

ALASKA STATE LEGISLATURE
HOUSE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

February 26, 2013

3:01 p.m.

MEMBERS PRESENT

Representative Pete Higgins, Chair
Representative Lance Pruitt
Representative Lora Reinbold
Representative Paul Seaton
Representative Geran Tarr

MEMBERS ABSENT

Representative Wes Keller, Vice Chair
Representative Benjamin Nageak

COMMITTEE CALENDAR

PRESENTATION: ALASKA'S CITIZEN REVIEW PANEL

- HEARD

HOUSE BILL NO. 54

"An Act relating to the identification, location, and notification of specified family members of a child who is in state custody."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 54

SHORT TITLE: PLACEMENT OF A CHILD IN NEED OF AID

SPONSOR(s): REPRESENTATIVE(s) GARA, THOMPSON

01/16/13	(H)	PREFILE RELEASED 1/11/13
01/16/13	(H)	READ THE FIRST TIME - REFERRALS
01/16/13	(H)	HSS, JUD
01/24/13	(H)	SPONSOR SUBSTITUTE INTRODUCED
01/24/13	(H)	READ THE FIRST TIME - REFERRALS
01/24/13	(H)	HSS, JUD
02/07/13	(H)	HSS AT 3:00 PM CAPITOL 106
02/07/13	(H)	Scheduled But Not Heard
02/26/13	(H)	HSS AT 3:00 PM CAPITOL 106

WITNESS REGISTER

DIWAKAR VADAPALLI Member,
Alaska Citizen Review Panel
Assistant Professor, Public Policy,
Institute of Social and Economic Research (ISER)
University of Alaska Anchorage
Anchorage, Alaska

POSITION STATEMENT: Testified and answered questions during the presentation by the Citizen Review Panel.

SUSAN HEUER, Chair
Citizen Review Panel
Anchorage, Alaska

POSITION STATEMENT: Testified and answered questions during the presentation by the Citizen Review Panel.

CHRISTY LAWTON, Director
Central Office
Office of Children's Services
Department of Health and Social Services
Juneau, Alaska

POSITION STATEMENT: Testified and answered questions during presentations on both the Alaska Citizen Review Panel and SSHB 54.

REPRESENTATIVE LES GARA
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SSHB 54 as a joint prime sponsor of the bill.

REPRESENTATIVE STEVE THOMPSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SSHB 54 as a joint prime sponsor of the bill.

AMANDA METIVIER, Statewide Coordinator
Facing Foster Care in Alaska
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SSHB 54.

NANCY WEBB
Fairbanks, Alaska

POSITION STATEMENT: Testified during discussion of SSHB 54.

ACTION NARRATIVE

[3:01:35 PM](#)

CHAIR PETE HIGGINS called the House Health and Social Services Standing Committee meeting to order at 3:01 p.m. Representatives Higgins and Seaton were present at the call to order. Representatives Pruitt, Reinbold, and Tarr arrived as the meeting was in progress.

Presentation: Alaska's Citizen Review Panel

[3:02:48 PM](#)

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

[3:03:28 PM](#)

DIWAKAR VADAPALLI, Member, Alaska Citizen Review Panel; Assistant Professor, Public Policy, Institute of Social and Economic Research (ISER), University of Alaska Anchorage, introduced the other members of the Citizen Review Panel.

SUSAN HEUER, Chair, Citizen Review Panel, pointed out that the panel members were from all parts of Alaska. She explained that every state was federally mandated to have a Citizen Review Panel (CRP). She stated that the CRP had formed in 2002 and consisted of a group of seven volunteers. She directed attention to a one page handout, titled "Alaska's Citizen Review Panel," [Included in members' packets] which listed all the places the CRP had visited. She reported that the CRP mandate was to work independently of the Office of Children's Services (OCS) and to collect public input for adequacy of the protective services by OCS. She shared that annually the panel would visit two sites as a group of mandated reporters to determine child protection. The group would interview the local OCS staff and the child protection community partners. She shared that after these visits the panel would submit its report to OCS, OCS would have the opportunity to respond, and this final annual report would be submitted to the legislature.

