

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

February 21, 2008

3:39 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

COMMITTEE CALENDAR

SENATE CONCURRENT RESOLUTION NO. 17
Relating to establishing March 2008 as Brain Injury Awareness Month.

- MOVED SCR 17 OUT OF COMMITTEE

HOUSE BILL NO. 274

"An Act relating to a report to the legislature on teacher preparation, retention, and recruitment by the Board of Regents of the University of Alaska."

- HEARD AND HELD

HOUSE BILL NO. 50

"An Act relating to the Interstate Compact for the Placement of Children; establishing an interstate commission for the placement of children; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SCR 17

SHORT TITLE: BRAIN INJURY AWARENESS MONTH: MARCH 2008

SPONSOR(S): SENATOR(S) MCGUIRE

01/23/08 (S) READ THE FIRST TIME - REFERRALS
01/23/08 (S) HES
02/06/08 (S) HES AT 1:30 PM BUTROVICH 205
02/06/08 (S) Moved SCR 17 Out of Committee
02/06/08 (S) MINUTE(HES)
02/08/08 (S) HES RPT 2DP 2AM
02/08/08 (S) DP: DAVIS, ELTON
02/08/08 (S) AM: THOMAS, DYSON
02/11/08 (S) BEFORE THE SENATE ON FINAL PASSAGE
02/11/08 (S) TRANSMITTED TO (H)
02/11/08 (S) VERSION: SCR 17
02/13/08 (H) READ THE FIRST TIME - REFERRALS
02/13/08 (H) HES
02/21/08 (H) HES AT 3:30 PM CAPITOL 106

BILL: HB 274

SHORT TITLE: UNIV. REPORT: TEACHER TRAINING/RETENTION
SPONSOR(S): REPRESENTATIVE(S) HAWKER BY REQUEST OF JT LEG
EDUCATION FUNDING TASK FORCE

01/04/08 (H) PREFILE RELEASED 1/4/08
01/15/08 (H) READ THE FIRST TIME - REFERRALS
01/15/08 (H) HES
02/21/08 (H) HES AT 3:30 PM CAPITOL 106

BILL: HB 50

SHORT TITLE: CHILD PLACEMENT COMPACT
SPONSOR(S): REPRESENTATIVE(S) COGHILL, NEUMAN, WILSON

01/16/07 (H) PREFILE RELEASED 1/5/07
01/16/07 (H) READ THE FIRST TIME - REFERRALS
01/16/07 (H) HES, JUD
02/21/08 (H) HES AT 3:30 PM CAPITOL 106

WITNESS REGISTER

TREVOR FULTON, Staff
to Senator Lesil McGuire
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SCR 17 on behalf of Senator
Lesil McGuire, sponsor.

RICHARD WARRINGTON, Ambassador
Brain Injury Association of America; Board Member
Alaska Brain Injury Network

Kenai, Alaska

POSITION STATEMENT: Testified in support of SCR 17.

T. FRANK BOX, Employee

Access Alaska

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SCR 17.

JILL HODGES, Executive Director

Alaska Brain Injury Network

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SCR 17.

JEFF IRWIN, Employee

Southeast Alaska Independent Living (SAIL)

Juneau, Alaska

POSITION STATEMENT: Testified in support of SCR 17.

ANTHONY SIVERSEN, Fisherman

Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on SCR 17.

REPRESENTATIVE MIKE HAWKER

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented HB 274, as the sponsor.

PAT PITNEY, Vice President

Budget and Planning

University of Alaska

Fairbanks, Alaska

POSITION STATEMENT: Testified during the hearing on HB 274.

REPRESENTATIVE JOHN COGHILL

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Introduced HB 50, as the sponsor.

RYNNIEVA MOSS, Staff

to Representative John Coghill

Juneau State Legislature

Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 50.

MARCIA PICKERING, Deputy Administrator

Interstate Compact for the Placement of Children; Coordinator

Social Services Programs
Office of Children's Services (OCS)
Department of Health and Social Services (DHSS)
Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HB 50.

ACTION NARRATIVE

CHAIR PEGGY WILSON called the House Health, Education and Social Services Standing Committee meeting to order at [3:39:29 PM](#). Representatives Keller, Gardner, Fairclough, and Wilson were present at the call to order. Representatives Seaton, Cissna, and Roses arrived as the meeting was in progress.

