

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

March 20, 2017

1:30 p.m.

MEMBERS PRESENT

Senator David Wilson, Chair
Senator Natasha von Imhof, Vice Chair
Senator Cathy Giessel
Senator Tom Begich
Senator Peter Micciche

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

PRESENTATION: ALASKA CITIZEN REVIEW PANEL

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

DR. DIWAKAR VADAPALLI, Chair
Alaska Citizen Review Panel (CRP)
Anchorage, Alaska

POSITION STATEMENT: Presented information on Alaska Citizen Review Panel.

ACTION NARRATIVE

[1:30:23 PM](#)

CHAIR DAVID WILSON called the Senate Health and Social Services Standing Committee meeting to order at 1:30 p.m. Present at the call to order were Senators Giessel, Von Imhof, Begich, and Chair Wilson. Senator Micciche arrived shortly thereafter.

PRESENTATION: Alaska Citizen Review Panel

[1:31:04 PM](#)

CHAIR WILSON announced that the only order of business would be a presentation on Alaska Citizen Review Panel.

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DR. DIWAKAR VADAPALLI, Chair, Alaska Citizen Review Panel (CRP), presented information on Alaska Citizen Review Panel. He read from a prepared document:

Thank you for the opportunity to present to this committee. This is the first opportunity in the panel's 15 years history to be presenting to this Committee. Some of you may be familiar with the history of the panel, and its purpose. In fact, Sen. Coghill, then Rep. Coghill, sponsored HB 53 that instituted Citizen Review Panel (CRP) back in 2005.

I am Diwakar Vadapalli, current Chair of the panel. It is my honor to be speaking to you in my last year as the Chair. I am stepping down at the end of June this year.

Before I begin, I would like to acknowledge Rebecca Vale, a member of the panel from Anchorage who is on the phone. She will be taking over as Chair of the panel on July 1; Margie Mc Williams, sitting in the audience, a member from Juneau. Other members of the panel are Dana Hallett from Haines. He has been the Vice Chair of the Panel for the last four years. Sonya Hull from Wasilla, and Bettyann Statiew from Anchor Point.

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He provided the presentation outline:

As I go through this presentation, on several occasions, I will mention several challenges the panel faced over the last four years, and the vision going forward.

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DR. VADAPALLI provided the history of CRPs:

Congress mandated CRPs through amendments to the federal Child Abuse Prevention and Treatment Act in 1996. Federal statute requires that all states have at least three panels, with some exceptions that were

allowed to have one panel. Alaska and six other states fall within that category. Please note that there is only a minimum limit for the number of panels. In fact, there are more than 340 panels across the country.

Alaska CRP has been functional since May 2002, when OCS was still DFYS. By 2005, when HB 53 was passed, the panel had been producing its annual report, and conducting town hall meetings across the state. These town hall meetings later transformed into in-depth site visit reviews. I do not have historical records of its budget before 2005. A fiscal note accompanying HB 53 identified \$64,300 for CRP that included a half-time position and money for member travel expenses. An OCS staff person was assigned half-time to support the panel's work between 2002 and 2005.

Beginning in 2005, a private consulting firm was contracted by OCS to provide staff support for the panel. The entire CRP budget, including the money for its members travel, is routed through that contract. The panel's current annual budget has increased to \$100,000.

All members are volunteers, and together we contributed about 2000 hours each year towards the panel's work. It has always been a small panel with no more than 9 members at any time.

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DR. VADAPALLI provided the functions and mandates of the panel:

The panel is a statutory body, with a very broad mandate. Language in the Alaska state statute is almost a mirror image of the federal statute. Key words are highlighted in red.

First - the CRP's focus is the policies, procedures, and practices of state and local CPS agencies. In Alaska that is the Office of Children Services (OCS).

Two functions are clear from these statutes - Evaluate, and conduct public outreach. A third function, advocacy, is not mentioned in the statutes, but was discussed during the debates in Congress in

1996 when the amendments to CAPTA were being voted upon.