[3:07:25 PM](#)

MS. HEUER established that there were two topics to focus on: social worker retention and data compilation. She said that OCS

worker turnover had been about 34 percent over the past eight years. She declared that this was an unacceptable rate, as it resulted in a loss of experience and was very cost ineffective to continually search and train to fill positions. She expressed recognition of the difficulty of filling positions in the Bush. She declared this to be a public safety issue, as children were not safe. She opined that OCS should be considered a public safety agency, although it was always functioning on a "bare bones budget" and was the last agency to receive any supplemental financial support to achieve its mission.

[3:10:31 PM](#)

CHAIR HIGGINS asked for her recommendation.

MS. HEUER replied that OCS had contracted with an outside agency for an objective evaluation to determine the necessary ratio of support staff to case workers, which would be available in the near future. This report would provide an analysis to support the financial requests. She lauded OCS for utilizing the Casey Family Services to work with the Wasilla field office staff and community partners, and that the improvements had been dramatic. She shared that the Casey Family Services would next work with the OCS Bethel area office.

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CHAIR HIGGINS asked to define the Casey Family Services program.

MS. HEUER, in response, said that the OCS director could better answer this. She stated that the program offered expertise, consultants, and in-house training for resolution of child welfare and child protection issues.

[3:13:12 PM](#)

CHAIR HIGGINS offered his belief that OCS did not know how to run its offices.

MS. HEUER replied that the Wasilla OCS office had long standing difficulties, and it had taken an outside agency to make a positive change. She declared that the director at OCS was "doing a really good job." She deemed that the 34 percent vacancy rate was a very complicated problem with many challenges, and that OCS was taking excellent steps for resolution of the problems. She advocated for additional

funding to OCS for social service aides, noting that this was the necessary support for social workers.

3:14:22 PM

REPRESENTATIVE SEATON asked whether the Human Resources department was still concentrated in the Department of Administration (DOA), or whether OCS was now able to hire internally, as OCS knew the details for the hiring.

MS. HEUER replied that she did not know.

3:15:30 PM

REPRESENTATIVE SEATON, commenting on the time spent with clerical work, asked if CRP had investigated the use of speech recognition software for data entry and reports in order to better utilize staff time.

MS. HEUER offered her belief that it was available, but that the current software program, ORCA, was working better and more quickly.

3:17:01 PM

MS. HEUER offered two specific recommendations for OCS retention: she offered support to any request by OCS for funding of future social service aides; and she expressed concern with housing in rural areas and its impact on retention. She offered an anecdote regarding rural housing. She stated that adequate, appropriate housing would allow for "an enormous cost saving over time."

CHAIR HIGGINS asked if the OCS applicants were invited to visit beforehand.

MS. HEUER said that recruitment videos had been produced which depicted the experience for living in rural Alaska.

CHAIR HIGGINS offered an anecdote about his experience with recruiting applicants from outside Alaska.

MS HEUER replied that recruitment was being addressed within the budgetary constraints. She reiterated the need to lower the turnover rate.

CHAIR HIGGINS asked about the salary for social workers in rural Alaska.

MS. HEUER said that she did not know.

CHAIR HIGGINS replied that when he accepted applicants to his business in Alaska, he required that they pay their own expenses to come to Alaska for the interview. "When someone asks me to come up to Alaska, they do that on their own dime. I don't do that. If you want the job, that tells me a little bit about them."

MS. HEUER said she would defer that question to OCS. She declared that staff retention was the biggest issue for OCS, "it trickles down to everything else they do. When they constantly have a new, young, inexperienced work force, all their other practices and policies they want them to do is an uphill fight, until they get an established workforce."

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MR. VADAPALLI said that the CRP reviewed objective data to support or verify its OCS site visits. He declared that one thing that stood out upon review of the OCS website was the 85 percent increase to the rate of allegations for neglect across Alaska. He shared that CRP questioned the regional distribution for this increase, but that the OCS regions had no common metric to compare with any other regional data. He directed attention to slide 12, "Illustration," and pointed out that Anchorage had 996 victims of child maltreatment, but it also had the largest population. He reported that closer alignment of regional boundaries revealed that Western Alaska had the highest rate of children victims, and Anchorage then dropped almost to the lowest percentage rate.

