

## **District IV Citizen Review Panel**

Idaho State Capitol, Room WW17

December, 2, 2019 from 4:00-6:00pm

### **Meeting Called to Order: Consent Agenda**

Meeting was called to order at 4:00pm. Introductions were made and Brian welcomed Senator Lee. Senator Lee spoke to her experience, indicating her observations on what is working and what is not, and why she cares so deeply about foster care.

Brian moved to add Foster Family Survey Questions and having Roxanne go through a case with the Panel and remove Foster Care as a Pie Recipe. Teri Moved, someone seconded. All in favor. Darcie moved to approve the November meeting minutes and Kym seconded. All in favor with Shannon abstaining.

### **Trauma Informed Care - Teri**

Teri explained that during the previous meeting, there was a lot of discouragement and spending lots of time reviewing cases, but the Panel is starting to see some trends emerge. One main trend is no focus on trauma, no assessment on trauma, etc. This inability to intervene simply perpetuates the cycle of trauma. The Idaho system needs to make sure children in foster care have access to the best possible outcome and care, both mentally and physically. Looking at the 2019 Annual Progress and Services Report, the improvement plan is on page 78. It appears that the Idaho Department of Health and Welfare (IDHW) is redefining what it means to be safe and lowering the threshold. On pages 81-82, IDHW explains that it is conducting trauma informed assessments and Child and Adolescent Needs and Strengths (CANS) , but in 2016, they discontinued the CANS assessment due to “workload capacity concerns,” with a plan to re-engineer Idaho’s safety assessment process in 2019. Teri asked Senator Lee if she knew about this and if IDHW has asked for funding to continue to provide trauma informed assessments. According to Senator Lee, IDHW did not request funding for the assessments. Senator Lee mentioned that this idea originated out of the Child Protection Committee. She mentioned how challenging it is to work with families and children all across the judicial system. Senator Lee mentioned that she previously tried to increase the amount of discretion a judge has with these cases in terms of placement, but many judges did not see that as their role. It was interesting to see the pushback and now they cannot approve a placement. Teri mentioned that there is no ordinance that prevents a child from being placed back in the home with a sex offender.

Teri mentioned that Idaho uses a lot more isotropic drugs for the kids in Idaho’s foster care system compared to other states. Senator Lee said IDHW is wholly responsible for the medication and the legislature is tracking it. Teri recommended that the legislature funds an adequate number of FTEs to provide trauma informed care/assessments, and secondly, IDHW is required to adopt a strategic goal for trauma informed care and reports and send them to the Legislative Oversight Committee.

There was a discussion as to how to add those FTEs and complete the assessments. Senator Lee spoke to how much she values prevention and looking for opportunities to prevent kids from going into foster care. She mentioned that there can be conflicts with this ideology because IDHW does not see that as their role.

### **Terry Reilly Proposal to IDHW Regarding Trauma Informed Care – Melissa**

Melissa was unable to attend the meeting, so this presentation was tabled.

### **Expedited Permanency – Darcie**

Darcie reviewed items related to expediting permanency. She explained that when she studied the statutes in place, everything is there, but rules are not being applied or followed consistently. It is not isolated strictly to IDHW, but also the judges. When panel members are reading the cases, there was not the follow-through to what the statutes state. Darcie mentioned that Idaho's concurrent planning was actually more progressive, but it is not happening at the ground level. Darcie asked Senator Lee about how we get this enforced.

Senator Lee said that our system has been built to do what is best for parents, and not always in the best interest of the child. Previously child protection was treated like a mental hold. She said this speaks to a larger discussion of deciding what is acceptable for how we treat children. She discussed the model in Oregon and how their judicial system embraces their CRPs. She stated that the CRPs can act as forces for change and motivate systems to reevaluate how we value children's rights.

Shannon mentioned the benefits of having more frequency hearings. Teri and Brian said there is no accountability for reports to be submitted seven days in advance along with other IDHW operations. Senator Lee mentioned that Governor Little and the leadership within IDHW are working to improve the systems, but are currently tied up with Medicaid Expansion.

