

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

February 14, 2008

3:02 p.m.

**MEMBERS PRESENT**

Representative Peggy Wilson, Chair  
Representative Bob Roses, Vice Chair  
Representative Anna Fairclough  
Representative Wes Keller  
Representative Paul Seaton  
Representative Sharon Cissna  
Representative Berta Gardner

**MEMBERS ABSENT**

All members present

**OTHER LEGISLATORS PRESENT**

Representative John Coghill

**COMMITTEE CALENDAR**

OVERVIEW: ALASKA'S CITIZEN REVIEW PANEL PRESENTATION

-HEARD

OVERVIEW: DEPARTMENT OF HEALTH AND SOCIAL SERVICES OFFICE OF CHILDREN'S SERVICES UPDATE

-HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

SUSAN HEUER, Member  
Alaska's Citizen Review Panel (CRP)  
Fairbanks, Alaska

**POSITION STATEMENT:** Presented the overview on behalf of the Alaska's Citizen Review Panel (CRP).

FRED VAN WALLINGA, Chair

Alaska's Citizen Review Panel  
Fairbanks, Alaska

**POSITION STATEMENT:** Answered questions during the presentation by the Alaska's Citizen Review Panel (CRP).

CAROL OLSON, Vice Chair  
Alaska's Citizen Review Panel  
Fairbanks, Alaska

**POSITION STATEMENT:** Answered a question during the presentation by the Alaska Citizen's Review Panel.

LINDA LORD JENKINS, Ombudsman  
Legislative Agencies & Offices  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions during the presentation by the Alaska's Citizen Review Panel.

TAMMY SANDOVAL, Director  
Office of Children's Services  
Department of Health and Social Services (DHSS)  
Anchorage, Alaska

**POSITION STATEMENT:** Presented an update from the Office of Children's Services (OCS).

#### **ACTION NARRATIVE**

**CHAIR PEGGY WILSON** called the House Health, Education and Social Services Standing Committee meeting to order at [3:02:59 PM](#). Representatives Gardner, Fairclough, Keller, Seaton, Cissna, Roses, and Wilson were present at the call to order. Representative Coghill was also in attendance.

Overview: Alaska's Citizen Review Panel Presentation

[3:03:31 PM](#)

CHAIR WILSON announced that the first order of business would be a presentation by the Alaska's Citizen Review Panel (CRP).

[3:06:10 PM](#)

SUSAN HEUER, Member, Alaska's Citizen Review Panel (CRP), informed the committee that the Alaska's Citizen Review Panel (CRP) is composed of volunteer members who are broadly representative of the state, including members who have expertise in the prevention and treatment of child abuse and

neglect. The CRP's vision is to enable the Division of Children's Services (OCS), Department of Health and Social Services (DHSS), to implement its policies and procedures for children and families in a culturally sensitive and consistent manner across the state. She further explained that the mandate of the CRP is to evaluate OCS compliance with federal and state laws, examine the policies, procedures, and practices of OCS, and to make recommendations for changes. Ms. Heuer noted that CRP members have travelled to 22 communities this year. When travelling, the CRP split into teams to visit OCS offices and their community partners, and asked about the success of policies in each village or community. The CRP meets with many citizens and groups who have interactions with OCS and have met many lineworkers who, under difficult working conditions, are going to heroic lengths to protect children. The CRP has concluded that the current structure and operation of OCS is not adequately protecting all of Alaska's children. For example, in the Copper River Basin, including Tok, Kenny Lake, Chitina, Gakona, Glennallen, Copper Center, and Valdez, community partners said that the rate of child sexual abuse was 90 percent. Local law enforcement confirmed that the rate was at least 80 percent; however, there were only six reports of harm. The reason that there are so few reports of harm is that OCS has a one person field office in Glennallen, so when the caseworker is in the field, there is no one to answer the phone and community members have stopped making reports of harm due to non-response from OCS.

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REPRESENTATIVE KELLER asked which partnering agencies were interviewed.

