

ALASKA STATE LEGISLATURE
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES
STANDING COMMITTEE

February 24, 2004
3:06 p.m.

MEMBERS PRESENT

Representative Peggy Wilson, Chair
Representative Carl Gatto, Vice Chair
Representative John Coghill
Representative Kelly Wolf
Representative Sharon Cissna

MEMBERS ABSENT

Representative Paul Seaton
Representative Mary Kapsner

COMMITTEE CALENDAR

HOUSE BILL NO. 394

"An Act extending the Alaska Commission on Aging."

- MOVED CS HB 394(HES) OUT OF COMMITTEE

HOUSE BILL NO. 197

"An Act relating to intensive family preservation services and intensive family reunification services; and providing for an effective date."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 394

SHORT TITLE: COMMISSION ON AGING

SPONSOR(S): REPRESENTATIVE(S) HOLM

01/20/04	(H)	READ THE FIRST TIME - REFERRALS
01/20/04	(H)	STA, HES
02/10/04	(H)	STA AT 8:00 AM CAPITOL 102
02/10/04	(H)	Heard & Held
02/10/04	(H)	MINUTE(STA)
02/17/04	(H)	STA AT 8:00 AM CAPITOL 102
02/17/04	(H)	Moved Out of Committee
02/17/04	(H)	MINUTE(STA)

02/18/04 (H) STA RPT 6DP 1NR
02/18/04 (H) DP: GRUENBERG, SEATON, HOLM, LYNN,
02/18/04 (H) BERKOWITZ, WEYHRAUCH; NR: COGHILL
02/18/04 (H) FIN REFERRAL ADDED AFTER HES
02/24/04 (H) HES AT 3:00 PM CAPITOL 106

BILL: HB 197

SHORT TITLE: INTENSIVE FAMILY PRESERVATION SERVICES
SPONSOR(S): REPRESENTATIVE(S) CISSNA

03/17/03 (H) READ THE FIRST TIME - REFERRALS
03/17/03 (H) HES, FIN
02/24/04 (H) HES AT 3:00 PM CAPITOL 106

WITNESS REGISTER

BARBARA COTTING, Staff
to Representative Jim Holm
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the bill on behalf of
Representative Holm, sponsor of HB 394.

STEVE ASHMAN, Director
Division of Senior and Disability Services
Department of Health and Social Services
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 394 and answered
questions from the members.

MARIE DARLIN, Coordinator
Capital City Task Force
AARP Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 394.

REPRESENTATIVE SHARON CISSNA
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified before the committee as sponsor
of HB 197.

MARCI SCHMIDT, volunteer
Family First Partnership
Wasilla, Alaska

POSITION STATEMENT: Testified in support of HB 197.

SHELLEY LEAVITT, Ph.D., Associate Director
Institute of Family Development;
Board Member, National Family Preservation Network
Federal Way, Washington
POSITION STATEMENT: Testified in support of HB 197 and answered
questions from the members.

MARCIE KENNAI, Deputy Commissioner
Office of Children's Services
Department of Health and Social Services
Juneau, Alaska
POSITION STATEMENT: Testified on HB 197 and answered questions
from the members.

ACTION NARRATIVE

TAPE 04-14, SIDE A

Number 0001

CHAIR PEGGY WILSON called the House Health, Education and Social
Services Standing Committee meeting to order at 3:06 p.m.
Representatives Wilson, Gatto, Wolf, Coghill, and Cissna were
present at the call to order. Chair Wilson announced for the
record that Representative Seaton has been excused.

HB 394-COMMISSION ON AGING

Number 0050

CHAIR WILSON announced that the first order of business would be
HOUSE BILL NO. 394, "An Act extending the Alaska Commission on
Aging."

Number 0092

REPRESENTATIVE GATTO moved to adopt CS HB 394, 23-LS1534\D,
Mischel, 2/19/04, as the working document. There being no
objection, HB 394, version D, was adopted as the working
document before the House Health, Education and Social Services
Standing Committee.

Number 0155

BARBARA COTTING, Staff to Representative Jim Holm, Alaska State
Legislature, presented the bill on behalf of Representative
Holm, sponsor of HB 394. She explained that the committee
substitute that the members just adopted as the working document

adds sections 2 and 3 to the original bill. The original bill was very short because it consisted of one section that extended the sunset [of the Alaska Commission on Aging].