SCR 17-BRAIN INJURY AWARENESS MONTH: MARCH 2008

[3:40:16 PM](#)

CHAIR WILSON announced that the first order of business would be SENATE CONCURRENT RESOLUTION NO. 17, Relating to establishing March 2008 as Brain Injury Awareness Month.

TREVOR FULTON, Staff to Senator Lesil McGuire, Alaska State Legislature, presented SCR 17 on behalf of Senator McGuire, sponsor. Mr. Fulton stated that resolutions establishing March as Brain Injury Awareness Month have been passed several times in previous years. The bill was presented in the spirit of raising awareness of traumatic brain injury (TBI). He informed the committee that Alaska leads the nation in brain injuries per capita. In addition, TBI is a leading cause of death among children and young adults in the state. Alaska has seven times the national average number of brain injuries per capita; in the Bush communities the number is fourteen times the national average. In fact, 800 TBIs are reported in Alaska each year and an estimated 12,000 Alaskans have suffered a TBI. These injuries are life altering and place a tremendous strain on the victims and their families. Mr. Fulton pointed out that many victims suffer permanent disabilities. Furthermore, as most cases of TBI are preventable, raising awareness of the traumatic consequences will help prevent them. The Brain Injury Association of America recognizes March of each year as Brain Injury Awareness Month and this resolution will comport with the national effort by making March, 2008, Brain Injury Awareness Month in Alaska. Mr. Fulton pointed out that there is an addition to the resolution this year that recognizes that TBIs are on the rise in Alaska, primarily due to the number of

returning veterans who have been injured in the service to their country.

[3:44:16 PM](#)

MR. FULTON further explained that TBI is called a silent epidemic as some victims are not aware of their exact condition.

[3:45:00 PM](#)

CHAIR WILSON shared that she spoke to U.S. Senator Ted Stevens about the problem of caring for the many injured veterans who are returning home to Alaska. The Senator assured her that more help will be coming for returning veterans.

[3:46:05 PM](#)

REPRESENTATIVE SEATON asked for the implications of the title change: "Traumatic Brain Injury" to "Brain Injury Awareness Month."

MR. FULTON explained that brain injuries include other sorts of injuries, not just those sustained through trauma, but injuries through alcohol and substance abuse, and stroke. He opined that the intent is not to exclude other types of injury, even though the focus is on traumatic brain injury. Also, this resolution is drawn to comport with the national recognition of Brain Injury Awareness Month.

[3:47:57 PM](#)

REPRESENTATIVE SEATON pointed out that the "whereas" statements do not include other types of injury; therefore, the emphasis is not there.

[3:48:26 PM](#)

CHAIR WILSON stated that other injuries are covered in the statement, "... is known in the disability community as the nation's 'silent epidemic'." She asked whether Representative Seaton would like to make an addition to the resolution.

[3:49:14 PM](#)

REPRESENTATIVE SEATON observed that previous resolutions addressed traumatic brain injury and that he was trying to get clarification.

3:49:40 PM

RICHARD WARRINGTON, Ambassador, Brain Injury Association of America; Board Member, Alaska Brain Injury Network, responded to Representative Seaton's question and explained that brain injuries are like cancer in that there are many different kinds. He opined that brain injury awareness month includes all sorts of brain injuries. Mr. Warrington said that that he is the survivor of a traumatic brain injury 31 years ago and is still disabled. He urged the committee to pass the resolution to raise awareness; brain injuries occur every 21 seconds and additional awareness may slow this rate of occurrence.

3:51:22 PM

T. FRANK BOX, Employee, Access Alaska, informed the committee that he is a survivor of two brain tumors followed by many surgeries and procedures. Mr. Box said that about two percent of the constituents in legislative districts have suffered a TBI. He continued to say that access to properly trained providers is essential for recovery, in fact, every dollar invested in brain injury rehabilitation support saves \$35 in future medical costs. Mr. Box opined that building awareness in rural areas is a good investment at no cost.

