; AOC is reaching out to all involved parties to improve this process. *Please see Exhibit G further details.*

**Department of Human Services, Division of Youth Services (DYS)**

Senator Flowers recognized Ms. Betty Guhman, Director, DHS, DCFS. Ms. Guhman stated that DHS has decided not to put the Residential Treatment Facilities Management contract out for bids. Over the

next six months DYS will perform a complete assessment to determine its needs specifically: what would a model system look like, what services are needed and what types of placements are needed.

Senator Flowers expressed concern about status offenders and other juveniles who may be committed to DYS who do not belong there. Ms. Guhman mentioned the “Savory Test” is helping to identify some of the low risk kids and redirecting them to community based services. some of the juvenile judges are using this tool however, it is not being used statewide at this time. Ms. Craun stated that part of the problem with statewide use of Savory is technology and training issues.

Senator Flowers stressed that while the DYS assessment is being done, the Department of Education needs to be involved.

With no further business the meeting adjourned at 2:49 p.m.

DRAFT