MS. COTTING explained that in 2003, Executive Order 108 moved many commissions to different departments. It is important to note that at that time the Commission on Aging was moved from the Department of Administration to the Department of Health and Social Services. Legislative Legal and Research Services believes that it is important to clarify that point and that is the purpose of sections 2 and 3, she said. It is just a housekeeping measure.

Number 0260

STEVE ASHMAN, Director, Division of Senior and Disability Services, Department of Health and Social Services, testified in support of HB 394 and answered questions from the members. He explained that the division administers grant programs under the Older Americans Act. These programs used to be administered by the Commission on Aging, he added. The division has been working very closely with the Commission on Aging as the reorganization progresses, Mr. Ashman stated. He explained that since the Alaska Commission on Aging was created in the late 1970s, it has done a great job of meeting the needs of the elderly, and [the administration] supports its continuation.

Number 0302

REPRESENTATIVE COGHILL commented that he read the legislative audit report [on the Alaska Commission on Aging, dated October 1, 2003] which was done before the commission was moved from [the Department of Administration to the Department of Health and Social Services]. Representative Coghill said that he is concerned with the grant making process and asked Mr. Ashman to explain the changes that have been made to that process. He told the committee that he had the auditor come to his office and discuss the report with him. Representative Coghill noted that the auditor is at the meeting today should there be need for clarification.

Number 0372

MR. ASHMAN replied that he has also read the audit report. He said he believes the problems that Representative Coghill is referring to occurred in fiscal year 2002, when the program was over at the Division of Senior Services in the Department of

Administration. The first problem pertains to the Senior Employment Program, [which was authorized] under federal law. The program was supposed to be providing temporary training services to older Alaskans, 55 years old or older, to enable them to reenter the workforce, he said. However, what happened was that many of the grantees were using those employees to fill long-term positions within its organizations. This [practice] was clearly against federal legislation, he stated. The division has changed that practice, although some latitude has been extended in rural areas where there is a lack of employment opportunities. Mr. Ashman commented that approximately 80 percent of the seniors [in this program] are [moving from training to employment] within six months, which means the state is now in compliance with federal laws. There are still some grantees that are administering the program, he acknowledged; but assured the committee that the division is keeping an eye on them.

Number 0501

MR. ASHMAN said he believes another problem the report cited was the lack of reporting to ensure that the use of federal funds was in compliance with federal program requirements. He commented that the issue was the lack of on-site audits. A plan was put together two years ago to focus on those two areas and he told the members that he believes the division is on target.

REPRESENTATIVE COGHILL asked Mr. Ashman to confirm that [\$13] million in federal funds are administered through this program. He asked what portion of those funds are general funds dollars.

Number 0574

MR. ASHMAN replied that historically the state's match is about 24 percent in general funds. The minimum match requirement is 15 percent. He pointed out that in the division's budget this fiscal year there is a \$200,000 reduction in general fund contributions because grantees will be asked to pay 10 percent. Mr. Ashman explained that currently between 95 percent and 98 percent of the grantees do have a 10 percent cash match. The state picks up 15 percent and the federal government covers the balance.

REPRESENTATIVE COGHILL asked if the movement of the division from one department to another has changed its mission.

MR. ASHMAN responded that there is no change [in the mission] of the Alaska Commission on Aging because the mission was established under the Older Americans Act which created the Commission on Aging, formerly the Older Alaskans Commission. The only change that has occurred in this reorganization is the removal of grant making ability from the Alaska Commission on Aging and transferring those duties to the Division of Senior and Disability Services. The Department of Health and Social Services has some very well defined procedures in how the grant process works, whereas the Department of Administration did not have that type of process in place, he added.

REPRESENTATIVE COGHILL asked if there will be a change in accountability.

MR. ASHMAN explained that while the Commission on Aging will not be making any grants, the state plan is developed by the Executive Director of the Commission on Aging, and then is presented in a series of public meetings. The Commission on Aging finalizes the plan and presents it to the governor for approval. In that plan is the intra-state funding formula which says how the funds will be distributed statewide, so the commission is key in that respect, he said. Mr. Ashman emphasized that the commission will not be [awarding] any grants. The division will work with the commission closely to ensure that the grants are being managed consistently with the desires of the Commission on Aging and the state plan, he added.

