

HOUSE
COMMITTEE REPORT

4/16

(7)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

DATE: April 15, 1986

HEALTH, EDUCATION AND
The SOCIAL SERVICES Committee has considered HB 686

"An Act relating to Alaska Native family protection; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSHB 686 (HESS) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note Sup 117
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Mr. Mendenhall

Atli Korona

Kurtis Kurler

David W. Thompson

Alvin Stanley - No Rec

Edna L. Taylor - No Rec

Atli Korona co-ch
chairman

Mr. Mendenhall Co-ch

Offered: 4/16/86
Referred: Finance

*First Draft
Sep 117*

Hein

Original sponsors: Duncan and Goll

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 686 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

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

10 CHAPTER 18. ALASKA NATIVE FAMILY PROTECTION.

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

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

15 (2) deliver comprehensive and culturally respectful protec-
16 tive and preventive services to all Native children and families and
17 all rural children and families in the state; and

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

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

23 Sec. 47.18.020. OFFICE OF NATIVE FAMILY SERVICES. The office of
24 Native family services is established in the division of family and
25 youth services. The office shall be headed by a coordinator appointed
26 by the director of the division. The coordinator shall be a qualified
27 professional trained and experienced in the administration of social
28 services programs and Indian or Alaska Native affairs. The coordina-
29 tor 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, 1937.
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Hein

Introduced: 2/17/85
Referred: Health, Education
and Social Services and Finance

1 IN THE HOUSE

DUNNAN AND COLL

2 HOUSE BILL NO. 686

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

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

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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-
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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.
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21 selors, day care, after school care, respite care, parent aides, and
22 parenting skills training;

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24 AS 47.17, and providing coordination and assistance to the department
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29 sultation, development of support groups, and direct treatment of

1 victims, family members, and offenders;

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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;

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9 abusive or potentially abusive parents and promotion of public educa-
10 tion and awareness;

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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,

HB 686

017603

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2 social services;

3 (2) "department" means the Department of Health and Social
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9 controlled by Natives, or a majority of whose members are Natives;

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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.
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4/16/86

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST Page 1 of 6

Bill/Resolution No.: HB 686

Title: "An Act Relating to Alaska Native Family Protection and Providing for an Effective Date."

Sponsor: _____

Requestor: _____

Date of Request: _____

FISCAL DETAIL

Agency Affected: DHSS/DFYS

BRU: Purchased Services

Components: Office of Rural and Native Services

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		78.0	156.0	156.0	156.0	156.0
TRAVEL		6.0	12.0	12.0	12.0	12.0
CONTRACTUAL SUPPLIES						
EQUIPMENT		3.0	6.0	6.0	6.0	6.0
LAND & STRUCTURES						
GRANTS, CLAIMS		671.9	1,343.5	1,343.5	1,343.5	1,343.5
MISCELLANEOUS						
TOTAL OPERATING		758.9	1,517.5	1,517.5	1,517.5	1,517.5
CAPITAL						
REVENUE						

FUNDING : (Thousands of Dollars)

GENERAL FUND		758.9	1,517.5	1,517.5	1,517.5	1,517.5
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME		3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by: Michael E. Pine Phone: 465-3170

Division: Family and Youth Services Date: _____

Approved by Commissioner: John R. Pugh Date: 3/24/86

Agency: Health and Social Services

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 686 Page 2 of 6

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

Introduction

HB 686 makes provisions for the establishment of a grant program for Native Family Services with an effective date for implementation. This grant program is to serve rural and Native families in a comprehensive system which includes full implementation of the Indian Child Welfare Act of 1978, family assistance, homemaker, home counselors, foster parent and adoptive services, preventive and early intervention services, grants and contracts, licensing, alcohol and drug counseling, and other services as determined appropriate by the Commissioner.

Assumptions

It is assumed that contracts with and services to Native and rural families and organizations will continue to grow.

The attached chart describes a proposed methodology for determining grant allocations based on the number of Native residents and the number of villages within specific service delivery regions.

Program Summary

In order to administer this office in a manner consistent with State statute, departmental regulations, and prudent management, three employees would be needed. Positions included in the fiscal note are three Social Worker III positions in the Southcentral, Northern, and Southeastern regions. These positions will oversee grant administration and evaluation, develop agreements for the implementation of the Indian Child Welfare Act, and provide training and technical assistance to Native organizations. The southeastern Social Worker will function as the statewide grant coordinator, and will ensure program consistency.