3:52:55 PM

JILL HODGES, Executive Director, Alaska Brain Injury Network, pointed out that her organization keeps coming back in order to continue to listen to the needs of Alaskans who have been affected by TBI. She said that to turn needs into solutions takes a consuming amount of energy from the victim and his or her family. The Alaska Brain Injury Network can take on the role of developing solutions and, thereby, support Alaskans. Ms. Hodges expressed her appreciation to the Alaska Mental Health Trust Authority for its funding of the Alaska Brain Injury Network. She opined that SCR 17 is one solution. In reference to Representative Seaton's question, she noted that the federal government first passed bills that solely addressed TBI; however, the Brain Injury Association of America recognized that brain injury encompasses all acquired brain injury. In Alaska, survivors of other brain injuries, such as stroke, alcohol abuse, and tumors, should be served, along with survivors of TBIs, in order for programs and services to be equally available for both populations. Ms. Hodges explained that her organization is in contact with hundreds of TBI

survivors and that she is speaking for them. She then noted that the U. S. Department of Health and Human Services, Center for Disease Control and Prevention (CDC), is beginning a new campaign to advocate for seniors and revealed that, nationally, those over the age of 75 have the highest rate of brain injury. In Alaska, the Alaska Commission on Aging (ACoA) is working with the Alaska Brain Injury Network to raise awareness about TBI among the elder population.

[3:57:11 PM](#)

JEFF IRWIN, Employee, Southeast Alaska Independent Living (SAIL), expressed his support for considering March as traumatic Brain Injury Awareness Month and stated that it is very important to better inform the public of this disability and to invest in funding for this issue. Mr. Irwin noted that Alaska has high rates of injury, especially in the rural communities. He spoke of the need to provide better information to the public, better diagnostic tools for health care providers, and more support for the victims of injuries. He stated that TBI is often not readily apparent and is called an invisible disability, and encouraged the committee to make this disability more visible to the community by declaring March as traumatic Brain Injury Awareness Month.

[3:58:20 PM](#)

ANTHONY SIVERSEN, Fisherman, described his life-threatening TBI while working on a fishing vessel five years ago. Mr. Siversen expressed his support of [SCR 17].

[3:59:40 PM](#)

CHAIR WILSON closed testimony on SCR 17.

[3:59:51 PM](#)

REPRESENTATIVE GARDNER moved to report SCR 17 out of committee with individual recommendations and the accompanying zero fiscal note. Hearing no objections, SCR 17 was reported out of the House Health, Education and Social Services Standing Committee.

[4:01:05 PM](#)

HB 274-UNIV. REPORT: TEACHER TRAINING/RETENTION

[4:01:19 PM](#)

CHAIR WILSON announced that the next order of business would be HOUSE BILL NO. 274, "An Act relating to a report to the legislature on teacher preparation, retention, and recruitment by the Board of Regents of the University of Alaska."

[4:01:19 PM](#)

REPRESENTATIVE MIKE HAWKER, Alaska State Legislature, sponsor, informed the committee that HB 274 is the result of a recommendation brought forward by the Joint Legislative Education Funding Task Force. He noted that Representatives Roses and Seaton, members of the committee, also served on the task force. This bill began as a discussion about the lack of coordination, or communication, between the legislature and the University of Alaska (UA) on what UA is doing to prepare teachers to enter the field of teaching and to retain those teachers in Alaska. House Bill 274 asks UA to prepare an annual report to the legislature titled "Alaska's University for Alaska's Schools," that describes the efforts of the university to attract, train, and retain qualified public school teachers.

[4:02:25 PM](#)

REPRESENTATIVE HAWKER continued to explain that the report will include an outline of the university's past, current, and future plans to close the gap between known teacher employment vacancies in the state and the number of state residents who complete teacher training. He asked the committee to carefully consider the following testimony from UA officials, that was not available at the time the bill was written, that suggests that the goals of this bill are already being accomplished.

[4:04:02 PM](#)

REPRESENTATIVE GARDNER asked whether the bill's sponsors are looking for the requested information in a certain form or simply for review.

[4:04:28 PM](#)

REPRESENTATIVE HAWKER responded that his interpretation is that the sponsors are looking for a tool to create a specific discussion document in order to foster communications with UA on this subject.

[4:04:56 PM](#)

REPRESENTATIVE GARDNER surmised that the information that UA already has could be combined into one document and there is no need for new research.