REPRESENTATIVE COGHILL commented that he misunderstood a commission member's testimony in the House State Affairs Standing Committee [on that point]. He asked if the commission members look at allocation parameters.

MR. ASHMAN responded that the commission members look at the intra-state funding formula that is included in the state plan, and which identifies the priorities and areas where funding will go.

REPRESENTATIVE COGHILL asked if the commission members are made up of regional representatives or are the members appointees.

Number 0784

MR. ASHMAN responded that according to Alaska law the commission members are appointed by the governor. No geographical representation is required, he added. However, over the past 15 years that he has been associated with the commission, there

have always been representatives from both the rural and urban areas of Alaska. One requirement for appointment is that members must be a user of services either under the home community-based Older Americans Act programs and/or the Medicaid programs. In summary, he said there is good representation statewide.

Number 0833

MS. COTTING directed the members' attention to the handout in the members' packets from the Office of Boards and Commissions which highlights the requirements of members. She said part of those requirements read as follows:

Appointments shall be made to assure representation of low-income and minorities and rural/urban areas and statewide geographical representation.

MS. COTTING stated that the requirements are well defined in the Boards and Commission statute.

CHAIR WILSON referred to the Legislative Audit report [dated October 1, 2003, page 17, paragraph two] which read:

We continue to recommend the agency establish and follow procedures to ensure that costs reported by subrecipients comply with federal requirements ...

CHAIR WILSON said one point that was noted [in the report] was that there was a lack of periodic site visits. She asked Mr. Ashman what specific steps he has taken to ensure that concern is being addressed.

Number 0915

MR. ASHMAN responded that under the corrected plan the division put together, desk audits are being done. He noted it was not being done before. He agreed that the last two audit reports cited the lack of periodic site visits as a problem. Mr. Ashman explained that there are 78 grantees and the division has a staff of 3, so it is not physically or financially possible to visit every grantee every year. The visits are being done on a rotation basis; however, desk audits are being done [regularly]. He told the members that whenever someone else from the Division of Senior and Disability Services happens to be in a particular community, the division is making an effort to visit the grantees while there. There may not be a review of the books at

that time, he commented. Mr. Ashman emphasized that there have been increased audits over what was done in previous years.

Number 0963

CHAIR WILSON commented that there have been several statements made that in the grant process there was a bias in the awarding of grants. She asked Mr. Ashman to address those [charges].

MR. ASHMAN explained that in FY 04 and FY 05 a new state plan needed to be developed. Part of that plan is the intra-state funding formula which is based on census information. The previous census information and plans were based upon the 1990 census. When the new census came out there was a redistribution of [funding based on] senior citizen [populations]. For instance, there may have been a higher growth of seniors in one region over another region, so the funding formula changed. There were winners and losers financially. He surmised that there could have been some grantees who had been receiving more funding under the 1990 census, but then lost funding with the new census report. Mr. Ashman emphasized that the number of seniors has increased in all areas. The Commission on Aging requested that rather than having communities take the whole hit in one year, it was requested that the federal government allow a phase-in of that [redistribution in a] three-year plan. He summarized that he does not believe the grantees had a problem with the process, but rather with [the way the census impacted] the outcome.

CHAIR WILSON asked Mr. Ashman if he could confidently tell her that there will be improvement.

MR. ASHMAN assured Chair Wilson that there will be improvement.

Number 1097

REPRESENTATIVE CISSNA told Mr. Ashman that an hour or two ago she listened to seniors who had teleconferenced in to a meeting from ten or more communities. She was told that Alaska has the second fastest growing aging population in the United States, second to Nevada. Seniors now make up something like 6 percent of the population, she said. Representative Cissna commented that in not many years it will grow to 12 percent. These seniors told of the gaps in services for conditions such as Alzheimer's disease. She asked how Mr. Ashman views this growing problem.

Number 1188

MR. ASHMAN agreed with Representative Cissna's comments. The Alaska Commission on Aging and the local senior networks are looking at what level of services are being provided currently. Once that assessment is made, the [program] can be tailored to meet the needs of the community. The division will be looking to see where the funds are being spent and pointing out that, for example, 52 percent of funds are being spent on transportation services and then assure that is where the need is for a particular community. Some of the senior networks may not be aware of the way funds are being spent. Mr. Ashman said that the division and the commission will be having those discussions on a local level.