Therefore, the central focus of Alaska CRP's activities are the policies, procedures, and practices of OCS.

The panel has three specific functions - review, outreach, and advocacy.

Review/Evaluate: The statute identifies three standards against which such an evaluation should be conducted - States' CAPTA Plan, CPS Standards, and any other criteria. While the first two are rather clearly defined, the third one really opens up any component of OCS operations for review by the panel.

Outreach: Collect public opinion to assess the impacts of OCS policies, procedures, and practices on children and families - such assessment should inform the CRP review above.

Advocacy - make recommendations for relevant changes in CPS policies, procedures, and practices. Beyond that, advocacy is a slippery slope for CRPs.

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CHAIR WILSON noted the arrival of Senator Micciche.

SENATOR BEGICH questioned the third point - advocacy - and asked what other criteria the panel has identified.

DR. VADAPALLI provided an example of other criteria - anything the panel comes across in a site visit, such as security of workers in the field or a report by someone, such as a legislator, regarding an issue.

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SENATOR BEGICH asked if they discuss some of those criteria when making annual recommendations.

DR. VADAPALLI said yes.

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DR. VADAPALLI continued with CRP's central purpose.

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From the statutes, congressional record, available published literature, and numerous discussions with other panels across the country, it is clear that:

CRPs exist to help CPS agencies. Congress recognized that CPS agencies across the country were growing more insular from the populations they serve. Public participation in these systems was seen as a necessary reform.

To that effect, Congress created CRPs to be those mechanisms for public participation, or community engagement, in child protection. CRPs are the only statutory mechanisms with that specific purpose. They are expected to facilitate robust and meaningful participation of citizens in diverse roles, to assist the state's child protection system in being more responsive to the needs of the families and communities of the state. Congressional record is clear that CRPs are to provide, and I quote, "regular citizens, not just child protection bureaucrats", end quote, an opportunity to set policy and suggest best practice.

Again, the central idea is, with input from citizens that are being served and the larger community, OCS's policies, procedures, and practices will be more responsive to the citizens' needs.

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He turned to OCS's mission:

OCS is a complex agency with a difficult job. Its mission, as mentioned on the agency's website, is to "work in partnership with families and communities to support the well-being of Alaska's children and youth. Services will enhance families' capacities to give their children a healthy start, to provide them with safe and permanent homes, to maintain cultural connections, and to help them realize their potential." The key words are highlighted in red.

The CRP's purpose is to bring forth voices and opinions of those families and communities. There is obvious synergy here between this mission statement, and congressional intent behind CRPs.

From this mission statement, it is clear that OCS is a service agency, trying to serve families in difficult circumstances. Not a police agency watching over parenting practices. CRP's role is to help OCS devise services that meet the needs of the families and communities it is mandated to serve. Specifically, by channeling input from them to OCS.

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DR. VADAPALLI discussed the significance of OCS.

However, OCS faces a constant dilemma. As the Ombudsman's report in 2012 states, and I quote, "With the exception of the criminal justice system, which may take one's money, one's freedom and, in some states, one's life, it is difficult to imagine a more fear-inspiring authority than the power to take away a person's children." This power gives OCS an aura of a police agency. How that power is exercised and leveraged is key to its success.

OCS is entrusted with an awesome power and huge responsibility. This power and responsibility are exercised by frontline workers and their supervisors. They face many difficult and traumatic choices that can mean a lifetime of good or bad for a child and her family. A lot of good is done, more than we get to hear in the news. But, like all of us, OCS workers, too, make mistakes. Except, their mistakes can be very expensive.

This is why, as OCS mission statement says, partnerships are important, and thus the CRP, which is the only statutory agency set up for that specific purpose, is an important forum for those partnerships to flourish.

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He addressed what OCS does not do:

I hope the last few slides made the role of a CRP and its functions clear to you. I often find it easier to list the things the CRP does not do, than to explain what it does.

As I said, although advocacy was mentioned in congressional record, it was not part of the statute.

