

Offered: 4/16/86  
Referred: Finance

Original sponsors: Duncan and Goll

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BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

CS FOR HOUSE BILL NO. 686 (HESS)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
FOURTEENTH LEGISLATURE - SECOND SESSION  
A BILL

For an Act entitled: "An Act relating to Native and rural family services;  
and providing for an effective date."

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

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

CHAPTER 18. ALASKA NATIVE FAMILY PROTECTION.

Sec. 47.18.010. PURPOSE. (a) The purpose of this chapter is to

(1) promote policies and procedures ensuring full implementation of 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act of 1978) in the state;

(2) deliver comprehensive and culturally respectful protective and preventive services to all Native children and families and all rural children and families in the state; and

(3) encourage Native and local community participation in state actions affecting Native or rural children and families.

(b) This chapter is not intended to abrogate or diminish the obligations of the federal government to fund social services to Native children and families under 25 U.S.C. 1901 - 1963.

Sec. 47.18.020. OFFICE OF NATIVE FAMILY SERVICES. The office of Native family services is established in the division of family and youth services. The office shall be headed by a coordinator appointed by the director of the division. The coordinator shall be a qualified professional trained and experienced in the administration of social services programs and Indian or Alaska Native affairs. The coordinator is in the classified service.

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

2           (1) award grants necessary or incidental to the performance  
3 of its duties and the executions of its powers, including grants to  
4 Native or other nonprofit organizations or corporations, Native vil-  
5 lages, or municipalities, for services rendered or furnished to Native  
6 or rural children and families;

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

10          (3) coordinate the activities of the division and of grant-  
11 ees in providing services to Native children and Native families in  
12 the state;

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

18          (5) keep records and engage in research in the gathering of  
19 relative statistics;

20          (6) do other acts necessary to implement the authority  
21 expressly granted to it.

22           Sec. 47.18.040. COMPREHENSIVE PROGRAMS FOR DELIVERY OF SERVICES;  
23 REGIONAL PROGRAMS. (a) The office shall operate a comprehensive and  
24 coordinated program to provide supportive and preventive services  
25 under this title to Native children and Native families.

26           (b) With the approval of the commissioner, the coordinator may  
27 divide the state into appropriate regions to conduct the program and  
28 establish standards for development of the program on the regional  
29 level. In establishing the regions, the coordinator shall consider

1 the existence of Native organizations and the resident population or  
2 village concentration represented by those organizations, or city or  
3 borough lines and population concentrations. Programs shall be estab-  
4 lished with maximum feasible local involvement.

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

10 (1) education for the prevention and detection of child  
11 abuse and neglect;

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

19 (3) developing, screening, and supporting foster and adop-  
20 tive homes that meet the standards of operation of the department and  
21 that assist the department in satisfying the requirements of 25 U.S.C.  
22 1915 and in providing care for the children committed to its custody;

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

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

29 (6) providing coordination among agencies and organizations

1 engaged in intervention with and treatment of child sexual abuse,  
2 including providing public education and professional training, con-  
3 sultation, development of support groups, and direct treatment of  
4 victims, family members, and offenders;

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

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

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

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

17 (11) recommendations to the department for the licensing and  
18 supervision of boarding homes, group homes, nurseries, or residential  
19 institutions caring for children.

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

24 (c) An organization providing family services under a grant  
25 awarded under this section shall follow the regulations of the depart-  
26 ment in providing services. If the organization intervenes, or is  
27 likely to intervene, under the provisions of 25 U.S.C. 1901 - 1963,  
28 the department may, as a condition of the grant, require the  
29 organization to establish procedures ensuring that employees are able

1 to provide grant services as provided in the grant regardless of the  
2 intervention by the organization.

3 Sec. 47.18.090. REGULATIONS. The department may adopt  
4 regulations necessary for the administration of this chapter.

5 Sec. 47.18.100. DEFINITIONS. In this chapter,

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

8 (2) "department" means the Department of Health and Social  
9 Services;

10 (3) "Native" means an Indian or Alaska Native as defined in  
11 25 U.S.C. 1903(3);

12 (4) "Native organization" means a nonprofit group, asso-  
13 ciation, tribe, partnership, corporation, or other legal entity owned  
14 or controlled by Natives, or a majority of whose members are Natives;  
15 in this paragraph, "tribe" means an Indian tribe as defined in 25  
16 U.S.C. 1903(8), including an Alaska Native village as defined in 43  
17 U.S.C. 1602 (section 3(c) of the Alaska Native Claims Settlement Act);

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

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

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

23 (a) The department may

24 (1) license and supervise boarding homes, foster homes,  
25 group homes, nurseries, institutions caring for children and foster  
26 homes, group homes and institutions caring for dependent adults;

27 (2) investigate and supervise licensees;

28 (3) enforce the standards established by it;

29 (4) contract with private or municipal agencies to

1 investigate and make recommendations to the department for the  
2 licensing and supervision of boarding homes, foster homes, group  
3 homes, nurseries, institutions caring for children and foster homes,  
4 group homes and institutions caring for dependent adults under  
5 procedures and standards of operation established by the department;

6 (5) by grant, contract with a Native organization, Native  
7 village, or municipality, to investigate and make recommendations to  
8 the department for the licensing and supervision of boarding homes,  
9 foster homes, group homes, nurseries, or institutions caring for  
10 children.

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