REPRESENTATIVE COGHILL noted that it is helpful to understand that this is an evolving plan and a change of administration. He asked how these changes impact the scrutiny of grants. Are there any major changes in the delivery of the plan. Representative Coghill stated that based on what he has heard, he is still not satisfied that he understands what the changes will be.

MR. ASHMAN responded that he is not sure what Representative Coghill is asking. He commented that when working with the grantee agencies, the division will be saying historically here is where the funds have been used and the types of services [provided] in this particular market. The division will be asking if these services have been meeting the needs of the community. Mr. Ashman noted that many of the grantees are Medicaid waiver providers and the division will work to ensure that they are maximizing the funds received. He assured Representative Coghill that the division has regulations that will be followed to ensure that those receiving the grants administer them appropriately, and that the grantees are submitting reports on time before any advances are provided.

Number 1559

REPRESENTATIVE COGHILL asked how this plan fits with the home and community-based waiver program, assisted-living homes, and the huge network of agencies out there. Obviously, he said, this group is very attuned to the needs of the communities. He told Mr. Ashman he would like to have some clarity in how the needs are being identified and how the grants meet those needs. For example, doesn't the commission look at the number of people and the limited number of dollars to meet those needs, and then

evaluate what is the wisest expenditure of those funds. He asked if there is any change in the way these points are examined.

MR. ASHMAN responded that the division will take a look at what services are being provided currently in a community and make sure the services that are needed [are met], and if not, what kind of changes need to be made [to address those deficiencies]. Mr. Ashman commented that he believes that is a local issue that the division will be working on to assure the right services are being provided. This will be done in conjunction with the division and the commission because while the division administers the grant programs; it is the commission that puts together the state plan, reviews it, does the public comment, and works with the local communities. The commission will work side-by-side with [the division]. Ultimately, the state plan is the plan that is submitted by the governor, he stated. He added that the division will ensure that the administration of grants are in compliance with that state plan.

REPRESENTATIVE COGHILL said he would like some clarification on where the commission's [duties] start, where the administration's [duties] start, and at what point it converges. How do the two work together, and is there tension between the two, he asked.

MR. ASHMAN told the committee that under Alaska statutes the executive director prepares the state plan. The Older American Act requires a state plan and a senior advisory committee, which in Alaska is the Alaska Commission on Aging. The executive director works for and is hired by the Alaska Commission on Aging, subject to the governor's appointment because it is a partially exempt position. He reiterated that the executive director puts together the plan in conjunction with the desires of the commission. After the plan is developed, the commission spends approximately six months conducting public hearings on that plan. The comments and feedback received in those public hearings are incorporated into the plan, he said.

REPRESENTATIVE COGHILL asked if the division's move from the Department of Administration to the Department of Health and Social Services affects how the plan works. Has the move impacted how different agencies work together. Representative Coghill asked how the plan affects people at home. Are there changes in the categories that are being offered, he asked.

MR. ASHMAN responded that the reorganization does make sense because the division is the "one-stop-shop" for all long-term care services. The Division of Senior and Disability Services not only manages the Medicaid Waiver Program, but also the other three long-term care options. He said the division is looking at the broader picture of how all these programs fit together to make sure the needs are being met with whatever types of programs are available. He said that he would not want to see the division go into a community and tell it that it needs respite [care], for example. He said he wants the division to say to a community here's what is currently offered; here's what's available; ask what is working and what is not; and offer some programs that are available to meet the needs of seniors in the community.

Number 1678

REPRESENTATIVE COGHILL said that he still needs further clarification on the grants issue before he can vote for the reauthorization of the Alaska Older Alaskans Commission.

MR. ASHMAN replied that, for example, when there are Title III funds [available] for nutrition transportation services (NTS), it is the grantees that comes to the division with a proposal. The division knows how much money is available based on the inter-state funding formula. So regionally it is known how much money can go into that particular region, he said. It is the grantee that tells the division how much it wants to spend on transportation, information referral, and other categories. Within the big picture, it is the grantee that is deciding what level of services are being made. He told the members that the question the division has is when there are multiple grantees within a particular region, do the grantees all know what's going on, and are the dollars that are being spent the best use of those funds.