[3:10:10 PM](#)

MS. HEUER answered that the CRP talked with schools, troopers, public health nurses, mental health workers, and tribes. The panel averages three to six partner contacts, depending on the size of the community.

[3:10:37 PM](#)

REPRESENTATIVE GARDNER asked whether some occupations are mandated reporters [of harm to children].

MS. HEUER explained that mandated reporters call but there is no one to answer the phone in that region. In response to a question, she said that voice mail can be three weeks old.

[3:11:09 PM](#)

CHAIR WILSON asked whether a statewide number for reporting harm, or a different phone, is the answer.

MS. HEUER opined that an assistant in the Mat-Su office could answer the phone when the caseworker is not available. Some offices have the technology to forward calls to a regional office; she was unaware if this technology is available in Glennallen or Valdez.

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REPRESENTATIVE ROSES asked whether reports can be made by a written form. He recalled that teachers are obligated to complete a reporting form when there is the suspicion of a problem.

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FRED VAN WALLINGA, Chair, Alaska's Citizen Review Panel, stated that the CRP was not familiar with the mail-in form. He added that the people interviewed have a high level of frustration because they want to meet with the caseworker or make a phone contact right away. His experience is that he attempted to make an appointment at the Glennallen OCS office beginning in November; the first appointment available is in February. One person serves a huge area and, although it is not her fault, callers can not reach her. He opined that there should be someone there to answer the phone so that partnering agencies, who are mandatory reporters, do not eventually report to the troopers or other agencies.

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MS. HEUER acknowledged that part of the delay can be explained, but the job at this office is untenable; the territory is enormous and there are many issues, including the culture. Nevertheless, OCS is non-responsive at this office.

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CHAIR WILSON recalled her experience at the Tok Clinic.

[3:14:51 PM](#)

MS. HEUER told the committee that OCS is not totally responsible for all non-reporting; however, they must be available to receive reports.

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CHAIR WILSON observed that troopers are not always available.

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REPRESENTATIVE KELLER re-stated his question as to how many agencies and communities are reporting a problem communicating with OCS.

MR. VAN WALLINGA responded that there have not been follow-up contacts to faxed reports of harm. The CRP was first told of the non-response problem by partner agencies in the Copper River Basin; as a result, CRP findings are that cases are under-reported in that area.

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REPRESENTATIVE KELLER surmised from the annual report that the CRP has communicated with OCS about these problems.

MR. VAN WALLINGA said yes.

[3:17:56 PM](#)

REPRESENTATIVE CISSNA related her work experience in Glennallen. Her public health group did not have problems making contacts or appointments. She opined that the lack of technical equipment is not a general problem with other state offices in the Glennallen and Copper Center area. Representative Cissna said that problems, such as alcohol abuse, were discussed at the schools, although the community may not be very "open." In addition, that community suffers with severe weather and "people coming through."

[3:20:00 PM](#)

MR. VAN WALLINGA clarified that the problem of 80 percent to 90 percent [of abused children] was not in every community throughout the Copper River Basin.

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MS. HEUER gave an example of a 14-year-old boy in distress who was refused assistance after the OCS office was contacted by law enforcement.

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REPRESENTATIVE GARDNER asked whether these cases have been verified.

MR. VAN WALLINGA said yes; verification was by law enforcement.

MS. HEUER said an investigation was requested. In another incident, a child in foster care waited weeks for medical care that required only a signature by an OCS official. In answer to a question, she explained that OCS was required to sign as the child's guardian to authorize oral surgery. Ms. Heuer continued to explain that the CRP looked at many choices for improvements at OCS and decided to make one urgent recommendation. She told the committee that a decision was made in December, 2007, to move the Staff Manager/Supervisor V from the Bethel office to Wasilla. The Bethel lineworkers were devastated and were concerned about the loss of their on-site supervisor and manager. Up to this time, the office had been working very effectively in collaboration with the tribes. Based on its investigation in the Bethel region, the CRP recommends the creation of a fifth OCS region headquartered in Bethel. This region is the size of the state of Oregon and encompasses 56 villages; it is a region too large to be added to the responsibilities of the Wasilla office.