REPRESENTATIVE HAWKER agreed.

4:05:33 PM

REPRESENTATIVE SEATON observed that the bill has a zero fiscal note. He inferred that the bill will not require UA to do any additional work.

REPRESENTATIVE HAWKER deferred the question to a representative of UA.

4:06:21 PM

PAT PITNEY, Vice President, Budget and Planning, University of Alaska, informed the committee that the Budget and Planning office is the source for much of the university's data, including, and beyond, budget requests. She stated that the intent of the bill is to create a dialog between UA Board of Regent's members and the legislature, beginning in the first month of each session. Ms. Pitney explained that, because UA already does several reports, including the Alaska teacher supply and demand report generated every two or three years, it will not require additional money to comply with the bill. She provided an overview that describes pertinent activities by UA including schools of education at Juneau, Anchorage, and Fairbanks, each of which provide different programs ranging from baccalaureate and master's degrees to secondary programs. In addition, the Institute for Social and Economic Research has issued a report on how many teachers are graduated by UA, how many become teachers, and how many stay in the workforce. Ms. Pitney indicated that UA provides 30 percent of the teachers that the state needs. The largest areas of need are secondary teachers of science, technology, and math, and for special education teachers. Furthermore, the turnover at rural schools is very high. She opined that a request from the committee for this report would suffice, but passing a law provides UA the opportunity for dialog with the legislature about its efforts to reach its goals. Ms. Pitney recalled that, in FY 08, there was a re-allocation of funds that allowed the addition of faculty at the University of Southeast (UAS). This bill would provide an opportunity for dialog with the legislature, not only about the budget, but about programs.

[4:10:56 PM](#)

MS. PITNEY spoke of the elementary school program, "Future Teachers of Alaska," that was developed in partnership with the school districts and the Department of Education and Early Development. This program aims to raise teaching career awareness with elementary and middle school students. Furthermore, the teacher mentoring program, again in partnership with DEED, is supporting 300 teachers around the state during their first and second years of teaching; master teachers travel to the new teacher's school and have been instrumental in raising the retention rates. She stressed that the bill will give a formal opportunity for the UA Board of Regents to share information about these, and other, programs with the legislature.

[4:12:37 PM](#)

CHAIR WILSON expressed her concern that instructors need to go to Bush schools in order to better prepare students for teaching in rural areas. Many new teachers are hired to teach in rural areas and do not have the skills to be confident.

[4:14:42 PM](#)

MS. PITNEY pointed out that there is a rural practicum program, initiated in 2007, that provides two-week to one-semester internships in rural schools. This is a costly program, but will provide the needed prospective to new teachers. She stressed that UA must provide not only training, but teachers who are willing to take the jobs that are available. There is interest to expand the internships to one year; however, lengthy internships are an obstacle to some students.

[4:16:47 PM](#)

CHAIR WILSON asked whether education students are taught to deal with anger management.

MS. PITNEY said she would defer questions about curriculum to the dean.

[4:17:10 PM](#)

REPRESENTATIVE ROSES recalled his membership on a committee that researched teacher enhancement. The group ultimately created

the statewide mentorship program and also looked at the terms of the programs and determined that the master's degree would include six weeks internship in rural school districts. Representative Roses opined that the data needed should include what UA has determined to be the obstacles to expansion of the program, such as the difficulty of transferring courses. Also, there is not enough capacity within UA to accommodate the incoming education student's needs for specialty courses such as science and math.

[4:20:24 PM](#)

MS. PITNEY expressed her belief that the report required by HB 274 would provide updates on improvements that UA has made. She acknowledged that the transferability of credits between majors will always be a problem. Ms. Pitney assured the committee that she will respond to any student's problems of which she is informed. Turning to the obstacles listed by Representative Roses, she said that UA is subject to state policy and these issues will be best solved by dialog with the legislature, the EED, Alaska Post Secondary Education, the Department of Labor & Workforce Development (DLWD) and other related policy units. She cited wage inequities.

