

SENATE FINANCE COMMITTEE

April 16, 2018

10:03 a.m.

10:03:34 AM

CALL TO ORDER

Vice-Chair Bishop called the Senate Finance Committee meeting to order at 10:03 a.m.

MEMBERS PRESENT

Senator Lyman Hoffman, Co-Chair  
Senator Click Bishop, Vice-Chair  
Senator Peter Micciche  
Senator Donny Olson  
Senator Gary Stevens  
Senator Natasha von Imhof

MEMBERS ABSENT

Senator Anna MacKinnon, Co-Chair

ALSO PRESENT

Tim Clark, Staff, Representative Bryce Edgmon; Ray DeBardelaben, Kenai River Professional Guide Association, Soldotna; John Erickson, City and Borough of Yakutat, Yakutat; Susan Edwards, Lake and Peninsula Borough, King Salmon; Representative Les Gara, Sponsor; Christy Lawton, Director, Office of Children's Services, Department of Health and Social Services; Juli Lucky, Self, Anchorage; Janine Reep, Facing Foster Care, Juneau.

PRESENT VIA TELECONFERENCE

Amanda Metivier, Facing Foster Care in Alaska, Anchorage; Natasha Singh, Tanana Chiefs Conference, AK Regional Coalition, Fairbanks; Tammy Sandoval, Director, Alaska Child Welfare Academy, University of Alaska, Anchorage; Rachel Bedsworth, Facing Foster Care in Alaska, Anchorage; Desiree Shepler, Director, Raising Our Children with Kindness (Rock Matsu), Wasilla; Sarah Redmon, Facing Foster Care in Alaska, Anchorage; Elizabeth Ripley, Matsu Health Foundation, Wasilla; Michael Jeffery, Self, Barrow.

SUMMARY

CSHB 151(FIN)

DHSS;CINA; FOSTER CARE; CHILD PROTECTION

CSHB 151(FIN) was HEARD and HELD in committee for further consideration.

CSHB 267(RES)

RELEASE HUNTING/FISHING RECORDS TO MUNI

CSHB 267(RES) was HEARD and HELD in committee for further consideration.

#hb267

CS FOR HOUSE BILL NO. 267(RES)

"An Act requiring the release of certain records relating to big game hunters, guided hunts, and guided sport fishing activities to municipalities for verification of taxes payable; and providing for an effective date."

10:04:31 AM

Vice-Chair Bishop discussed housekeeping.

TIM CLARK, STAFF, REPRESENTATIVE BRYCE EDGMON, explained that the bill gave municipalities that levied taxes on guided fish and game activities access to records that hunting, and sport fish guides submitted to state agencies. He said that this would provide local governments a tool that would help to confirm that such hunting a fishing activity, subject to taxes within their jurisdictions, were being accurately reported. He noted that all information released to municipalities would remain confidential at the municipal level.

Vice-Chair Bishop interjected that Senator Micciche was away on sate business and would join the committee shortly.

Senator von Imhof observed that the sponsor statement stated:

The bill would allow municipalities access to certain records collected by the state.....

Senator von Imhof asked what the access entailed, which records would be shared, and how privacy would be protected.

Mr. Clark responded that hunt records were through the Department of Commerce, Community and Economic Development; while sport fishing records were held by the Sport Fish Division of the Department of Fish and Game. He explained that the confidentiality would be backed up by provisions in criminal law; A breach in confidentiality constituted a Class A misdemeanor and all officials at the municipal level would be subject to the law.

[10:07:49 AM](#)

Senator von Imhof assumed that the files would be shared back and forth electronically, and that the files would be protected. She wondered how municipalities would know whether fees had been collected by the state.

Mr. Clark responded that the fees were collected at the local level and access to the records gave municipalities a cross referencing tool to learn about hunting and sport fishing activities within their jurisdictions. He guessed that state agencies would likely be troubled only once a year for the information.