MR. VADAPALLI moved on to slide 13, "Children as percentage of total population, by community," and explained that the panel was focusing its efforts on the communities with more than 40 percent of the total population being children. He added that this also reflected the potential for child abuse.

[3:25:55 PM](#)

MR. VADAPALLI declared that the CRP recommended that OCS enhance its data compilation efforts. Although OCS collected good data, it was necessary to create a common metric with other regional data.

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REPRESENTATIVE TARR asked what would be the best common denominator for collecting and reflecting data.

MR. VADAPALLI affirmed that CRP had discussed this with the OCS Director and the Commissioner of Department of Health and Social Services. He directed attention to the regional populations on slide 12, and suggested that OCS match its boundaries with other known boundaries, such as the census or Department of Labor & Workforce Development boundaries, in order to better calculate the common metric.

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REPRESENTATIVE TARR asked what common metric was used at the federal level.

MR. VADAPALLI offered his belief that each federal agency calculated its rates by regional population, and that these often were compared with the U. S. Department of Labor.

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CHAIR HIGGINS asked how other states gathered similar data.

MR. VADAPALLI replied that other states gathered data in a similar way, but that the gap was in the ability to effectively use that data to inform policy. He opined that most states had common areas such as counties and that most administrative boundaries aligned with these. He reported that Alaska administrative boundaries had been set long ago, and did not align with current borough boundaries. He observed that a realignment of boundaries would allow OCS to better track progress and the effectiveness of the interventions, which would allow the design for more effective policies. He admitted that, although this would incur an expense as it would need to be a statewide effort, it would only get more expensive.

[3:30:55 PM](#)

MS. HEUER asked that the committee support the governor's budget for the incremental additions to OCS. She said that a small amount of it would be for prevention and early intervention services. She reported that the OCS budget was "incredibly lean. There's no fat in the OCS budget." She reminded Chair

Higgins of his statement in an earlier committee meeting: "oil isn't our most precious resource, it's our children." She expressed her agreement with this statement, and asked that future decisions and assistance be supportive of the children.

[3:32:36 PM](#)

CHAIR HIGGINS reiterated that children were the most important resource, and that it was necessary to protect them. He stated that he would "fight for every dime that you guys need."

[3:33:02 PM](#)

CHRISTY LAWTON, Director, Central Office, Office of Children's Services, Department of Health and Social Services, directed attention to the "2012 OCS Response to CRP Annual Report." [Included in members' packets] She said that CRP had visited the communities and had provided valuable insights for decision making to OCS. She expressed her agreement with the high priority recommendation to address worker retention. She relayed that turnover had been a problem for the 15 years she had been with OCS.

[3:35:14 PM](#)

MS. LAWTON reported on some of the innovative programs for improvement. She stated that it was a complex issue which needed to be addressed by a broad, multi-tiered approach. Responding to the question regarding visitations by prospective employees, she stated that, as this was very expensive, OCS had instead created realistic job preview videos about living in rural Alaska. However, she stated, the reality was, until you are there and experiencing it, it was very hard to describe. She declared that a preponderance of staff in Western Alaska were new to Alaska.

[3:36:53 PM](#)

CHAIR HIGGINS asked what was the average rural staff salary.

MS. LAWTON replied that it was about \$45,000 for a new worker, with significant cost of living adjustments for rural Alaska.

CHAIR HIGGINS asked about the educational training requirements for new staff.

MS. LAWTON replied that OCS was looking to hire people with a four year degree, with an emphasis on certain fields. She noted that related experience in other social service fields was also a qualifier. She stated that the most important aspect was to find the individual person best suited for the job.

CHAIR HIGGINS asked if \$45,000 was a realistic salary for someone with a four year degree to work in rural Alaska.

MS. LAWTON reminded that there were also significant cost of living adjustments, but she did not know if that was a reasonable entry level salary.

CHAIR HIGGINS asked if OCS had in-house promotions, to allow training to people raised locally.