NATIVE REGIONAL NON-PROFIT CORPORATION SERVICE AREAS
 (EXCLUDING KAWERAK, MANIILAQ, AND MAJOR POPULATION
 AREAS IN EXCESS OF 5000 INHABITANTS)

REGION	NUMBER OF NATIVES	NUMBER OF VILLAGES	RECOMMENDED ALLOCATION UNDER HB FY87 12 MONTH FUNDING	6 MONTH FUNDING
TILINGIT-HAIDA REGION	4,122	17	148.4	74.2
TANANA CHIEFS REGION	4,365	42	157.1	78.6
ALEUTIAN PRIBLOFF REGION	1,934	14	69.6	34.8
BRISTOL BAY REGION	3,520	25	126.7	63.4
KODIAK REGION	1,884	7	71.8	35.9
NORTH SLOPE REGION	3,062	8	110.2	55.1
AVCP REGION	11,177	50	402.4	201.2
COOK INLET	6,300	7	226.8	113.4
NORTH PACIFIC RIM	847	5	30.5	15.3
TOTAL	37,211	175	1,343.5	671.9

Based on a pilot project FY86 with Tlingit-Haida, a determination of \$36/person/6 months was the baseline figure derived. As data is accumulated for FY87 and reviewed, other factors will be considered, such as overall cost of delivery, size of delivery area, and other differential costs as determined appropriate.

Position Title Social Worker III			No. of Positions One	Range/Step 18 - A	Barg. Unit (AFL)	Gov. Leg.	Approved	Disapp.
Time Status PFT	Staff Months Six	RP Number	Location Juneau		Election District	Gov. Leg.	Approved	Disapp.
Justification								
Type of Expenditure			Amount					
1			2		3			
Salary			20.8					
Benefits			5.2					
Premium Pay			---					
Other			---					
Total Personal Services					26.0			
Travel					2.0			
Contractual					---			
Commodities					1.0			
Equipment					---			
Other					---			
Total Cost					29.0			
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. F. Match 1003					
			General Funds 1004			29.0		
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
For D&M Use Only Key Number _____								

HB 686 authorized the establishment of an Office of Rural and Native Family Services. The major duties of this office will be to oversee the administration of grants to Native organizations, implement the provisions of the Indian Child Welfare Act, and to do training with Native social service organizations. It is anticipated that one social worker III will be needed in each of three regional state social services offices in order to implement the provisions of the bill. The costs are predicated upon current contract levels and reclassification efforts as recommended by the Department of Administration. These are maximum personnel costs and may be less depending upon future revenue levels and contract negotiations.

HB 686 page 4 of 6

**Request For
New Position**

Agency Department of Health and Social Services
 BRU Purchased Services
 Component Native/Rural Services

Page _____ of _____
 Revised Date _____

FY 87

Position Title Social Worker III			No. of Positions One	Range/Step 1B - A	Barg. Unit (G)	Gov.	Approv.	Disapp.																																				
Time Status PFT	Staff Months Six	RP Number	Location Anchorage		Election District	Leg.																																						
<table border="1"> <thead> <tr> <th>Type of Expenditure</th> <th>2</th> <th>Amount</th> </tr> <tr> <th>1</th> <th></th> <th>3</th> </tr> </thead> <tbody> <tr> <td>Salary</td> <td>20.8</td> <td rowspan="4"></td> </tr> <tr> <td>Benefits</td> <td>5.2</td> </tr> <tr> <td>Premium Pay</td> <td>---</td> </tr> <tr> <td>Other</td> <td>---</td> </tr> <tr> <td>Total Personal Services</td> <td></td> <td>26.0</td> </tr> <tr> <td>Travel</td> <td></td> <td>2.0</td> </tr> <tr> <td>Contractual</td> <td></td> <td>---</td> </tr> <tr> <td>Commodities</td> <td></td> <td>1.0</td> </tr> <tr> <td>Equipment</td> <td></td> <td>---</td> </tr> <tr> <td>Other</td> <td></td> <td>---</td> </tr> <tr> <td>Total Cost</td> <td></td> <td>29.0</td> </tr> </tbody> </table>			Type of Expenditure	2	Amount	1		3	Salary	20.8		Benefits	5.2	Premium Pay	---	Other	---	Total Personal Services		26.0	Travel		2.0	Contractual		---	Commodities		1.0	Equipment		---	Other		---	Total Cost		29.0	Justification HB 686 authorized the establishment of an Office of Rural and Native Family Services. The major duties of this office will be to oversee the administration of grants to Native organizations, implement the provisions of the Indian Child Welfare Act, and to do training with Native social service organizations. It is anticipated that one social worker III will be needed in each of three regional state social services offices in order to implement the provisions of the bill. The costs are predicated upon current contract levels and reclassification efforts as recommended by the Department of Administration. These are maximum personnel costs and may be less depending upon future revenue levels and contract negotiations.					
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HR 686 page 5 of 6