Therefore, Alaska CRP walks a fine line on advocacy, and refrains from commenting on any proposed or pending legislation.

It is important to note that CRP is set up as a systems-level review mechanism. It has no role in individual cases, contracts, or situations. This is key because, there is a lot of room for confusion here. Many times, CRP is approached with requests to intervene in cases or contracts. CRP has the statutory authority to review individual cases or contracts, but it should do so with a systems-perspective, not to revise decisions in any one individual situation. Along the same lines, CRP does not micromanage OCS. For example, CRP cannot handle complaints against case workers or supervisors.

Another important thing - CRP is not set up to conduct program evaluation. It evaluates the procedures and practices of OCS as stated in its own policies, and other legal statutes. It is a broad, systems-level evaluative function.

The panel does not lobby either against, or on behalf of OCS.

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He noted CRP is a statutory institution:

The CRP is an institution, with a statutory role and responsibility.

It is an organization of the state.

It facilitates citizen participation.

It must cultivate a critical, but constructive lens.

It exists to help OCS by channeling critical but constructive input from families and communities to OCS.

Its success depends on its relationship with OCS, a relationship that ensures meaningful recommendations from CRP and carefully considered response from OCS.

This is a delicate relationship that needs clear structure, and continued nurturing.

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DR. VADAPALLI showed a slide of the organization of OCS offices:

This is the lay of the land for CRP. These are the five OCS regions, and its field offices. The field office in Unalaska was closed in 2011, and Galena's office was flooded in 2014 and since been closed.

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SENATOR BEGICH inquired if the rest of the data on the slide accurate.

DR. VADAPALLI replied that the operating budget is more than \$150 million this year and turnover for the last 15 years has been between 25 percent and 35 percent on the frontlines - Protective Service Specialists.

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SENATOR MICCICHE asked if the turnover rate is over 35 percent on an annual basis.

DR. VADAPALLI said it has been between 25 to 35 percent annually for the last 15 years.

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DR. VADAPALLI showed a slide of CRP's annual calendar:

This is a typical CRP calendar, this one is from the last fiscal year. Alaska CRP begins its year with a fall retreat in August/September to identify its annual work plan. Each year, the work plan identifies a set of goals, and the annual calendar that includes meetings and travel.

CRP is required to meet at least once a quarter. All its quarterly meetings are open to public. These are public working meetings, for citizens to witness the work of CRP. Each quarterly meeting has a 20 minute slot for an invited guest to speak to the panel.

The panel meets with OCS leadership (Director and the Division Operations Manager) every month between October and June. These meetings are not open to public. These are meant to build relationships, discuss various policies, specific initiatives, and other details of CRP work.

The panel conducts site visits every year. A small group (2-4) members of the panel visits a regional or field office to collect input from OCS workers in the

field, various stakeholder partner agencies, and individual foster parents. The panel does not have a systematic way to reach birth parents or foster children.

In addition to presenting to the legislature every year, the panel presents to other interested and relevant groups such as ICWA workers, CJA Task Force, CIP, etc.

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He showed a slide of the 2015-2016 workload during the last fiscal year. There were four goals and they did four site visits and they talked to more than 100 individuals across the state. They also conducted the OCS staff survey and attended the CRP National Conference.

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DR. VADAPALLI listed the 2015 - 2016 goals:

Each goal listed here was picked due to the relevance and importance of that goal at the time. The annual work plan goes into considerable detail on reasons for identifying each goal.

These goals were pursued through the year, through policy review, data analysis, discussions with more than a 100 individuals in key positions across the state, and the OCS leadership. In the next few slides I will present recommendations from these goals.

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He made five recommendations:

RECOMMENDATION 1

OCS and the numerous tribes in Alaska have a very complicated relationship. This has been evolving over the years. In 1994, a group of leaders from various Alaska Native tribes and OCS established the Tribal State Collaborative Group (TSCG) as a forum to build OCS-Tribal relationships, and to address many differences. In recent times, OCS-Tribal relationships have further evolved. Most recently, a strategic plan for "Transforming Child Welfare Outcomes for Alaska Native Children" was prepared and released in mid-2016. This plan identified six priority areas. Most

notably for CRP, "Community Engagement" is one of the six. Several objectives were identified under this priority area.