[4:23:26 PM](#)

REPRESENTATIVE FAIRCLOUGH stated her support of the bill should UA be requested to look at its efforts to supplement, produce and retain teachers to work in Alaska. She said that she was open to a different discussion regarding pay grades and retirement; however, the fiscal note attached to HB 274 refers to a joint report and indicates that that there are two different purposes to this bill. She expressed her understanding that this bill will ask what UA is doing, with the dollars invested by the legislature, to meet the needs of teachers and teacher retention. Representative Fairclough supported the value of the two separate and distinct issues; however, this legislation will accomplish the first.

[4:25:09 PM](#)

MS. PITNEY expressed her support for the larger and broader question. She agreed that the legislation is focused on the results of UA programs and investments with the understanding that it is not the whole picture of teacher retention in Alaska.

[4:25:35 PM](#)

REPRESENTATIVE FAIRCLOUGH pointed out an omission in the structure of the document.

[4:27:08 PM](#)

CHAIR WILSON noted the omission. She then stated her belief that the bill should call for results and improvements in the Schools of Education programs. Chair Wilson opined that legislators want changes in what is being taught and how teachers are prepared.

[4:28:49 PM](#)

MS. PITNEY explained that accreditation reports are mandated by the state Board of Education and Early Childhood Development. Accreditation of schools of education requires a certain curriculum and follow-up and outcomes assessment. She invited the committee to ask accreditation questions of the deans and of the faculty; however, this subject may not be at the level of the dialog between the Board of Regents members and the legislature required by this bill.

[4:30:30 PM](#)

CHAIR WILSON spoke of another state's requirements that professors "go out."

[4:31:05 PM](#)

REPRESENTATIVE ROSES noted that the education task force dropped this subject, but recommended the reestablishment of a standing committee on education, or subcommittees in each body, to thoroughly investigate education issues. When enacted, early forward funding will allow the opportunity for legislators to analyze the education system. He pointed out that HB 274 is just one of the recommendations to reach the goal of a closer look, by the legislature, at educational issues.

[4:32:51 PM](#)

REPRESENTATIVE HAWKER responded to Representative Fairclough's question about the omission in the document and said that the omission will be handled by the revisor when the statute is incorporated into law.

[4:33:36 PM](#)

CHAIR WILSON closed testimony on HB 274.

[4:33:47 PM](#)

REPRESENTATIVE SEATON recalled that the education task force was a funding task force and a number of issues were brought up during discussion. He expressed his belief that this is a subject for overviews that should be presented to the future standing committee on education. With a zero fiscal note, he opined that this legislation will not do much. Representative Seaton said that he was reluctant to have UA generate a report that does not receive due notice and he recommended that this issue be assigned to the new standing committee. Representative Seaton said that further conversation between UA and the education committee will be more in depth and that he did not support this legislation.

[4:35:56 PM](#)

REPRESENTATIVE FAIRCLOUGH suggested that the committee wait until the senate bill is referred.

[4:36:36 PM](#)

REPRESENTATIVE SEATON clarified that he is not indicating that the bill should be held for leverage; he stated that his intent is that there is a need for a standing committee on education to address this issue in detail.

[4:37:11 PM](#)

REPRESENTATIVE ROSES pointed out that the report will be to the committee, not to the entire legislature. He stated that this bill will accomplish the objective by requiring this report.

[4:38:37 PM](#)

CHAIR WILSON commented that some discussions should go before the main body in order to better inform legislators about matters such as social service and education. She announced that the bill would be held and expressed her belief that this bill "will not get us where we want to be."

[4:39:37 PM](#)

REPRESENTATIVE SEATON pointed out that many reports are given to legislators and are then filed away; overviews presented to committees are a better way to relay information. He surmised that the sponsor agreed.

[4:40:39 PM](#)

REPRESENTATIVE HAWKER offered his belief in the appropriateness of creating this dialog; however, he said that this is a rare bill with a single committee of referral, and he encouraged erring on the side of caution.

[4:42:34 PM](#)

[HB 274 was held over.]

HB 50-CHILD PLACEMENT COMPACT

[4:43:09 PM](#)

CHAIR WILSON announced that the final order of business would be HOUSE BILL NO. 50, "An Act relating to the Interstate Compact for the Placement of Children; establishing an interstate commission for the placement of children; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

[4:43:27 PM](#)

REPRESENTATIVE ROSES moved to adopt CSHB 50, Version 25-LS0265\E, Mischel, 2/19/08, as a working draft. Hearing no objection, Version E was before the committee.