**Request For
New Position**

Agency Department of Health and Social Services
 BRU Purchased Services
 Component Native/Rural Services

FY 87

Page	of
Revised Date	

Position Title Social Worker III			No. of Positions One	Range/Step 1B - A	Dep. Unit (Nil)	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months Six	RP Number	Location Fairbanks	Election District		Leg.		
Type of Expenditure			Justification					
			HB 686 authorized the establishment of an Office of Rural and Native Family Services. The major duties of this office will be to oversee the administration of grants to Native organizations, implement the provisions of the Indian Child Welfare Act, and to do training with Native social service organizations. It is anticipated that one social worker III will be needed in each of three regional state social services offices in order to implement the provisions of the bill.					
Amount			The costs are predicated upon current contract levels and reclassification efforts as recommended by the Department of Administration. These are maximum personnel costs and may be less depending upon future revenue levels and contract negotiations.					
1								
2								
3								
Salary	20.8							
Benefits	5.2							
Premium Pay	---							
Other	---							
Total Personal Services		26.0						
Travel		2.0						
Contractual		---						
Commodities		1.0						
Equipment		---						
Other		---						
Total Cost		29.0						
Receipt Code	Funding Source							
	Federal Receipts	1002						
	G. F. Match	1003						
	General Funds	1004	29.0					
	I-A Receipts	1005						
	Program Receipts	1028						
	CIP Receipts	1061						
	Other							
For D&M Use Only								
Key Number _____								

HB 686 page 6 of 6

**Request For
New Position**

Agency Department of Health and Social Services
 DRU Purchased Services
 Component Native/Rural Services

FY 87

Page _____ of _____
 Revised Date _____

ALASKA STATE LEGISLATURE

14th Legislature SECOND Session

HOUSE BILL NO. 686

By DUNCAN, GOLL

An Act relating to Alaska Native family protection; and providing for an effective date."

Alaska Native family

Introduced in the House ...2/17..., 19.86

HISTORY IN THE HOUSE

19	Read first time and referred to Committee on										
Feb 17	HESS AND FINANCE										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reconsideration										
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PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed										
	Signed by Speaker										
	Sent to Senate										

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19	Read first time and referred to Committee on										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Absent	Absent										
Excused	Excused										
	Reported correctly engrossed										
	Signed by President										
	Returned to House										

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

Offered: 4/16/86
Referred: Finance

Original sponsors: Duncan and Goll

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 686 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

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

10 CHAPTER 18. ALASKA NATIVE FAMILY PROTECTION.

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

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

15 (2) deliver comprehensive and culturally respectful protec-
16 tive and preventive services to all Native children and families and
17 all rural children and families in the state; and

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

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

23 Sec. 47.18.020. OFFICE OF NATIVE FAMILY SERVICES. The office of
24 Native family services is established in the division of family and
25 youth services. The office shall be headed by a coordinator appointed
26 by the director of the division. The coordinator shall be a qualified
27 professional trained and experienced in the administration of social
28 services programs and Indian or Alaska Native affairs. The coordina-
29 tor 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.

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

1 IN THE HOUSE

BY DUNCAN AND GOLL

2

HOUSE BILL NO. 686

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

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15 (2) deliver comprehensive and culturally respectful protec-
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17 all rural children and families in the state; and

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

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24 professional trained and experienced in the administration of social
25 services programs and Indian or Alaska Native affairs. The coordina-
26 tor is in the classified service.

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

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29 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
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17 (6) do other acts necessary to implement the authority
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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-

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4 nonprofit organizations, Native villages, municipalities, or individu-
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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
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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;

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3 cerning child-rearing patterns of different Native cultural groups,
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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:

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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.