[10:09:27 AM](#)

Mr. Clark reviewed the Sectional Summary (copy on file):

**Section 1** amends statutes on the confidentiality of hunt records and activity reports to add municipalities to those entities already allowed access to such information. Section 1 also makes it explicit that municipalities would be required to maintain the confidentiality of the records, and the section limits municipalities' access to hunt records to those describing activities occurring within four calendar years preceding a request for them.

**Section 2** gives the Department of Commerce authority to charge a municipality a fee for accessing hunt records, should expenses to the department warrant one.

**Section 3** amends statutes on the confidentiality of records and reports required by the Department of Fish & Game to include that a municipality is allowed access to records and reports of guided sport fishing activities if the municipality levies a tax on such activities and requests the records for the purpose of verifying taxes payable. Section 3 also limits municipalities' access to sport fishing records to those describing activities occurring within four calendar years preceding the request.

**Section 4** gives the Department of Fish & Game authority to charge a municipality a fee for accessing sport fishing records, should expenses to the department warrant one.

**Section 5** provides for an immediate effective date.

[10:10:56 AM](#)

Senator Stevens thought it was important to discuss the rationale behind the bill and the problem it would solve.

Mr. Clark stated that the Lake and Peninsula Borough had brought the issue to the sponsor because they believed that they may be ceding \$50 thousand to \$100 thousand per year because of unpaid local taxes.

[10:12:00 AM](#)

Vice-Chair Bishop OPENED public testimony.

RAY DEBARDELABEN, KENAI RIVER PROFESSIONAL GUIDE ASSOCIATION, SOLDOTNA, explained that he said that log books had been created for Department of Fish and Game to collect biological data, which was private and privileged information. He stressed that sport fishery data varied dramatically depending on time of year, location, and equipment used. He believed that the borough already had programs set up to make sure that taxes were being collected.

[10:14:03 AM](#)

JOHN ERICKSON, CITY AND BOROUGH OF YAKUTAT, YAKUTAT, testified in support of the bill. He relayed that the borough was large and collected taxes from 5 lodges in the

area. He said that some people accessed the area by plane that did not come directly from the borough, which made it difficult to know who was using resources. He thought that the legislation would help to keep tabs on who was operating within the borough. He felt that the records would be safely stored to protect confidentiality.

Senator Stevens asked how much revenue the city had lost and how the tax would be collected for Yakutat.

Mr. Erickson replied that the data would give the city an idea of who was operating within their borough, which would likely double the city's revenue.

[10:18:13 AM](#)

SUSAN EDWARDS, LAKE AND PENINSULA BOROUGH, KING SALMON, spoke in support of the bill. She said that without the legislation it was difficult for the borough to know whether currently reported numbers were correct and whether all guides working within the borough were reporting correctly. She felt that the issue of confidentiality was laid out in borough code and believed that the amendment that added a penalty for breach of confidentiality had alleviated that issue.

Senator Stevens asked what recourse was available if it was found that false reports had been made by guides.

Ms. Edwards thought having access to the records would decrease the need for punitive action on the part of the borough. She noted that the borough already had fines for late and false reporting.

[10:21:36 AM](#)

Vice-Chair Bishop asked Ms. Edwards about potential lost revenue.

Ms. Edwards was confident that passage of the bill would increase revenue by \$50,000 to \$100,000 per year.

Vice-Chair Bishop asked how much outreach the borough did to guides to educate on the process.

Ms. Edwards stated that the borough had worked hard to reach out and educate guides. She said that at the

beginning of the process there had been approximately 40 guides registered with the borough, at this juncture there were well over 120 guides in record.

Vice-Chair Bishop CLOSED public testimony.

CSHB 267(RES) was HEARD and HELD in committee for further consideration.