It is important to note here that the CRP has been focused on OCS-Tribal relationship for several years. Specific recommendations in past years suggested that OCS should better structure the relationship of OCS workers and tribal ICWA workers. Every year the CRP surveys ICWA workers about their relationship with OCS workers.

It is also important to note here that CRP is not just a review mechanism. It has a substantial outreach and community engagement responsibility.

CRP was invited to participate in a visioning session for this strategic plan in May 2015, during the early stages of this plan preparation. The panel was not invited to any subsequent discussions until the plan's release. The plan simply does not mention CRP. While the CRP applauds the effort, and the vision this plan represents, the irony of ignoring an existing statutory mechanism for community engagement cannot be lost. Thus this recommendation.

In response, OCS invited CRP to participate as a stakeholder in any of the six priority areas, and committed to keeping the panel informed of the proceedings on each of the areas. This is a welcome development. However, this leads to another challenge. CRP is not a stakeholder that can dial in when it is interested. It is a mechanism with a statutory duty to facilitate dialogue between a section of stakeholders and OCS. CRP as a stakeholder is a mischaracterization. A more meaningful approach would be to identify an appropriate and specific role for CRP to implement sections of this plan in partnership with others leading this effort. That is the central point of this recommendation. If the CRP does not have the capacity to fulfill the identified role, its capacity needs to be enhanced.

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RECOMMENDATION 2

I am sure we all can agree that, despite all the negative press coverage about OCS, child protection needs additional resources. In difficult budget times, every leverage must be employed. This recommendation simply acknowledges the assets tribal partners can bring to the table, and for OCS to leverage their partnerships to this end.

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RECOMMENDATION 3

Despite numerous hours by volunteers and good faith effort by many involved over the years, the CRP has been an afterthought for a long time. There is no oversight over the CRP, or its relationship with OCS.

The panel existed without a set of policies or bylaws for 13 years. The panel had been in violation of the state's sunshine laws until January 2015. While the 2005 statute asks the DHSS Commissioner to institute regulations, it was never done. With no regulations, or operating procedures or policies guiding actions of its members, staff, or OCS, there are continued confusion, uncertainty, and unclear expectations.

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SENATOR BEGICH asked about the regulations. He said he looked at the statute and under the duties of the state panel, in AS 47.14.215, Section C, it says "the commissioner shall by regulation establish policies and procedures necessary to carry out the duties of the state panel under this section." The provision was established in 2005 and there are still no regulations after 12 years.

DR. VADAPPIL agreed.

SENATOR BEGICH asked why that was.

DR. VADAPALLI related that he has been on the panel for five years and the chair for four of those years. He said he brought this up to the notice of the commissioner of DHSS and the director of OCS three times. He said, from his perspective, it is due to a combination of a lack of capacity to put in resources to develop regulations and lack of clarity in the exact role of CRP and its relationship with OCS.

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SENATOR BEGICH found that disturbing.

CHAIR WILSON asked if Dr. Vadapalli has copies of CRP's communications to the department asking for regulations.

DR. VADAPALLI said he did have those email communications.

CHAIR WILSON requested to share them with the committee.

DR. VADAPALLI agreed to provide them.

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DR. VADAPALLI continued:

There is no oversight over CRP, nor was there any evaluation of its work. That is a double-edged sword - the CRP may or may not be doing its job, or OCS may or may not be responding adequately. This leads to erosion of accountability of the entire mechanism, and fails the congressional and legislative intent of having a CRP, which is to help OCS to be more responsive to community needs. Effective oversight mechanisms over the CRP enterprise would be either the legislature or the general public and stakeholders impacted by OCS' policies, procedures, and practices. While the panel continues to meet with individual senators every year, as I mentioned earlier, this is the first time in fifteen years that CRP had an opportunity to present to the Senate HSS Committee. The only statutory requirement that is monitored by the federal government (since it is a congressional mandate) is the production of its annual report, and a response from OCS. The quality of either documents is never assessed. The panel rarely receives any queries or requests for clarifications of its work or its recommendations. While its recommendations are not legally binding on OCS, they can result in meaningful action only through legislative oversight of the process.