[4:43:54 PM](#)

REPRESENTATIVE JOHN COGHILL, Alaska State Legislature, informed the committee that he introduced the bill after hearing a Council of State Governments presentation regarding the Interstate Compact for the Placement of Children (ICPC). Representative Coghill noted that the present day compact has failings; however, in reading the new compact last year he concluded that it held overreaching language that put the state in the position of surrendering too much sovereignty. Representative Coghill worked with other states and the compact commissioners to solve some of the problems, although the state only has the choice to sign on or not, and can not request changes to the language. He noted that some of the reasons to

have an interstate compact are to get children out of Alaska to relatives out-of-state, and to arrange for a home visit out-of-state for an Alaskan parent. Representative Coghill observed that the old compact was effective in 1960, and he recommended that the committee review and approve HB 50, Version E. Thirty-five states have to pass the compact prior to its enactment and he stressed that Alaska should move forward due, in part, to its transient society and large numbers of military families. The new compact will hold Alaska and the other members accountable and sets effective rules for matters of adoption and child-in-need-of-aid. He stressed that administration laws and many of the rules of adoption and child-in-need-of-aid have changed significantly over time. Representative Coghill said that the American Public Human Services Association was instrumental in the development of Version E, and he urged the committee to begin the state's process of entering into the compact.

[4:49:19 PM](#)

REPRESENTATIVE CISSNA recalled looking at changes to a compact eight years ago.

REPRESENTATIVE COGHILL responded that there was an amendment to this section in 2003 or 2004; however, there was not a replacement compact.

[4:50:26 PM](#)

CHAIR WILSON surmised that this is essentially a new compact.

REPRESENTATIVE COGHILL said yes.

[4:50:42 PM](#)

REPRESENTATIVE SEATON asked whether the sponsor statement of September 14, 2007, addresses Version E.

REPRESENTATIVE COGHILL answered that the sponsor statement does apply to Version E.

[4:51:18 PM](#)

REPRESENTATIVE GARDNER pointed out the memorandum in which the state attorney general advised Commissioner Karleen Jackson, Department of Health and Social Services (DHSS), not to adopt the compact.

[4:51:48 PM](#)

RYNNIEVA MOSS, Staff to Representative John Coghill, Alaska State Legislature, informed the committee that the memorandum Representative Gardner referred to concerned the old version of the compact.

[4:52:06 PM](#)

REPRESENTATIVE GARDNER asked whether the state attorney general's office has recommended that Commissioner Jackson sign the current form of the proposed new compact.

MS. MOSS said yes. There is an assistant attorney general available to testify, if needed.

[4:52:54 PM](#)

CHAIR WILSON asked whether the memorandum from Jean Mischel dated September 11, 2007, applied to Version E.

MS. MOSS stated that the memorandum applied to [Version A].

[4:53:40 PM](#)

MARCIA PICKERING, Deputy Compact Administrator; Social Services Program Coordinator, Office of Children's Services (OCS), Department of Health and Social Services (DHSS), advised the committee of her experience as an Interstate Compact for the Placement of Children administrator and read [original punctuation provided]:

The current compact was written in 1959/60 and enacted by the first state in 1960. Alaska joined in 1976. The compact was written before the US created an interstate highway system, before the concept of Administrative Law, and before the home use of computer technology.

The proposed legislation before you offers an opportunity for states to renew their commitment to the safe and timely interstate placements of children in foster care and more expedient interstate placements for private adoptions.

The new compact is intended to bring:
Uniformity to the process
Accountability
Continued Reciprocity

and insure Safe and Timely placements

And it has been endorsed by the Executive Committees of the

Nat. Council of State Human Services
Nat. Association of Public Child Welfare
Administrators
Nat. Association of Administrators of the ICPC
American Academy of Adoption Attorneys

HIGHLIGHTED CHANGES

PROVIDES FOR:

Administrative Rule making and enforcement
Supervision services and Accountability
Option of Purchasing Services / HS and Supervision
Uniform Data Collection and Info Sharing
Guidelines involving Tribal Governments
Now 2 Type of Placement Evaluations, uniformity
Home Study
Assessment
Provides for Provisional Approvals, (assessments)
Specifies Choice of Law regarding interstate
issues
Rule Making /applicability of ICPC to US armed
Service Members

DELETED:

Applicability to private parent placements, with
relatives and non-
relatives, when the placement will not result in
an adoption.

