

Introduced: 2/17/86
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY DUNCAN AND GOLL

2

HOUSE BILL NO. 686

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to Alaska Native family protection;

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and providing for an effective date."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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* Section 1. AS 47 is amended by adding a new chapter to read:

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CHAPTER 18. ALASKA NATIVE FAMILY PROTECTION.

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Sec. 47.18.010. PURPOSE. The purpose of this chapter is to

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(1) promote policies and procedures ensuring full implemen-

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tation of 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act of 1978) in
the state;

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(2) deliver comprehensive and culturally respectful protec-

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tive and preventive services to all Native children and families and
all rural children and families in the state; and

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(3) encourage Native and local community participation in

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state actions affecting Native or rural children and families.

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Sec. 47.18.020. OFFICE OF NATIVE FAMILY SERVICES. The office of

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Native family services is established in the division of family and
youth services. The office shall be headed by a coordinator appointed

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by the director of the division. The coordinator shall be a qualified

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professional trained and experienced in the administration of social

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services programs and Indian or Alaska Native affairs. The coordina-

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tor is in the classified service.

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Sec. 47.18.030. DUTIES OF THE OFFICE. The office may

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(1) award grants necessary or incidental to the performance

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of its duties and the executions of its powers, including grants to

1 Native or other nonprofit organizations or corporations, Native
2 villages, or municipalities, for services rendered or furnished to
3 Native or rural children and families;

4 (2) administer or supervise the administration of the
5 provisions relating to Alaska Natives in state plans submitted for
6 federal funding under federal social services laws;

7 (3) coordinate the activities of the division and of grant-
8 ees in providing services to Native children and Native families in
9 the state;

10 (4) make contracts and other joint or cooperative agree-
11 ments with Native organizations, Native villages, municipalities, or
12 private nonprofit agencies to provide services to Native children and
13 Native families, and for the common advancement of Native family
14 welfare programs in this and other states;

15 (5) keep records and engage in research in the gathering of
16 relative statistics;

17 (6) do other acts necessary to implement the authority
18 expressly granted to it.

19 Sec. 47.18.040. COMPREHENSIVE PROGRAMS FOR DELIVERY OF SERVICES;
20 REGIONAL PROGRAMS. (a) The office shall operate a comprehensive and
21 coordinated program to provide supportive and preventive services
22 under AS 47 to Native children and Native families.

23 (b) With the approval of the commissioner, the coordinator may
24 divide the state into appropriate regions to conduct the program and
25 establish standards for development of the program on the regional
26 level. In establishing the regions, the coordinator shall consider
27 the existence of Native organizations and the resident population or
28 village concentration represented by those organizations, or city or
29 borough lines and population concentrations. Programs shall be estab-

1 lished with maximum feasible local involvement.

2 Sec. 47.18.050. NATIVE FAMILY SERVICES; RURAL SERVICES. (a)
3 The department may award grants through the office to Native or other
4 nonprofit organizations, Native villages, municipalities, or individu-
5 als to provide services to Native children and their families, includ-
6 ing

7 (1) education for the prevention and detection of child
8 abuse and neglect;

9 (2) counseling and treatment of families designed to pre-
10 vent children from suffering harm from abuse or neglect, to prevent
11 the breakup of families, and to provide remedial and rehabilitative
12 services, especially those required under 25 U.S.C. 1912(d) and those
13 designed to reduce the likelihood that a parent will continue conduct
14 that causes a child to be a child in need of aid under AS 47.10.010-
15 (a)(2);

16 (3) developing, screening, and supporting foster and adop-
17 tive homes that meet the standards of operation of the department and
18 that assist the department in satisfying the requirements of 25 U.S.C.
19 1915 and in providing care for the children committed to its custody;

20 (4) family assistance, including homemakers and home coun-
21 selors, day care, after school care, respite care, parent aides, and
22 parenting skills training;

23 (5) detection and reporting of harm to children under
24 AS 47.17, and providing coordination and assistance to the department
25 in investigating and monitoring cases;

26 (6) providing coordination among agencies and organizations
27 engaged in intervention with and treatment of child sexual abuse,
28 including providing public education and professional training, con-
29 sultation, development of support groups, and direct treatment of

1 victims, family members, and offenders;

2 (7) providing expert consultation to the department con-
3 cerning child-rearing patterns of different Native cultural groups,
4 intergenerational and peer support systems, and children with special
5 needs;

6 (8) support services for families experiencing stress due
7 to relocation from rural to urban areas;

8 (9) preventive services, including educational services for
9 abusive or potentially abusive parents and promotion of public educa-
10 tion and awareness;

11 (10) emergency services to runaway youths and families in
12 crisis, including provision of short-term counseling, especially for
13 youths involved in alcohol or drug abuse;

14 (11) recommendations to the department for the licensing and
15 supervision of boarding homes, group homes, nurseries, or residential
16 institutions caring for children.

17 (b) The department may award grants under (a) of this section
18 for the provision of services to Native and other residents in a
19 region if the grants or programs would more efficiently and effective-
20 ly provide services to residents of a region.

21 (c) An organization providing family services under a grant
22 awarded under this section shall follow the regulations of the depart-
23 ment in providing services.

24 (d) In a court proceeding in a case in which a grantee has a
25 duty to take action on behalf of the department under this chapter,
26 the grantee organization may not also appear in the proceeding under
27 the intervention provisions of 25 U.S.C. 1901 - 1963 on behalf of a
28 Native village or an individual Alaska Native.

29 Sec. 47.18.100. DEFINITIONS. In this chapter,

1 (1) "commissioner" means the commissioner of health and
2 social services;

3 (2) "department" means the Department of Health and Social
4 Services;

5 (3) "Native" means an Alaska Native as defined in 43 U.S.C.
6 1602 (section 3(b) of the Alaska Native Claims Settlement Act);

7 (4) "Native organization" means a nonprofit group, asso-
8 ciation, partnership, corporation, or other legal entity owned or
9 controlled by Natives, or a majority of whose members are Natives;

10 (5) "Native village" means an Alaska Native village as
11 defined in 43 U.S.C. 1602 (section 3(c) of the Alaska Native Claims
12 Settlement Act);

13 (6) "office" means the office of Native family services.

14 * Sec. 2. AS 47.35.010(a) is amended to read:

15 (a) The department may

16 (1) license and supervise boarding homes, foster homes,
17 group homes, nurseries, institutions caring for children and foster
18 homes, group homes and institutions caring for dependent adults;

19 (2) investigate and supervise licensees;

20 (3) enforce the standards established by it;

21 (4) contract with private or municipal agencies to investi-
22 gate and make recommendations to the department for the licensing and
23 supervision of boarding homes, foster homes, group homes, nurseries,
24 institutions caring for children and foster homes, group homes and
25 institutions caring for dependent adults under procedures and stan-
26 dards of operation established by the department;

27 (5) by grant, contract with a Native organization, Native
28 village, or municipality, to investigate and make recommendations to
29 the department for the licensing and supervision of boarding homes,

1 foster homes, group homes, nurseries, or institutions caring for
2 children.

3 * Sec. 3. This Act takes effect January 1, 1987.