[10:23:27 AM](#)

AT EASE

[10:30:01 AM](#)

RECONVENED

#hb151

CS FOR HOUSE BILL NO. 151(FIN)

"An Act relating to the duties of the Department of Health and Social Services; relating to training and workload standards for employees of the Department of Health and Social Services and providing immunity from damages related to those standards; relating to foster care home licensing; relating to civil and criminal history background checks for foster care licensing and payments; relating to placement of a child in need of aid; relating to the rights and responsibilities of foster parents; requiring the Department of Health and Social Services to provide information to a child or person released from the department's custody; and providing for an effective date."

[10:30:01 AM](#)

REPRESENTATIVE LES GARA, SPONSOR, discussed the presentation "HB 151: Children Deserve a Loving Home Act," (copy on file). He informed that the full presentation was included in member packets, the slides projected had been selected for efficiency and brevity.

Representative Gara showed Slide 2, which showed an image with the quote, "It is easier to build strong children than to repair broken men," by Frederick Douglass.

Representative Gara shared that Casey Family Programs was the largest nonprofit foster care program in the country and operated in all 50 states. He said that a child

protection system should provide customer service and should not be engaged in crisis management. He lamented that Alaska faced similar challenges to most states when it came to foster care but that some states had been more successful than others. He shared that the bill would limit trauma to children and families. He believed that the bill would save the state money by reducing the number of children in foster care. He said that the bill followed the New Jersey model, which involved applying caseload standards to retain caseworkers. He stated that the bill was evidence based, and cited Slide 2, "Damaging Children, Costing Money":

By age 21,

- 29% of Alaskan foster youth have been incarcerated
- 53% have been homeless (after leaving care)
- 37% have children of their own
- 40% are utilizing public assistance
- 34% were employed

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Representative Gara turned to Slide 4, "Vast Improvement Within Our Reach: N.J. Adopted Caseload Limits & Training similar to HB 151:"

- Child Removals Down almost 50%
- Caseworker Turnover Down to 8% from 25%

Representative Gara relayed that New Jersey had adopted caseload standards so that caseworkers would not be overwhelmed, which curbed burnout and the massive turnover rate. He added that the number of youths in foster care in New Jersey had been reduced by 50 percent and caseworker turnover was down by 67 percent.

[10:34:42 AM](#)

Representative Gara reviewed Slide 5, "Placing Youth With Relatives: A 30% Increase in N.J.," which showed a bar graph entitled 'Figure 9: Initial Placement with a Relative or Kinship Caregiver.' He stated that when caseworkers had time to work with youth, rather than spend time on crisis management, they had time to find placement with a relative or kinship caregiver. He stressed that overwhelmed

caseworkers did not have the time to do the family, or friend to family searches.

[10:36:06 AM](#)

Representative Gara displayed Slide 6, "How Excessive Caseloads Harm Children & Families":

- Can't work with families to arrange frequent visitation, which increases reunification
- High caseloads lead to more turnover - 49% for front-line workers at OCS
- Majority of those who leave OCS cite excessive caseloads as #1 reason
- More turnover correlated with repeat maltreatment
- Inadequate time to investigate cases & work to keep families together.

Representative Gara asserted that getting children back to their families or into a permanent and loving home was the number one priority. He said that with more time, caseworkers could set up frequent visitation with their lost child, which statistics had shown was the best outcome for children. He stressed that high turnover led to higher turnover and wasted money. He added that losing workers resulted in cases being transferred to already overwhelmed remaining caseworkers. He said that excessive caseloads were the number 1 reason for employee turnover. He lamented that the more turnover, the more repeat child abuse and repeat neglect suffered by children.

[10:37:59 AM](#)

Representative Gara reviewed Slide 7, "Why The Workforce Matters". He relayed that child welfare work was not easy and turnover was costly; the cost for each worker leaving the agency was approximately \$54,000. Reduced turnover meant a better turnout for all involved.

[10:38:21 AM](#)

Representative Gara spoke to Slide 8, "Fewer Changes in caseworkers increases the chances of permanency for children," which showed a bar graph. He drew attention to the bottom yellow bar, which showed that a child who had 1

caseworker for the duration of their time in the system were 74.5 percent more likely to find permanent placement.