MS. LAWTON replied that OCS worked closely with University of Alaska for employment of interns and people with two year Human Services degrees. She reported that staffing for social service associate positions, which were paraprofessional positions to assist social workers, were also promoted to case workers. She said that, although it was not a formal program, there were many social workers who worked up through the system.

[3:40:06 PM](#)

REPRESENTATIVE SEATON asked for an explanation about the combining of job classes.

MS. LAWTON replied that all of the staff had previously been referred to as social workers, ranked 1 through 4, with 4 designated as the supervisors. She reported that a few years previously, the State of Alaska had required that social workers be licensed, so the OCS had made a decision to create a dual job class, separating licensed social workers with degrees, and children services specialists for people with other degrees. At that time, there was a discrepancy in pay at the first and second level for these dual job classes, even though there was the same amount of work and responsibility. At the request of the union, there was a job class study and an increment of the governor's budget had addressed this. She offered her belief that this would promote retention. She stated that this created a third job class, protective services specialist, with three tiers leading to a supervisor position.

[3:42:35 PM](#)

REPRESENTATIVE SEATON asked if OCS had its own Human Resources staff.

MS. LAWTON replied that OCS did, and was able to make its own hiring decisions.

REPRESENTATIVE SEATON repeated his earlier question about the use of speech recognition software by OCS. He asked if OCS was researching any means for simplifying data entry and decreasing the necessary clerical time.

MS. LAWTON expressed her agreement that this was "a hot topic of conversation right now." She relayed that there had been transcription service available to staff, and that OCS was currently reviewing a speech recognition software which would interface directly with the worker's computer. She expressed her hope that this would be available to the staff in the near future.

[3:44:58 PM](#)

REPRESENTATIVE SEATON asked if technological tools were available to all OCS staff.

MS. LAWTON stated that OCS did provide cell phones and did attempt to have laptops available for field work. She discussed a pilot program for mini computers, small scale laptops for use by staff when travelling, but acknowledged that the usage had not been as successful as planned. She expressed the desire for all staff to have a light, easy to use laptop that was connected to the OCS data management system. She said that both cost and technology were still obstacles.

REPRESENTATIVE TARR asked to preview the job video.

[3:47:46 PM](#)

The committee took a brief at-ease.

HB 54-PLACEMENT OF A CHILD IN NEED OF AID

[3:49:55 PM](#)

CHAIR HIGGINS announced that the final order of business would be SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 54, "An Act relating to the identification, location, and notification of specified

family members and family friends of a child who is in state custody."

[3:50:00 PM](#)

REPRESENTATIVE PRUITT moved to adopt the proposed committee substitute (CS) for sponsor substitute for HB 54, labeled 28-LS0202\R, Mischel, 2/7/13, as the working document. There being no objection, Version R was before the committee.

[3:50:39 PM](#)

REPRESENTATIVE LES GARA, Alaska State Legislature, speaking as a joint prime sponsor, said that the proposed bill was intended to be very simple. He stated that the standard in foster care was to do what was in the best interest for the child, and that it was necessary to look for the best placement for a child, often with another family member. He reported that the OCS policy was broader than federal law, and required the search for placement, within 30 days, with family members or adult family friends of the family. He offered an anecdotal account that foster youth sometimes recounted regarding preferred family members who had not been contacted for placement.

REPRESENTATIVE GARA directed attention to page 1, line 12, of Version R, which took the existing OCS policy to search for family members and family friends, and required that a supervisor sign off that this had been done with due diligence. He said that this would ensure that the search for family members as foster parents had been conducted. He noted that, as childhood trauma could put a bad imprint on a child, it was often easier to repair this damage with a family member. He opined that OCS was open to this change, but he requested that this provision be placed in statute, so that it could not be culled by any future revisions in OCS. He declared that there was not any cost and he pointed out that this emphasized the importance of this contact.

[3:55:47 PM](#)

REPRESENTATIVE STEVE THOMPSON, Alaska State Legislature, declared that the proposed bill was important, as it ensured that the supervisor had talked with the placement personnel regarding the search for placement with a family member or a family member friend, in the best interest of the child.