### **Snap Shot/Case Cover Sheet – Nicole**

Nicole presented her snapshot coversheet for eCabinet to Senator Lee. Nicole demonstrated how the information would be presented on the sheet whenever panel members logged in. Nicole will email it to Senator Lee. Kym mentioned how valuable this kind of sheet is to the Panel to save time reviewing for documents in eCabinet. The coversheet would also incorporate the document links so take folks can go straight to the original document to the source. Case workers can write several updates into the spreadsheet and people related to the case will see them. This is a recommendation from the Panel to Senator Lee.

### **ACE Affect on Tax Payer Expenses – Shannon**

Nicole compiled a lot of data surrounding the costs of the foster care system. Shannon went on to explain "The Story of Two Jakes," a story illustrating the costs of perpetuating trauma, and not addressing adverse childhood experiences that children in foster care have experienced. Senator Lee mentioned that they should put together a process to start tracking IDOC and Juvenile corrections to track who has been in foster care. Senator Lee mentioned that there is a proposal for funding prevention, \$1.8 million for IDHW. She spoke to the ability to address local issues and systemic barriers by working with the local public health districts.

Shannon works with a lot of GALs, and the trend is the Guardians can no longer rely on what IDHW is saying. The GALs end up doing lots of extra research to confirm that IDHW is saying and the GAL often comes more prepared than the case worker. This is essentially duplicating efforts. Attorneys are asking for more frequency hearings. That accountability has been requested and Judge Ellis has never said no to the request.

Senator Lee asked for Shannon for more information about the GALs. Shannon explained the process that GALs have to go through in order to reach a case worker and supervisor to better understand what's going on in a case. Senator Lee said that she would like to see GALs to be seen as equal with IDHW, as their interests are for the child. This could be one of the missing links and if we are not following the statute, then let us get rid of it.

## **Data/Foster Family Approvals – Brian**

Brian argued that the things the Panel actually needs to know about are not in the case file. The Panel has asked to have access and permission to speak with foster families and GALs. Those are the little details that we need. IDHW is saying that their Deputy Attorney General (DAG) argues there is no way we can do that. Their DAG is advising Director Jeppesen to not budge and is built to protect itself. Senator Lee met with Roxanne and the DAG about the legislative intent of the statute and confirmed that their intent was access to all information, which includes information from foster families. Senator Lee advocated that the Panel present to the Legislative Oversight Committee about our concerns regarding access. Senator Lee suggested that we start by surveying foster care families. If the CRPs start abusing this, then the legislature can fix it that too. All the members have signed MOU's, and completed background checks and are not in the business of oversharing or abusing this.

On the issue of caseworkers and IDHW folks breaking the laws, the Panel members argued that they appear to have some level of immunity and there is a lack of accountability within IDHW when they do not follow the statutes. Senator Lee argues that the more pressure the Panel can put on the executive branch, the better to see the changes the Panel hopes to see. We have to get other legislators motivated and engaged about these issues. This is a slow and deliberate process.

Senator Lee mentioned that IDHW is asking for 12 new caseworkers. The Legislative Oversight Committee meeting on Dec. 5, 2019 is going to be open record. Senator Lee asked for a member to speak publicly on our recommendations and the group will send Shannon. She will present the snapshot/cover sheet and explain the Story of Two Jakes. The meeting will be livestreamed and recorded. On the trauma informed piece, Senator Lee would like to see models and how much is that going to cost. She suggested we bring something that is working well in another state. Then let us put it on the policy agenda.

Nicole mentioned that Medicaid provides mental health care for these kids, but you have to have a diagnosis in order to get care. They discussed the barriers when it should be automatic. Roger Sherman is going to come to the meeting and talk about prevention and the vision council on the Family First funds. Teri mentioned that Texas and Tennessee might have models we can look at.

The next meeting is Jan. 7, 2020 at Central District Health in the Syringa Room.

Meeting adjourned at 6:09pm.