Since the CRP could not generate greater interest from OCS, DHSS, or the legislature, it set out to conduct an evaluation of its own structure and its relationship with OCS. There are many areas for improvement. The ones shown are the most significant ones.

The state is required to provide adequate staff support for the panel, and it does so by allocating \$100,000 of its general funds each year. This funding is routed through OCS budget, with OCS/DHSS having the authority to expand or contract the budget as the agency sees fit. In essence, the panel reviews the policies, procedures, and practices of an agency that controls its budget. This arrangement, by definition, is not wrong or impossible to work with, as long as the purpose and role of CRP is clear. However, due to continuing lack of clarity in expectations and in the absence of any regulations, this arrangement leads to avoidable conflicts of interest. Moreover, routing the entire CRP budget through a private consulting contract creates difficult ethical dilemmas for the contractor. A series of such dilemmas led to an unpleasant transition in staff support during the summer of 2016, causing considerable delay in panel's work for 2017.

This is not to dispute OCS' claim that it worked collaboratively and respectfully with CRP over the years. This recommendation is pointing to the need to assess effectiveness of such collaboration and respect. Neither can replace effectiveness.

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RECOMMENDATION 4

CRP and OCS had been discussing the staff survey since 2012. In 2015, OCS asked the CRP to conduct it. The CRP leveraged a graduate class I teach at UAA, and conducted the survey and compiled the results. Unlike the past years, results were reported separately for frontline workers and other staff at OCS. With around 30% turnover among frontline workers consistently for over 15 years, it is important to understand the perspective of the frontline workers.

Since this was the first time an external entity was conducting its staff survey, OCS requested we do not ask any additional questions than already being asked in the old survey.

The survey results document was released in July 2016. Main findings of the survey include:

Workers hold their immediate supervisors in very high regard.

Workers felt that the community at large do not understand the purpose and work of OCS.

The recommendations on the slide were made based on several other findings, to improve the survey efforts. This survey asked several questions about training provided to OCS workers. But, all training-related questions are focused on a 2-3 week training they receive from the Child Welfare Academy shortly after signing up for their job. Scientific evidence is clear that it takes about two years for a new frontline worker in child protection to learn their job well. This implies, structured training opportunities should be available throughout the first two years of a new hire, and beyond. Many such opportunities may be available. However, the current survey does not allow collecting information about those. As a result, the survey paints a very limited perspective of workers' training needs and the actual training they obtain.

In response to the first bullet, OCS says there are many training opportunities for OCS workers after they complete their initial training, and "it knows" that workers struggle with "transfer of learning" from training to field. This is contradictory because, one of central purposes of on-the-job training is to help with improve transfer of learning. This recommendation is asking OCS to verify if available on-the-job training opportunities are helping to the extent they should.

The current survey is already long, and many aspects of a workers life at OCS are not covered by it. It is not clear if there are other surveys or other mechanisms through which OCS leadership collects this feedback. One of the findings from this year showed that feedback channels from frontlines to the leadership need to be improved. Thus, the second bullet point.

OCS conducts stakeholder surveys with foster parents, Alaska Native tribes, and other service providers. Results from all these surveys are similarly

documented - basic question-by-question summary of results. It is not evident that any in-depth analysis is conducted to inform policy or practice. Since resources are scarce, the third bullet suggests leveraging entities such as CRP to conduct such surveys.

OCS resumed conducting its own staff survey this year. The CRP will request data from the survey to conduct analysis.

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SENATOR MICCICHE commented, with a 30 percent turnover rate over two years for a new frontline worker to become fully competent, OCS is only getting one year of active service.

