

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

# A Bill

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

1 the end of each calendar quarter. The first quarterly report is due October  
2 30, 1995.

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

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

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

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

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

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

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

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

34 (c) The performance audits shall contain, but not be limited to, a  
35 complete assessment of DYS and DCFS compliance with state and federal

1 regulations and with the terms and conditions of the court-ordered settlement  
2 agreement.

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

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

8 (f) The Joint Committee on Children and Youth shall review the  
9 performance audit procedures, methodology and design no later than July 1,  
10 1995.

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

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

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

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

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

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

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

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

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