[3:56:48 PM](#)

REPRESENTATIVE SEATON asked to clarify the changes to the proposed CS.

[3:57:16 PM](#)

REPRESENTATIVE GARA replied that the changes had been suggested by OCS. He explained the proposed two-step process by OCS: first, a notification letter would be sent to every adult family member, and then second, adult family friends would be considered as the next priority after adult family members.

[3:58:05 PM](#)

REPRESENTATIVE PRUITT asked about the removal of the court requirement.

REPRESENTATIVE GARA, in response, stated that this was also a suggestion from OCS. He explained that the discovery process ensured that information had to be shared between both sides, and that this eliminated the necessity for the court to provide the information.

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CHAIR HIGGINS opened public testimony.

[3:59:18 PM](#)

AMANDA METIVIER, Statewide Coordinator, Facing Foster Care in Alaska, stated that she supported the proposed bill. She shared that she had worked statewide with hundreds of young people in and from foster care, had been a foster parent and had been in foster care, and that the proposed bill ensured compliance in the early search for placement with family and adult family friends.

[4:00:46 PM](#)

NANCY WEBB said that the search process for family members needed to be strengthened. She offered her belief that the discovery process depended on a lawyer asking for information, as it was not provided automatically and, therefore, it was important to retain the provision. She offered her observation that "judges are woefully uninformed about these cases." She suggested that it would be a great improvement if judges were better informed regarding the search for family members, and the

reason why a family member was not selected. She offered a personal anecdote regarding her youngest grandson. She declared that any additional information for judges would allow for better decisions. She said that the confidentiality rules made it difficult for family members to gain information, and that it was necessary for explanations to family members when they were not accepted as foster parents. She declared that, as the children specialist position was initially paid at a very low level, this was a part of the problem.

[4:05:02 PM](#)

CHAIR HIGGINS left public testimony open and stated that SSHB 54 would be held over.

[4:05:45 PM](#)

REPRESENTATIVE SEATON asked if OCS was in agreement with the proposed removal of notification to the court.

MS. LAWTON said that Department of Health and Social Services was not taking a position on the proposed bill. She said that all discovery produced by OCS was provided to all the legal parties through the discovery process. She opined that judges were not reviewing the material but instead, relied on the parties to identify the issues.

[4:07:11 PM](#)

REPRESENTATIVE SEATON asked to clarify that an attorney did not have to solicit information, but that the parties were required to supply the information on a regular basis. He asked if the information was transferred in an expedited time frame.

[4:08:24 PM](#)

MS. LAWTON said that the discovery material was provided weekly and monthly in the first six months of a case, and then subsequently, it was provided prior to each scheduled hearing. She said that relatives were given notification related to hearings, and in the initial 30 day search for relatives and other adult family members, notice was provided. She reported that any denial of placement and reason for denial was also provided.

[4:09:34 PM](#)

REPRESENTATIVE PRUITT, referring to a comment by Ms. Webb, asked if the proposed CS was already standard practice.

MS. LAWTON explained that the practice related to diligent search for relatives "was more clearly defined by the federal government several years ago." She stated that the new element in the proposed bill was the specific requirement for a supervisor to inquire and document the actions of the case worker during the first 30 days.

[4:10:54 PM](#)

REPRESENTATIVE TARR asked if the requirement for review by a supervisor would eliminate any oversight, especially during a time of staff transition.

[4:11:19 PM](#)

MS. LAWTON replied that, although it could emphasize that area, supervisors were required to monitor compliance for a lot of issues.

[4:11:43 PM](#)

REPRESENTATIVE PRUITT asked if there would be any additional cost and duties for supervisors.

MS. LAWTON replied that she did not anticipate any additional cost or work for the supervisors.

[4:12:11 PM](#)

CHAIR HIGGINS reiterated that Department of Health and Social Services had not taken a position on the proposed bill.

[4:12:26 PM](#)

CHAIR HIGGINS said that SSHB 54 would be held over.

[4:12:41 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Health and Social Services Standing Committee meeting was adjourned at 4:12 p.m.