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DR. VADAPALLI agreed that there is a high turnover rate and a high investment in training only to see workers move on. He said it is a challenge for the agency. He suggested that the leadership at OCS can better address the loss of training resources. The panel did not address loss of resources and impacts from loss of workers.

SENATOR MICCICHE did the math noting, as a whole, OCS is only getting one year of performance out of employees.

DR. VADAPALLI agreed.

[2:07:37 PM](#)

SENATOR GIESSEL countered that statistics can be interpreted in various ways. She said OCS work is highly stressful and every case is different. She requested more information on the data.

DR. VADAPALLI said the panel has been collecting data from OCS on turnover rate of the frontline positions, by region, over the last four years. The panel hopes to determine where the turnover is happening and the reasons for it. So far, the data shows that the majority who leave resign and leave the agency. However, they don't know what that means yet.

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SENATOR BEGICH requested the average length of OCS service and service by region.

DR. VADAPALLI agreed to ask for that information. He continued with recommendation 5.

[2:10:15 PM](#)

RECOMMENDATION 5

Over the last four years, as the Chair, I focused on clarifying the purpose of CRP. The panel had lengthy deliberations over the last four years, reflecting on its role and purpose. After extensive conversations with many across the nation, and review of congressional record, past documents of CRPs across the nation, scholarly literature, and other documents published over the years since the early 90s, it became clear that the panel is a mechanism for public participation. It is not just a watch dog group that raises alarm at every perceived mistake that OCS may make. It has a more complex mandate.

It is the responsibility of the panel to provide a forum for informed, thoughtful, and constructive dialogue among stakeholders, primarily the families and communities served by OCS. It should do so through its review, outreach, and advocacy functions. This can be done. However, it requires a structured relationship with OCS. It needs enhanced capacity that this structure would bring. While additional funds can help, funding will not resolve all challenges. The current budget of \$100,000 can be stretched much further with a more structured relationship.

That is the central point of this recommendation. In response, OCS cites CRP's current lack of capacity for not relying on CRP, but ignores the idea of enhancing CRP's capacity for OCS to be able to rely on it.

[2:11:53 PM](#)

DR. VADAPALLI discussed the goals for 2016-2017, several of which have been retained from last year:

As you may have noticed, the CRP often ends up not being able to complete its work on some of the goals. Most often, it is because the panel did not have all the information and data it needs to adequately assess the practice or policy on a particular goal. These goals the panel adopted for this year may not be accomplished as planned. The panel is behind on its planned site visits. Much of this delay is for two reasons - the panel had a considerable delay due to

change in staff. The second reason is - the panel is hosting the next National CRP Conference in Anchorage this May.

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DR. VADAPALLI described the Grand Jury investigation of OCS:

As you may be aware, Rep. Wilson called for a Grand Jury investigation of OCS. The Grand Jury concluded that it is the CRP's statutory responsibility to be conducting such a review. The panel received all materials from the grand jury. In addition, we are compiling information from all public hearings recently held by Rep. Wilson.

This review will be a major challenge for the panel's current capacity. As you can see, the panel plans to release an action plan by June 30th with regard to this review.

[2:13:45 PM](#)

He discussed anticipated changes to CRP:

I mentioned the lack of capacity. Again, capacity not in dollars. The panel needs more volunteers that can perform various tasks. It needs a better recruitment and retention strategy. It needs more instrumental partnerships with similar review bodies. There are about 10 different review mechanisms that oversee one or the other aspect of OCS. The panel needs to gain visibility and trust among the general population. Everyone needs to understand the role and responsibility of CRP. And in turn, hold CRP accountable for its work.

More importantly, the misperception that CRP is a watch dog agency must be corrected. It needs a reorientation as a mechanism for public participation and community engagement in child protection. The panel has been discussing this with OCS, and we set ourselves a three-year timeline to achieve this. We wish to adopt a participatory evaluation framework with those elements on the slide.