Number 1743

REPRESENTATIVE COGHILL said that the need is great and he wants to ensure that he has a clear understanding of the plan. He said he has one other question which he believes cannot be answered in this committee, but which he would welcome suggestions from Mr. Ashman. He said he is aware of the fact that there is a huge federal dollar contribution, and a huge amount of federal money that does not go through the state, but goes directly to the community. Representative Coghill said his concern is that many of these dollars are going into the same

service market for similar needs. He said he wants to make sure that one funding source is not competing with another source in the same market.

Number 1797

CHAIR WILSON commented that she is concerned because funds are so limited and seniors are so precious to Alaska. She asked Mr. Ashman where the lieutenant governor's faith-based initiatives fits into this. Chair Wilson said that what neighbors and family use to do for each other, is no longer being done on a volunteer basis because it is being paid for. She added that she is concerned that something is driving this machine. Chair Wilson asked if the division is looking at encouraging volunteerism. For example, there are many things such as grocery shopping, babysitting, and household chores which could be done free of charge by a volunteer. She encouraged this kind of volunteerism so that the things that really need to be paid for can be funded in a larger scope. In some cases, grandma use to baby-sit for free, but now she's being paid. Chair Wilson's said it is not that she doesn't want grandma to have some extra spending money, but that when money is spent on things that could be accomplished through volunteerism it may not be possible to fund things that are really needed.

MR. ASHMAN replied that one of his staff is assigned to the lieutenant governor's faith-based initiatives. He said he believes that many would be surprised at the number of grantees that are working with the same [faith-based] organizations. For example, if it is known that a particular person does not have any food in their cupboard, a faith-based organization will provide that. Faith-based organizations, through the 501(c)(3) or nonprofit status, will participate in some of these same programs that the division has.

Number 1922

MR. ASHMAN shared his concern that what [families and neighbors] use to do for each other seems to be shifting somewhere else. He said that he believes that many have heard about the regulatory changes that reflect cost-containment measures in the division's budget to eliminate some of those expenses. There are instances where the division is paying for respite services to a paid family member, so they can go out and provide services to someone else. The division is saying that it will not respite a paid care provider, he commented. There is a higher dependence on family members, in that the division is

eliminating the use of respite and chores services and saying that if there is someone in that household who can provide those services, then he/she needs to be doing them. Our proposed regulations [which reflect those changes] have gone out to the public for comment, and should be adopted shortly.

CHAIR WILSON reiterated that she is not saying that people do not need a break, but that perhaps a neighbor could come in and help out and it would not cost anything.

MR. ASHMAN responded that the division is limiting respite to 10 hours per week or 520 hours per year. He said he believes that is fair and consistent with what other states have been providing. He agreed that there certainly should be respite [assistance].

MS. COTTING told the members that she has a copy of the draft plan for the next four years, which was obtained from the Department of Health and Social Services.

Number 2018

REPRESENTATIVE WOLF replied that he would like a copy. He asked Mr. Ashman to elaborate on the regulations that are being proposed.

MR. ASHMAN asked if he and one of his staff, who is very knowledgeable, could meet with him to discuss the regulations in detail.

REPRESENTATIVE WOLF shared that this past summer his mother-in-law had a stroke, and said that he was surprised by the discouraging attitude his family encountered in choosing to care for her at home. He said this was a family stepping-up to care for her; it was not going to cost anyone anything. He asked Mr. Ashman to comment on that prevailing attitude.

Number 2086

MR. ASHMAN commented that his response would be dangerous. He shared that his family recently did the same thing. His father passed away in his own home, he said. When his wife's mother was dying, during the last six months of her life his wife cared for her for four months. He said he believes that it is the way a person is raised, more than anything else. Mr. Ashman said that is where personal beliefs come in. He said he could not say why [Representative Wolf's family was discouraged from

caring for his mother-in-law]. He reiterated that he believes it is how a person is raised.

REPRESENTATIVE WOLF shared that his mother-in-law taught school for 36 years in California. She's 74 years old now and upset that this is happening to her. He said it took a while for him to convince her that she is on the biggest teaching assignment that she ever encountered, because now she's teaching her kids compassion. It is a very valuable lesson.

Number 2168

MARIE DARLIN, Coordinator, Capital City Task Force, AARP Alaska, testified in support of HB 374. She told the members that AARP Alaska fully supports the continuation of the Commission on Aging. Over the years AARP Alaska has worked with the commission on many issues and looks to them, and hopes to continue to look to them, as a group that will be working with organizations such as AARP to ensure that there is a plan that will meet the needs of communities. Ms. Darlin explained that currently AARP Alaska is one of the groups the commission works with in determining what the needs are. Many of the issues that have been discussed today are concerns of AARP Alaska as well. She added that she served on the Juneau Commission on Aging for about six years, and said that it is important for the state commission to go to the local commissions on aging when determining the needs of the community. Some communities do not have a local commission, but most communities are interested in having one, she added.