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REPRESENTATIVE GARDNER asked for a comparison of the populations and the incidence of abuse in the existing regions.

MS. HEUER deferred the question to Tammy Sandoval.

[3:27:30 PM](#)

REPRESENTATIVE FAIRCLOUGH asked for the source of the Bethel sexual abuse rate.

MS. HEUER responded that the rate was reported from trooper numbers.

3:28:10 PM

REPRESENTATIVE FAIRCLOUGH stated that the Uniform Crime Reporting Program (UCR) reported that Fairbanks is number one in sexual abuse.

CAROL OLSON, Vice Chair, Alaska's Citizen Review Panel, informed the committee that information on rates of abuse in Alaska can be found in the committee packet.

3:29:03 PM

REPRESENTATIVE SEATON asked whether the Bethel office supervisor and manager position was vacant at the time of the move to Wasilla.

MS. HEUER answered that the position was vacant and will now possibly be eliminated, for financial reasons, and the work transferred to the Wasilla office.

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CHAIR WILSON asked whether there will be an additional position added in Wasilla.

MS. HEUER indicated not.

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REPRESENTATIVE ROSES noted that positions are sometimes transferred by the legislative finance committee, not by the department, because they are unfilled.

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MS. HEUER explained that the CRP is not critical of OCS, but is attempting to identify a need.

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MS. HEUER continued to explain that the Bethel field office, the CRP, and partner agencies in Bethel, recommend that the existing positions all remain housed in the Bethel area. She stressed that the Bethel lineworkers need support and kids will be hurt or die as the result of this move.

[3:32:19 PM](#)

REPRESENTATIVE GARDNER asked whether the caseworkers in Bethel are in worse shape than the single worker in the Glennallen office.

MS. HEUER said yes; workers in Bethel are ready to leave their positions.

[3:32:47 PM](#)

REPRESENTATIVE FAIRCLOUGH related that the Department of Public Safety (DPS) is also having staffing problems in Bethel. She asked whether this situation will be addressed as a part of the [DHSS] budget with additional information from DPS. She expressed her belief that this area may need a different solution than a Western culture approach.

[3:34:02 PM](#)

MS. HEUER also noted the CRP's recommendation to fund a technology update for the Bethel office. The office has no server and the printing of documents is routed through Anchorage by a very slow procedure. Additionally, the phone service is undependable and the voice mail system may be delayed by 24 hours. This is a safety issue for the staff; a functional phone and computer system are needed now.

[3:36:25 PM](#)

MS. HEUER further explained that a new region for the Bethel area is worth the additional expense in order to maintain: on-site supervision; the unique relationship with the Yup'ik culture; and the willing collaboration between OCS and the tribal agencies.

MS. HEUER in answer to a question, she said that the supervisor position was vacated two weeks ago.

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REPRESENTATIVE ROSES asked how many CRP members were conducting the investigation in Bethel, and for how long.

MS. HEUER answered that interviews were conducted in January, and there are 15 supporting documents from partner agencies in CRP's 2007 annual report.

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REPRESENTATIVE ROSES related his experience from a former teacher's perspective.

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MS. HEUER stressed that there were almost daily contacts with the project manager.

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MR. VAN WALLINGA added that the Pathways to Hope, Alaska Native Summit on Child Sexual Abuse, identified this geographic area as a critical area of need.

[3:38:42 PM](#)

REPRESENTATIVE ROSES expressed his appreciation of the follow-up investigation that was done by the CRP.

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MS. HEUER further noted that additional testimony will follow from lineworkers at the Bethel office.

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CHAIR WILSON related her experience as a public health nurse.

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MS. HEUER stated that staff retention is valuable, particularly in Bethel, because of the Yup'ik language skills of the staff.

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REPRESENTATIVE KELLER expressed his belief that there have been improvements at the Bethel OCS office over the last five years.