In addition to all that, the panel needs support from the legislature. I hope that the panel will be invited back every year to present its findings. This is important to not only provide a public forum for

constructive dialogue, but also to hold the CRP accountable.

There are very few restrictions on who can volunteer for CRP. Being a legislator is not one of them. If you do not have the time, you may know others that might be a good fit.

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DR. VADAPALLI turned to the last slide:

To help with visibility in Alaska, and to improve our collective understanding of CRP, the Alaska CRP is hosting this year's National CRP Conference. It goes without saying that you all are invited. Registration is open now. We hope to see you all there. Thank you for your time.

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CHAIR WILSON thanked Dr. Vadapalli. He said the issue of evaluation and oversight of all departments is important to him. Today's presentation on OCS oversight is the beginning of an overview of the Department of Health and Social Services.

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CHAIR WILSON asked how many recommendations OCS actually completes. Recommendation 1 is to continue to implement recommendations from 2013 to 2014. He asked how many recommendations are continuations and how many are complete.

DR. VADAPALLI said the recommendations from the panel are not binding and may be accepted or rejected, however, OCS must respond. Most of the time they accept them. The panel does not have the capability to track the implementation of recommendations. He used the intake policy recommendation as an example. OCS was moving from a regional intake to a central intake and they planned to implement all the recommendations when the move was complete.

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SENATOR BEGICH pointed out that cooperation with the state panel is under state statute in Section 225. It says, "The department shall provide the panel access to information on child abuse and neglect cases that is necessary for the panel to carry out its duties and the department shall serve as staff to the state panel as requested by the panel members." He emphasized that

they are "shall" and not "may" clauses. He asked if the department is responsive to CRP's request for data.

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DR. VADAPALLI replied that the responsiveness of the agency has changed over the years. He began working with the panel in 2012 and remembers very little sharing of data. At the time, the request for data was probably not clear and there is still no protocol for data sharing. The panel has the statutory authority to request any information it sees as necessary. The agency does not refuse to share data, but there are many barriers to data sharing. One is confidentiality. There may be the perception that a panel of volunteers does not know how to handle confidential data. No protocol exists to share data.

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SENATOR BEGICH stated that it would be illegal for a member of the panel to disclose confidential information. He assumed there is no protocol because there are no regulations. The department has had 15 years to develop regulations to determine the protocol for data sharing and how the CRP should be used.

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DR. VADAPALLI said that is correct.

[2:22:26 PM](#)

SENATOR MICCICHE pointed out that the retention rate of OCS is similar to the retention rate of the panel. He asked why 30 percent of panel members dropped off this year.

DR. VADAPALLI said retention and recruitment for the panel has been a challenge for a long time. In the past, site reviews were conducted by all panel members traveling to a particular site and they couldn't afford to do more than three sites a year. Now, only three members go to review a site. As things change, it is hard to convey to new members what their role will be and how they can contribute. A lack of structure in the agency/panel relationship often leads to contentious discussions in which some panel members are uncomfortable. A panel volunteer must feel that their time is valuable and valued.

SENATOR MICCICHE thought the recommendations by the panel did not point fingers at OCS, but were positive. He asked whether that was a CRP improvement objective. He also asked how the legislature can support CRP.

[2:25:38 PM](#)

DR. VADAPALLI explained that the panel works very hard to keep a constructive, but critical, tone, but that can only happen when there is structure to the relationship and that structure is monitored. There are two bodies that can monitor the CRP/OCS relationship the general public and the legislature. He asked the legislature to help by monitoring the relationship.

[2:27:02 PM](#)

SENATOR GIESSEL noted CRP's budget is \$100,000 and they make site visits. She asked if the panel has staff and how many hours they work.

DR. VADAPALLI pointed out that their contract can't exceed more than \$30,000 in travel, so \$70,000 is set up for staff support. CRP is a statutory state body, not a nonprofit. Out of \$70,000, the panel is expected to coordinate the panel's activities, clinical support, including writing reports, evaluation work, and general training. He said \$70,000 is not enough for any contractor to meet all those demands, so the panel must find innovative ways to recruit volunteers to do some of that work. He said, as a researcher, he can bring data analysis skills to the panel.