Number 2255

REPRESENTATIVE COGHILL commented that he believes every member should attend at least one commission debate.

Number 2263

REPRESENTATIVE CISSNA moved to report CS HB 394, 23-LS1534\D, Mischel, 2/19/04, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CS HB 394(HES) was reported out of the House Health, Education and Social Services Standing Committee.

HB 197-INTENSIVE FAMILY PRESERVATION SERVICES
Number 2324

CHAIR WILSON announced that the final order of business would be HOUSE BILL NO. 197, "An Act relating to intensive family preservation services and intensive family reunification services; and providing for an effective date."

REPRESENTATIVE SHARON CISSNA, Alaska State Legislature, testified before the committee as sponsor of HB 197.

TAPE 04-14, SIDE B

Number 2394

CHAIR WILSON said that an individual is on-line that must leave at 4 p.m. and would like to give that person an opportunity to speak.

Number 2323

REPRESENTATIVE CISSNA told the members that this legislation introduces a model which is described in the language of the bill. Section 9 [page 9, lines 23 through 25] inserts language that reads:

The department or agency shall also consider the eligibility of the child and family for intensive family preservation services or intensive family reunification services, or both, under AS 47.10.550.

REPRESENTATIVE CISSNA explained that Section 10 lists the requirements and steps that workers will use in identifying clients, collecting data, and accessing the tools necessary to submit a report to the governor by November 30, 2004. The report will describe the study, conclusions, and recommendations. Representative Cissna summarized that the study will determine if intensive family preservation [and reunification] services are needed and if needed, look for funding to implement it.

REPRESENTATIVE CISSNA commented that Dr. Shelley Leavitt is at the meeting today to share what other states have done. She noted that there are some identifiable sources of funding for a pilot model to make sure this plan will work for Alaska.

REPRESENTATIVE CISSNA shared her personal experiences. In 1963 she worked in the social services field with some of the population that is being discussed today. She said that "up stream" is where the work needs to be done. Representative Cissna emphasized that she believes prevention should be the

first priority. Having been a foster parent of more than 14 kids in the late 1980s, she said she found that the Division of Youth and Family Services had more than 1,000 kids in foster care at that time. In a decade that number has doubled, she stated. During that next decade she shared that she worked as a therapist in a program that worked with that same population of kids. This is a toxic problem that has a huge cost. One of those costs is not just financial; there are faces that go with this program, and that is why she said she has such intense feelings about it. Representative Cissna explained that this program steps in at the juncture of where the child is about to be removed from the family. It is not the big fix, she added, it is a little fix that is relatively inexpensive if looking at the big picture. These services have been extraordinarily successful in the places that it has been implemented.

Number 2146

MARCI SCHMIDT, volunteer, Family First Partnership, testified in support of HB 197. She told the members that she believes the pendulum has moved to the point that [children are removed from the home] and nothing is done to get families back together. Ms. Schmidt said that she knows of some instances where families could have been put back together if services had been provided.

Number 2090

SHELLEY LEAVITT, Ph.D., Associate Director, Institute of Family Development; Board Member, National Family Preservation Network, testified in support of HB 197 and answered questions from the members. She told the members that the bill provides for intensive family preservation services and intensive reunification services, which are short-term in-home crisis intervention; skill-building services, which are designed to keep children safe, strengthen families, keep families together, and reduce the reliance and over-reliance on out of home placement. Intensive family reunification services have been widely used and replicated in 20 to 30 states and nine other countries for close to 30 years, she stated. There has been a great deal of research done on the services in tracking the effectiveness of keeping children safe, improving family functioning so that children can thrive and survive, and for potential cost savings for states.

DR. LEAVITT told the members that many states, including Washington, have chosen to spend money to offer services to prevent [out of home] placement so families can be strengthened,

instead of spending it on child welfare, mental health, juvenile justice, and out of home placement. Strong families are critical to the healthy development of children and teenagers, she said.