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MS. HEUER pointed out that, of the Bethel staff, the worker with the most tenure had worked there for three years. There is always a critical loss when staff leaves due to the amount of time needed to understand the region and the job. She added

that OCS knows what to do to help the community, and the creation of a region five is the responsive answer to the needs of the community.

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REPRESENTATIVE FAIRCLOUGH asked whether the CRP had presented its findings to DHSS.

MS. HEUER said that the CRP had meetings with the commissioner of DHSS and the director of OCS today and yesterday.

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REPRESENTATIVE FAIRCLOUGH surmised that the administration has not had much time to respond to this information.

MS. HEUER told the committee that CRP's recommendation was first presented to the department's liaison on January 10, 2008.

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REPRESENTATIVE FAIRCLOUGH asked whether there had been any response.

MS. HEUER said no. She continued to explain that the Wasilla OCS office is in agreement with the formation of a new region. In fact, the major reason for this recommendation is because the system is too spread out; the OCS offices need to be local and have the capability to immediately respond to help kids. Ms. Heuer stated that the cost of a new region is very little when compared to the cost of doing nothing. She acknowledged that there would be a need to fund some new positions, such as a child services manager, and to pay for the technology to form a new regional office.

[3:44:57 PM](#)

REPRESENTATIVE GARDNER asked whether the Bethel office workers have to use the Anchorage computer system, or whether the computer hardware in Bethel is the problem.

MS. HEUER responded that the Bethel server is down and the replacement cost is \$12,000; however, the entire computer system is antiquated and slow to perform functions. With all of the administrative work required, social workers spend more time in the office doing clerical work than working with families.

3:46:40 PM

REPRESENTATIVE GARDNER asked whether the Wrangell and Petersburg OCS office routes its printers through Anchorage, also.

MS. HEUER stated that she did not know; however, the system does not work in Bethel and there is a tremendous volume of computer work required and little time to do it.

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REPRESENTATIVE GARDNER asked whether the information can be stored online.

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REPRESENTATIVE CISSNA affirmed that other departments have many problems with computers in rural areas, also. In fact, in Seward, there are similar problems with technology.

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MR. VAN WALLINGA informed the committee that the CRP interviews many people, especially lineworkers. Its findings are that lineworkers cannot do their jobs because there is too much paperwork, there are problems with the state computer system, and no one listens to their concerns. The turnover rate for lineworkers is very high due to their frustration that they are unable to protect children.

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MS. HEUER added that, even in Juneau, social workers are frustrated and worthy people leave their jobs. She concluded that the recommendation for a new region is not an expansion, but a request for supplemental funding to provide child protection in the Bethel area.

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LINDA LORD JENKINS, Ombudsman, Legislative Agencies & Offices, informed the committee that the rural technology problem today is not unknown; however, her case records for 2007 did not reflect any complaints from citizens in Bethel. She acknowledged that citizens living in the Bush may not be aware of the resources of the Ombudsman's office.

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REPRESENTATIVE CISSNA observed that the Ombudsman's office has a huge range of responsibility. She asked how many calls were made concerning OCS.

MS. LORD-JENKINS responded that OCS calls were 12 percent of her jurisdictional caseload in 2007, 13 percent in 2006, and 16 percent in the first weeks of 2008. She opined that OCS complaints are complex, time-consuming, and there is a great deal at stake.

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REPRESENTATIVE CISSNA asked for a description of the kinds of OCS calls the Ombudsman receives: family or worker.

MS. LORD-JENKINS related that, in 2007, her office received thirteen complaints related to foster homes; ten complaints specifically about a lack of communication with caseworkers; nine complaints about the quality of an OCS investigation; nine complaints from grandparents or about terms and services provided by grandparents; six complaints about services and placement; and five complaints about parents and placement. She continued to say that there are other cases about a variety of complaints including, allegations of lying, unfairness, poor placement decisions, and insufficient home studies.