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SENATOR GIESSEL spoke of the panel's organization and could see where there are challenges, especially with volunteers and without regulations. The process has been constrained by the lack of an executive director. She asked if the funding was raised from \$35,000 to \$100,000.

DR. VADAPALLI explained that HB 53 in 2005 contained \$65,000 in funding.

SENATOR GIESSEL commented that CRP has not been fully funded by the legislature and it is hard work for volunteers.

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SENATOR BEGICH agreed with Senator Giessel. He wished that CRP could forward the regulations they wanted to see adopted and the legislature could review and support them. He looked forward to a response from OCS. He commended Dr. Vadapalli for his work.

[2:31:42 PM](#)

DR. VADAPALLI said last year they met with the commissioner of DHSS. The department agreed that CRP needs regulations, but questioned why CRP wanted DHSS to write the regulations as that could be a constricting factor.

DR. VADPALLI agreed it could be a problem, but pointed out that the panel's relationship with OCS is not just as a watchdog; it needs to be a collaborative and cooperative relationship. He concluded that it would be fine if the department wrote the regulations for CRP. The commissioner and he decided that because he teaches at UAA he was going to teach a policy analysis course and have students work on regulations. The class reviewed how eight different states operate and looked at suggestions for regulations for Alaska. He said the class was successful, but he has not finished the report yet.

CHAIR WILSON agreed that the relationship is intertwined, however, part of the issue is the funding allocation. OCS is also funded through DHSS and their budget has been flat for several years, while CRP's budget has fluctuated.

[2:34:05 PM](#)

DR. VADAPALLI said the panel's budget has been \$100,000 since several years prior to 2012, except for a decrease in FY2016. In FY2016 the new contract was for \$82,000 and the panel's budget was \$100,000. In January, CRP submitted a letter stating how the money would be used and OCS said that the money was no longer available for the panel. That equaled a \$70,000 budget cut for the panel in the middle of the year and they were not ready for it. Most of the work they wanted to accomplish was done because most of the panel is made up of volunteers. They could have done more with full funding.

[2:35:33 PM](#)

SENATOR MICCICHE said OCS is the most emotional issue he deals with. He described three types of parents his office deals with. He wondered if the legislature has been clear enough with the oversight panel. He questioned how the legislature can be supportive with statutory direction and legislative intent and wished to understand their history with OCS and CRP.

[2:37:19 PM](#)

CHAIR WILSON said he has been involved with hundreds of families and every program in OCS. He stated he would like to address this issue and help OCS with family reunification and custody retention. He is looking at this issue as an interim project. He said he is open to looking at the legislature's past involvement with the issue.

[2:38:38 PM](#)

SENATOR GIESSEL highlighted the Beacon Hill program that tries to intercede before it reaches the point of separating a child

from a family. Sometimes government is not the answer to the issue. She commended such programs.

[2:39:21 PM](#)

SENATOR BEGICH asked how people get appointed to the panel.

[2:39:36 PM](#)

DR. VADAPALLI said there is no limit to the number of members on the panel or on how long they can serve. A person would apply to the panel and the panel would decide whether to interview the potential member. Most applicants are accepted. The panel makes it clear to new members that OCS has a mandate and personal opinions do not come into play. New members must state their personal biases and they must work together as a team.

[2:43:22 PM](#)

SENATOR MICCICHE asked if there has been a panel member that was a parent from a successfully reunified family.

DR. VADAPALLI didn't know, but said there have been foster parents and past OCS employees on the panel. He said he was the first academic faculty.

[2:45:04 PM](#)

CHAIR WILSON thanked Dr. Vadapalli for his work.

[2:45:53 PM](#)

There being no further business to come before the committee, Chair Wilson adjourned the Senate Health and Social Services Standing Committee at 2:45 p.m.