Number 2011

DR. LEAVITT commented that it was interesting listening to the discussion on the earlier bill [HB 393] because many of the issues that are effecting the elder population are also effecting families. Intensive family preservation or reunification services is not the total fix; however, it is a critical piece of a system to keep children safe and strengthen families, she said. These services would enhance informal support within the family including relatives, neighborhoods, faith-based organizations, and churches, she added. Once the intensive services are completed, it is important to have someone there to provide support. It may be an elderly person helping to watch the children and in turn receive some kind of reciprocal help, she added.

DR. LEAVITT told the members that the latest most dramatic research available is out of the state of Michigan. This study was done on a controlled group through the courts, who received short-term service of four to eight weeks. After one year, over 90 percent of the families remained together safely. Before being included in this study less than half, close to 40 percent, of the control group had their children removed from their homes and in some cases many times.

DR. LEAVITT commented that one impetus across states in implementing this program is the cost savings. In state after state, when collecting data it is found that out of home placement costs much more than preserving the family. She emphasized that this does not mean that every family will remain together or that there is not a need for out of home placement; however, she said the need can be reduced. In Washington State the cost of these services is about \$2,700 per child, compared to basic foster care which is about \$12,000, \$30,000 or more for therapeutic care, and \$100,000 or more for residential treatment, Dr. Leavitt stated. The state of North Carolina, which implemented intensive family preservation and reunification services statewide for many years, has demonstrated that for every dollar that is spent on preservation services, the state saved \$2 to \$3 in placement costs. In the state of Alabama, which has been under a consent decree in the

child welfare system for nearly 10 years has also demonstrated an enormous cost savings in their state's placement costs.

Number 1865

CHAIR WILSON asked why this isn't already being done [in Alaska]. It appears to be a "no-brainer." This kind of program seems to be a common sense [approach to what needs to be] done. She asked if states other than Alaska are not doing this?

DR. LEAVITT responded that these services have been very common in states for at least a decade. The pendulum swings, she said. There may be an interest in strengthening families, and then there may be situation which changes [that trend]. For example, there may be a death [of a child] that is publicized and is one death out of hundreds of thousands; however, the pendulum swings to removing children [from their families] and relying on these more expensive alternatives, she said.

Number 1817

REPRESENTATIVE COGHILL pointed out that the wrong effective date is in this bill and suggested it be changed before the bill leaves committee. One struggle that he has with this bill is that a program is created that treats some people more special than others. That is hard to deal with, he said. It is difficult to provide special treatment to some people, but not to others. He said he believes this service will end up costing the state more. Representative Coghill said that he would prefer to have a policy set forth that says the family is to be preserved, [and intervention should take place] at the point where [a problem] is discovered.

DR. LEAVITT told the members that federal law under the Adoption and Safe Families Act of 1997 and an earlier law has emphasized preservation and reasonable efforts for families. The act also emphasizes permanency for children because it is known that permanent and stable homes are related to good outcomes for kids. The federal law also pushes states to have shorter timeframes for making decisions about children and reunifying families. Dr. Leavitt summarized that the focus and heart of the federal law is in trying to strengthen and preserve families.

Number 1714

REPRESENTATIVE COGHILL responded that is where his heart is in this issue as well. He said he agrees with the concept and would push for laws that would protect the family at a higher level, because the children are being protected. Representative Coghill said the struggle he has is how to mandate it. Every social worker has a different set of eyes, he said. He questioned whether these services would provide social workers with enough tools to [preserve the family].

Number 1668

DR. LEAVITT said one service is not a quick fix or the only fix, and when changing child welfare practice in the field, there needs to be a much more involved process. She told the members that what underpins the family preservation movement are the values and perspective that puts safety as the highest priority and focuses on empowering the family to ensure safety [of the children].

REPRESENTATIVE CISSNA acknowledged that there are parts of the continuum of services that are needed in prevention, which would prevent the family from requiring services to begin with or the first time a family needs services. These services, however, are only used when the courts are ready to remove the children from the home, she said. This is the last effort to keep the children with the family, Representative Cissna emphasized.

REPRESENTATIVE COGHILL said he understands what Representative Cissna is saying. He pointed out that with this bill the state is creating a hurdle for that group only. He stated that he is not sure that this is the way to address [the problem].