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REPRESENTATIVE CISSNA asked how many complaints warranted a larger investigation.

MS. LORD-JENKINS informed the committee that her office did not complete a formal investigation in 2007; however, the data is complete back to 2000.

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REPRESENTATIVE CISSNA asked whether the Ombudsman has any ongoing cases related to the problems heard today.

MS. LORD-JENKINS confirmed that there are ongoing investigations regarding the quality of OCS investigations, relative placement, grandparent visitation, and the quality of OCS caseworker investigations.

[4:03:06 PM](#)

REPRESENTATIVE CISSNA asked whether the Ombudsman issues an annual report, and whether the data and recommendations are available to the public.

MS. LORD-JENKINS stated that the annual report produced by her office is in the form of a letter to the legislature that outlines statistical information and specific investigations, when possible. In addition, blind statistics are reported online. These statistics include a matrix that reports formal investigations for each department and division. Her office will soon release an updated recommendations survey that includes agencies' responses and implementation of recommendations. Ms. Lord-Jenkins further explained that reports of complaints are also public information and are released without the identification of the complainant. When requested, her office can provide data on the complaints, and resolutions, for each department back to 2000.

Overview: Department of Health and Social Services Office of Children's Services Update

[4:06:55 PM](#)

CHAIR WILSON announced that the committee will now hear an overview from the Office of Children's Services, Department of Health and Social Services.

[4:07:31 PM](#)

TAMMY SANDOVAL, Director, Office of Children's Services, Department of Health and Social Services (DHSS), informed the committee that, in 2007, OCS received recommendations from ACTION for Child Protection, Inc., for improvements in four areas: organization, culture, policy and procedures, and training. She noted that the CRP incorporated its recommendations for last year, also. Acting on these recommendations, OCS concentrated its focus first on areas of training and curriculum development, including a revision of its training curriculum.

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CHAIR WILSON asked when the new training curriculum will be put in action.

MS. SANDOVAL responded that implementation of the training curriculum is in progress and there has been improvement. She related that 52 percent of those who responded to an employee survey felt that training was their top concern. Ms. Sandoval described the actions that her division has taken to address this concern.

[4:13:57 PM](#)

REPRESENTATIVE GARDNER asked how many supervisors will be trained with the \$427,000 set out in the budget for training.

MS. SANDOVAL responded that there are approximately 40 supervisors; however, the money will also augment new worker training and will support continuing education for experienced workers. The next ACTION recommendation, a re-write of policies and procedures, is in progress by a standing committee.

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MS. SANDOVAL stated, in answer to a question, that over 20 policies and procedures have been reviewed and revised.

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CHAIR WILSON asked whether the revision will be finished by the end of the year.

MS. SANDOVAL expressed her feeling that policy revisions are never finished due to changing federal and state laws, best practices, and initiatives that change policies and procedures. Ms. Sandoval stated that her division is on its way to revising and implementing practice standards and a draft paper is ready for review. The last recommendation by ACTION for Child Protection, Inc., was to improve communication. She pointed out that OCS has 500 staff and is challenged to effectively communicate; she is looking at other state's solutions. She began her response to the presentation by the CRP and said that she feels passionately about the importance of tribal partnerships with OCS; however, OCS general staff was not allowed to participate in the Pathways to Hope Summit on Child Abuse.

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MS. SANDOVAL told the committee that the move of the supervisor and manager position from Bethel to Wasilla has been put on hold.

[4:23:48 PM](#)

REPRESENTATIVE GARDNER asked whether this position was vacant.

MS. SANDOVAL further explained that the position was vacant in January, and the regional manager requested a position location change.

[4:26:09 PM](#)

REPRESENTATIVE GARDNER asked whether the position was vacant when the decision was made.

MS. SANDOVAL said no.

[4:28:30 PM](#)

CHAIR WILSON asked about the possibility of the creation of a new region.

MS. SANDOVAL agreed with the "notion" of a fifth region; however, she estimated the startup costs of a new region to be \$1.5 million, and \$800,000 per year thereafter. She agreed that the ideal situation would be a region for western Alaska.