Vice-Chair Bishop interjected that students in Finland stayed with their teachers for 7 years, which had led to high international test scores.

[10:39:41 AM](#)

Representative Gara discussed additional positive outcomes from New Jersey. The state had set state records from the number of foster children that had been adopted. He added that staff morale had been increased.

[10:41:16 AM](#)

Senator Stevens read Slide 9, "HB 151 will cost-effectively and comprehensively fix problems, improve child and family outcomes, and reduce waste and red tape."

[10:41:29 AM](#)

Representative Gara displayed Slide 10, "HB 151: What It Will Do":

Sets **manageable caseload limits**, so caseworkers can reduce removal rates, get youth out of foster care faster, make fewer mistakes, and respond to the needs of youth and original parents.

- For new caseworkers, 6 families in the first three months and 12 in the first six months (Section 6)
- A statewide average caseload limit of not more than 13 families per worker
- These levels are consistent with national recommendations, taking Alaska travel times into account

Representative Gara stated that the state was closer than ever to being able to achieve caseload and training standards laid out in the bill.

[10:42:42 AM](#)

Representative Gara reviewed Slide 11, "Caseloads: FY 17 & 18," which showed a table of the average caseload per worker in FY17 and FY18.

[10:43:24 AM](#)

Representative Gara showed Slide 12, "Finding & Keeping Loving Foster Homes":

- Often placement with a family member or friend is healthier for a child & leads to reunification (Section 13)
- Bill strengthens search for family members, frequently a casualty of excessive caseloads (Sections 7 & 12)
- Can make Olympians
- Simon Biles and Torie Bowie adopted by loving grandparents within 1 year

[10:44:25 AM](#)

Representative Gara showed Slide 13, "Provides Caseworkers with Necessary Training":

- Increases training for new workers to 6 weeks (Section 16)
- Pre-2017 budget amendment was 3 weeks
- Directs DHSS to assign mentors to train and help new staff
- Quality training at UA Child Welfare Academy

[10:45:21 AM](#)

Representative Gara looked at Slide 14, "Keeping Families Together":

- Reduces removals -- Prohibits DHSS from placing a child with an out-of-home provider if it determines the child can remain safely at home with an adult family member (Section 14)
- Maintains connections & support -- Enables the sharing of contact info to encourage needed contact with siblings and important former foster families (Sections 15 and 2)

Representative Gara noted that too many children are separated from their siblings and the bill required that separated sibling get contact information for each other. He wanted to encourage sibling connections. He related that children should have contact information of former foster parents. He stressed the importance of the "Prudent Parent Standard" that would allow foster parents to act as a parent in certain situations without having to first get permission from a caseworker.

[10:47:04 AM](#)

Representative Gara showed Slide 15, "Cuts Red Tape":

- Makes it easier for foster parents to make day-to-day decisions about a child's activities, consistent with "Prudent Parent" standard used 10+ states (Section 8)
- Requires that decisions on foster care home license applications be made within 45 days (Section 20)
- Enables youth 14 and older to participate in their case plan & permanent home goals (Section 9)

[10:48:31 AM](#)

Representative Gara showed Slide 16, "Progress at Alaska OCS":

Removals and discharges during each calendar year:  
2017: Removals = 1,303; Discharges = **1,422**  
2016: Removals = 1,356; Discharges = 1,038  
2015: Removals = 1,610; Discharges = 1,080

[10:49:04 AM](#)

Representative Gara showed Slide 17. He referenced material from the National Child Workforce Institute that echoed the problems created by high caseloads and turnover and the harm to youth and families.

[10:51:41 AM](#)

AT EASE

[10:52:42 AM](#)

RECONVENED

Vice-Chair Bishop OPENED public testimony.

10:53:57 AM

CHRISTY LAWTON, DIRECTOR, OFFICE OF CHILDREN'S SERVICES, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, spoke in support of the bill. She discussed her 20-year history of working in child welfare. She lamented that her experience had seen heavy caseloads for limited staff that had resulted in decreased quality and increased risk for children.