Applicability to private parent placements to a
residential program.

Applicability to Foreign Adoptions

[4:55:39 PM](#)

CHAIR WILSON asked for an explanation of "administrative rules."

[4:55:46 PM](#)

MS. PICKERING explained that the administrative rules will be created and published, subject to public comment, and that there will be input from stakeholders. The rules are also subject to change by a majority of state legislatures. Presently, without administrative law, the state's representatives would meet and make administrative decisions without the force of law; this led to different interpretations and disputes between states. Ms. Pickering continued to explain that the new compact calls for an

interstate commission to enforce uniformity, accountability, and continued reciprocity, and will ensure the safe and timely placement of children. Presently, there are many delays due to the differences between policies from state to state. The new compact has been endorsed by the executive committees of: the American Public Human Services Association, the National Association of Public Child Welfare Administrators, the administrators of the Interstate Compact for the Placement of Children, and the American Academy of Adoption Attorneys (AAAA).

[4:58:01 PM](#)

MS. PICKERING highlighted the changes in the new compact and said that it now provides for: administrative rule making and enforcement; supervision services, including frequency and content; the option to purchase home study services; uniform data collection and information sharing; guidelines involving tribal government; guidelines on assessments; and provisional approvals.

[5:00:22 PM](#)

REPRESENTATIVE CISSNA shared her experience that children who go out-of-state without a proper home study are at risk.

[5:01:54 PM](#)

MS. PICKERING agreed that case workers need to request sufficient information for proper placement; a placement should not be made with an insufficient home study. During out-of-state placement there is also the risk of placing a child without knowing about the provision of medical care and other services.

[5:02:53 PM](#)

REPRESENTATIVE CISSNA asked whether the new compact will provide for continued contact between a child placed out-of-state and a former foster parent.

MS. PICKERING responded that the compact does not address continuing relationships for the child. She expressed her belief that this is an issue for the parties involved and the case worker. Ms. Pickering continued to explain that the new compact specifies the choice of law regarding interstate issues. In answer to a question, she further explained that, with a private adoption, the receiving state's adoption laws will take

precedence. In addition, the new compact deletes its applicability to private parent placements with relatives and non relatives, when the placement does not result in adoption.

[5:05:17 PM](#)

REPRESENTATIVE GARDNER referred to Indian Custodianship, a Native family and federal law that allows a person to give temporary, custodian, guardianship for a child at will. She asked whether this law applies across state borders.

MS. PICKERING opined that this issue would have to be addressed on an individual basis. Furthermore, she said she was unfamiliar with this law and its effect in other states.

[5:06:46 PM](#)

REPRESENTATIVE GARDNER re-stated that this is a federal law, and that it is revocable at will.

[5:07:01 PM](#)

MS. PICKERING continued to say that the new compact also deletes private parent placement to residential programs and removes the requirement that the Division of Juvenile Justice, Office of Children's Services, needs to give approval to place a child in a residential program. The final changes are that foreign adoptions are no longer required to comply with the compact and that there will be a requirement for oversight of the compact by a state advisory committee.

[5:08:04 PM](#)

REPRESENTATIVE CISSNA recalled that [the Bring the Kids Home Program] is a party to the placement of children in out-of-state private residential treatment centers.

MS. PICKERING agreed that the Bring the Kids Home Project is an effort to analyze the community treatment of kids as an alternative to sending them out-of-state.

[5:09:46 PM](#)

REPRESENTATIVE CISSNA asked whether there is a contradiction between the compact and the Bring the Kids Home Project.

CHAIR WILSON offered that, before kids are sent out-of-state, there must be an evaluation.

[5:10:11 PM](#)

REPRESENTATIVE CISSNA asked whether Ms. Pickering was doing evaluations.

MS. PICKERING said no.

REPRESENTATIVE GARDNER requested a copy of Ms. Pickering's testimony.

[Although not formally stated, HB 50 was heard and held.]

[5:10:36 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Health, Education and Social Services Standing Committee* meeting was adjourned at 5:10 p.m.

[5:10:58 PM](#)