DR. LEAVITT commented that many states have tried to revamp their child welfare system by putting a lid on this huge bleeding of money into the foster care system. She said most kids that go into foster care, eventually go home with attachment problems and many other problems. As a great example, she said, the state of Alabama started with the intensive family preservation services to prevent placement [outside of the home] and have moved those same services and philosophy much earlier onto family support. Dr. Leavitt said that her goal has always been to work herself out of a job. There needs to be a stop in the flow of children [being removed from their home].

CHAIR WILSON suggested that Representative Cissna get the effective date changed and the bill can come back before the

committee at another time. She said she would like to hear from the department on this bill.

Number 1419

MARCIE KENNAI, Deputy Commissioner, Office of Children's Services, Department of Health and Social Services, testified on HB 197 and answered questions from the members. She told the members that the department is taking a neutral position on this bill because it believes that the division is already moving in this direction. She said that while this is a good [idea], it does not need to be legislated. There are an array of family preservation services available to clients. Intensive family services is not available yet, but there is movement in that direction, she added. Ms. Kennai reminded the members of the discussions before the committee last week and told of the Family-to-Family initiative that is being brought to the state. She said she believes that out of this initiative the state would eventually get the intensive family services.

MS. KENNAI told the members that another study would be difficult for the department to begin. The child welfare evaluation project is going on through the University of Alaska. It is currently evaluating all of the family preservation programs and will make some recommendations on how those can be refueled. She said that she is aware of the fact that the division is not doing all that it should be doing with that source of money. Ms. Kennai stated that she's pleased this legislation is being introduced, but explained that the difficult part of intensive family preservation services is that it requires a very small caseload, such as four to six cases. Even with the 20 new positions that the division will get [this year], there will never be only four to six caseloads [per worker]. It is possible to look for contract money to fund a pilot program for this. She said this would work best in urban areas. Ms. Kennai offered that it would be feasible to do this in Anchorage late this year or early next year through the Family-to-Family initiative.

MS. KENNAI told the members that the Teen Decision-making Initiative will begin within the next two months. She explained that the division will need to refer to a family preservation provider for many of those families. The families will be asked to go to a model that is similar, but one that will work best for Alaska. She noted that in most states workers have to be available 24-hours per day and at this point the division does not have that capacity in Alaska, particularly in rural

communities. This model would have to be used in an urban site, she reiterated. It would take a while to adopt it in the rural villages.

Number 1243

MS. KENNAI summarized her comments by saying that she believes in intensive family preservation services, time limited reunification services, and intensive reunification services. She assured the members that the division is on its way and is reviewing the contracts now [in place] because they are not accomplishing what needs to be done. Having said that, she said she sees no reason to legislate this program.

CHAIR WILSON asked about the contracts she mention [with respect to intensive family preservation].

MS. KENNAI explained that the division gets money from two sources. One is from the general fund and the other is federal funding from the Family Support and Preservation Act. She told the members that she has been in her job just six months and the division is working toward revamping all the contracts. Ms. Kennai said that prevention is her focus, the division is moving in this direction, but the intensive family prevention model is expensive.

MS. KENNAI pointed out that if the members were to look at what has happened in other states, it would be found to show that there are actually very few families that will fit the criteria to benefit from a six to eight week model of intensive family preservation services. The division knows that many families have alcohol and drug addiction problems and six or eight weeks is not enough [time] for those families, she said. Ms. Kennai emphasized that there is a population that this works for and would like to see it implemented.

Number 1152

MS. KENNAI told that members that she is also working with Bill Hogan, [Director, Division of Behavioral Health, Department of Health and Social Services]. She said that she and Bill feel that the Child and Youth Needs Assessment may be out within the next month. It identifies intensive family services as one of the pieces of the service array. Ms. Kennai commented that it might be funded through the Medicaid state plan. She added that this is a program that not only works for children who are at risk of coming into custody because of abuse or neglect, but

also works very well with children who have mental health issues. For example, when a parent calls and says that he/she can no longer handle his/her child. She summarized that she does not disagree with anything in the bill, but that she is not sure it needs to be legislated because the division is already moving in that direction.

CHAIR WILSON noted that Ms. Kennai did not plan on speaking today, and appreciates her willingness to comment on this bill.

MS. KENNAI thanked Representative Cissna for caring so much for [Alaska's families].

Number 1077

REPRESENTATIVE WILSON asked that a committee substitute be done and brought back before the committee for action. The bill was held in committee.

ADJOURNMENT

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at 4:25 p.m.