10:56:09 AM

Ms. Lawton continued her testimony. She discussed becoming a supervisor and spoke of the changes that had been made to improve the system. She said that workers faced challenges that included personal threats for their personal safety.

Ms. Lawton described OCS as debilitated; a system severely hindered due to lacking the right resources to operate effectively. She stated that workforce retention in child welfare had been a chronic problem for over 5 decades. She believed that Alaska should be proactive in developing solutions to the problems faced by the system.

10:58:47 AM

Senator Olson asked whether Ms. Lawton was familiar with the New Jersey model referenced by the bill sponsor. He asked whether the model could work in Alaska.

Ms. Lawton answered in the affirmative on both counts.

10:59:19 AM

Senator von Imhof stated that she had heard the bill in the Senate Health and Social Services committee. She asked to present an idea that she had crafted as a blend of all the ideas that had been discussed.

11:00:21 AM

AMANDA METIVIER, FACING FOSTER CARE IN ALASKA, ANCHORAGE (via teleconference), testified in support of the bill. She stated that the legislation was a product of input from young people who were currently living in the system. She said that she is a former foster youth and a current foster

parent. She related that the bill would help to make children safe and move them quickly toward permanency. She thought that attention should be paid to children who aged out of the system. She lamented that the average OCS worker lasted 1.5 years. She believed that the limited workload set out in the bill would improve the turnout for caseworkers and children in foster care. She thought this was the most comprehensive piece of child welfare reform she had ever seen proposed. She strongly urged committee support.

[11:04:01 AM](#)

JULI LUCKY, SELF, ANCHORAGE, testified in support of the bill. She relayed her experience as a Court Appointed Special Advocate (CASA) volunteered. She had also been a foster parent. She stated that when she was a foster parent, it was almost impossible to get services from OCS due to their heavy workload.

Ms. Lucky continued her testimony. She related the unfortunate challenges that faced children in the foster care system that she had witnessed firsthand. She shared that for some children, being placed in a good home still meant being removed from the only family that they had known and loved. She believed that the changes in the bill would give children more input over their fate and the ability to communicate with siblings who were housed with other families. She relayed that when the foster child living with her had left to find her forever home, that home had proved hard to find, and the child had reached out to her for help. She said that the child had eventually found permanent housing and was doing well, and she stressed the importance that children had contact information of adults who had been a positive presence in their lives.

[11:07:50 AM](#)

Ms. Lucky continued to speak to the bill. She spoke of the rules that foster parents and children had to follow that were heartbreaking in application because they led to reoccurring disappointment surrounding missing slumber parties, field trips, or visits to the state fair. She discussed her experience as a foster parent and not being allowed to remove the foster child from the municipality in order to take her to the state fair. She discussed the

Prudent Parent provision of the bill, which she believed would prevent preventable disappointment and heartache. She believed that the bill would be of small cost to the state but would make a big difference to the children involved.

[11:10:17 AM](#)

JANINE REEP, FACING FOSTER CARE, JUNEAU, testified in support of the bill. She stated that the bill was likely the single most important piece of legislation effecting child protection that she had witnessed in her career. She believed that the only thing that would improve the child protection system was to put a statutory cap on caseloads. She commented on the level of responsibility carried on the back of a social worker. She warned of the repercussions of children exiting the foster care system without ever having established a health relationship with an adult. She strongly urged the committee to support the bill.

[11:15:32 AM](#)

Senator Stevens referenced comments about family members and friends not being contacted when placement was being sought for children. He asked whether family members could intervene in the process and demand to be heard.

Ms. Reep informed that the department had requirements to notify grandparents and others, although situations were time sensitive. She said that sometimes feasible family members could be overlooked because of time constraints.

[11:16:51 AM](#)

Vice-Chair Bishop noted that Senator Micciche had joined the meeting.