[4:29:43 PM](#)

REPRESENTATIVE CISSNA observed that, from her daily contacts, some of these communities feel that DHSS is out of the picture. She recalled that the problems in Wasilla last year, and now in Bethel, increase her concern that DHSS is not building and maintaining relationships in the community, or maintaining the morale of its caseworkers. She cited the example of administrators who are not aware of problems with the working team.

MS. SANDOVAL asked for clarification of the question.

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REPRESENTATIVE CISSNA emphasized that the state needs workers that are ready to respond and can do the job for kids. Workers

under pressure and without support from above can not fill the role of protecting kids.

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MS. SANDOVAL recalled that her first concern is the retention of workers and that this is a recognized problem in her division. Searching for solutions to the retention problem is an on-going process; in fact, OCS handles the hardest work within the DHSS, because its population does not welcome its help. Longstanding issues of child abuse, child neglect, domestic violence, and poverty play a part [in the non-retention of workers]. Nevertheless, Ms. Sandoval acknowledged her responsibility.

[4:35:25 PM](#)

REPRESENTATIVE CISSNA spoke of her experience as a former foster parent and care provider, and related the problem with a triangulated system. She explained that foster parents get investigated when they advocate for kids. In addition, workers feel their assistance is not welcome, even though foster parents need and want help. She opined that adversaries can not get things done.

[4:36:55 PM](#)

REPRESENTATIVE GARDNER pointed out that many non-custodial parents do not make it to counseling, and thus, those in counseling may not be representative of the population. She then asked about the problem with poorly functioning technology. Lastly, she then expressed her belief that tribal involvement is the key to seriously addressing child protection issues and asked whether OCS can develop a role to support tribal government and local communities.

MS. SANDOVAL recalled that there was a computer upgrade last year; however, about two months ago, the system began to break down again. At this time, the management information system (ORCA) is a problem for other departments, also. Ms. Sandoval assured the committee that she and the information technology department are aware of the problem.

[4:40:09 PM](#)

REPRESENTATIVE GARDNER asked whether Ms. Sandoval knew why this is a huge problem for Bethel and not for Anchorage.

MS. SANDOVAL opined that there is a problem with the satellite systems in rural and remote areas. Turning to the second question, she agreed that OCS must work in partnership with tribal leaders for child welfare. She stated that her motto is "Nothing about us, without us," and that she strives to live by that. Often decisions are made quickly and mistakes are made. Furthermore, when sixty percent of the foster child population is Alaska Native it is imperative that OCS must listen, engage, and understand the tribal issues in order to decrease the numbers of kids in care.

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REPRESENTATIVE GARDNER stressed that the role includes promoting tribal leadership on the issue and providing what is needed.

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CHAIR WILSON noted that there are some examples of dysfunction.

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REPRESENTATIVE GARDNER encouraged OCS to look for leaders with skills and talents. She then asked for the percentages of caseloads in each region and whether there is a corresponding amount of money spent in each region.

MS. SANDOVAL stated that she did not have that data on hand; however, she will provide it to the committee. In response to a comment, she stated that one-half of the caseload is in Anchorage, but services there cost less than in other areas of the state.

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CHAIR WILSON encouraged Ms. Sandoval to provide a better phone system for Glennallen and to consider the formation of a fifth region. She also stressed that the server should be replaced.

[4:47:34 PM](#)

MS. SANDOVAL said that she was unaware of the Glennallen phone problem and agreed that it must be fixed. She shared her hope for the creation of designated regional phone intake positions in the future, and noted that communities are not aware of the 800 phone number posted online. Ms. Sandoval assured the

committee that the Bethel office will get the server problem resolved.

[4:49:19 PM](#)

REPRESENTATIVE GARDNER suggested the installation of call forwarding.

[4:49:34 PM](#)

CHAIR WILSON said the committee will look for OCS's response.

[4:50:17 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at 4:50 p.m.