[11:17:04 AM](#)

NATASHA SINGH, TANANA CHIEFS CONFERENCE, AK REGIONAL COALITION, FAIRBANKS (via teleconference), spoke in full support of the bill. She agreed with previous testimony. She believed that OCS had the best intentions but not the resources. She offered an example of rural workers that had to travel every day to meet federal mandates to see children, which left little time for casework. She reiterated the lack of time and resources currently available for child welfare in the state.

[11:20:36 AM](#)

TAMMY SANDOVAL, DIRECTOR, ALASKA CHILD WELFARE ACADEMY, UNIVERSITY OF ALASKA, ANCHORAGE (via teleconference), testified in support of the bill. She said that reformation of the child welfare system would take the passage of the legislation. She felt that when families in child welfare were underserved youth moved on to juvenile justice, homelessness, and corrections.

[11:23:03 AM](#)

RACHEL BEDSWORTH, FACING FOSTER CARE IN ALASKA, ANCHORAGE (via teleconference), spoke in support of the bill. She had aged out of the foster care system in October 2018. She said that in her 12 years in foster care she had experienced 47 placements and had 9 different social workers. She recalled during 8th grade she had experienced 3 social workers in 3 months. She stressed that children needed permanency and that consistency of caseworkers, and realistic caseloads for those workers, would change the foster care system for the better.

[11:24:51 AM](#)

DESIREE SHEPLER, DIRECTOR, RAISING OUR CHILDREN WITH KINDNESS (ROCK MATSU), WASILLA (via teleconference), testified in support of the bill. She believed that the bill would result in better outcomes for Alaska's most vulnerable children. She said that the OCS office in Mat-Su was struggling with an increase in child abuse and neglect cases. Over the past 5 years the number of OCS cases statewide had increased by 5 percent.

[11:27:11 AM](#)

SARAH REDMON, FACING FOSTER CARE IN ALASKA, ANCHORAGE (via teleconference), spoke in support of the bill. She had aged out of foster care without a permanent connection to a health adult. She was one of twelve siblings, 8 were younger, and she had been the primary caretaker for her younger siblings. She spoke of the effect of not having connection with her siblings placed in other houses. She discussed her worry for her siblings and stressed that the legislation would help children and caseworkers to keep siblings connected.

[11:29:45 AM](#)

ELIZABETH RIPLEY, MATSU HEALTH FOUNDATION, WASILLA (via teleconference), testified in support of the bill. In 2013, the foundation and community partners conducted a Mat-Su health needs assessment that identified the number one community health goal of making sure that all Mat-Su children were safe and cared for. Since that time there had been an increase in child maltreatment reports increase from 2,840 in 2014, 3,528 in 2015. She said that the Palmer Court Child in Need of Aid cases also increased from 216 cases in 2014; ;242 in 2015; 271 in 2016; increases in these cases were largely due to the opioid epidemic. She considered that the bill used evidence-based methods to improve outcomes, support families, enable faster timelines for permanency for children, and set caseworkers up for success. She believed that the bill included provisions that would prevent child maltreatment by allowing parents to opt into referrals to community organizations that could provide support services to families in cases where OCS determined that services to protect the child were not required. She urged strong support for the legislation.

[11:32:18 AM](#)

MICHAEL JEFFERY, SELF, BARROW (via teleconference), spoke in support of the bill. He said that he had processed juvenile justice and child welfare cases and was a member of the Juvenile Justice Advisory Committee. He stated that providing services on the North Slope could be challenging and that the increased training proposed by the legislation would help to retain workers that had experience working in rural villages.

[11:34:47 AM](#)

Vice-Chair Bishop CLOSED public testimony.

Vice-Chair Bishop noted that the fiscal note would be reviewed later. The bill discussion would continue at the afternoon meeting.

CSHB 151(FIN) was HEARD and HELD in committee for further consideration.

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ADJOURNMENT

11:35:19 AM

The meeting was adjourned at 11:35 a.m.