

Senate Committee

COMMITTEE MINUTES for GOVERNMENT OVERSIGHT

Date: *June 5, 2017*

Location: *RM 116*

Convened: *9:00 AM*

Adjourned: *3:10 PM*

Attendance Roll Call:

Present: Senators Breitbach-CH, Sinclair-VC, McCoy-RM, Lofgren, Petersen

Absent:

Excused:

June 5, 2017

The meeting of Oversight by both the House and Senate was called to order @ 9:00 a.m.

Secretary took roll: 13 Members present; 1 Member excused [Rep. Pettengill]

Co-Chair Rep. Kaufmann gave opening remarks including that any questions and comments would come from the legislators on the committee only.

Co-Chair Sen. Breitbach gave opening remarks.

Rep. Kaufmann proceeded to introduce the DHS staff listed first on the agenda.

Point of Order was raised by Sen. McCoy stating that typically the Ranking Member's were afforded an opportunity to give opening comments.

Sen. McCoy, Ranking member gave opening comments.

Rep. Finkenauer, Ranking member gave opening comments.

Co-Chair Kaufmann introduced Wendy Rickman, Division Administrator of Adult Children and Family Services with Department of Human Services [DHS] and Vern Armstrong, Division Administrator of Field Operations with DHS. Both gave an overview of their duties and included:

- Foster care process
- Adoption process
- Field investigation process
- Staffing levels, caseload
- Differential response review
- Third party review

Questions were asked by members of the committee to both DHS staff asking for clarification on many things including but not limited to:

- Duties and qualifications of both Social Worker 2's and 3's [experience, licensure, case-loads, etc.]
- Accepted and rejected intakes
- Who are the contracted parties and what are their duties/involvement
- Foster adoption process
- Role of DHS once adoption finalized
- Incentive payments [including explanation of "performance payments"]
- Emergency removal and family placement options

Co-Chair Kaufmann announced there would be a "hard pause" @ 11:00. He also made another

reminder that there will be no clapping, comments from audience members and a strict reminder that all cell phones need to be turned off.

Conversation continued with DHS representatives regarding:

- Special needs adoptions and the trajectory of those adoptions then being home-schooled – removing the “safety net” that educators provide
- Qualifications for special needs adoptions
- Data availability tracking cases of Child in Need of Assistance (CINA) who were then home-schooled

Pause with DHS representatives at 11:00

Co-Chair Kaufmann then introduced:

- Lance Heeren, Assistant Linn County Attorney
- Andrea Vitzthum, Assistant Polk County Attorney

Mr. Heeren gave an overview of his involvement with DHS, the receipt of rejected intakes, percentage of cases he receives, the “checks and balances” in place etc. He also mentioned that the Family assessment reports are not given to the County Attorneys unless they are adjudicated Child In Need of Assistance [CHINA].

Ms. Vitzthum then gave overview of her role as it pertained to DHS and Polk County Attorney’s office. She informed the body that the Hearings held are open to the public. DHS workers expressed what she referred to as “vicarious trauma” and there was not adequate de-briefing after a death. She also discussed the turnover rate of social workers and lack of adequate funding.

Questions were asked of both presenters by many members of the committee.

Some items discussed were:

- Foster care licensing
- County attorneys access to rejected reports – but no ability to read all of them because of the volume.

11:30 Co-Chair Kaufmann announced the committee would now break and return in 30 minutes to continue.

Committee returned at 12:05

Co-Chair Kaufman informed members that DHS presenters would re-join and there were 60 minutes allotted in which to complete their questioning of DHS officials.

Some items discussed during this Q/A included:

- When a child is removed from a home, how often is drug use a factor.
- Methods of drug testing, etc.
- Continued subsidy payments when children were no longer cared for.
- New abuse referral
- Training for social workers including follow up, etc.
- Supervisors role
- Continued monitoring after adoption. Would that take legislative action or DHS policy change
- Contractor’s – subcontracting
- Recording and retention of calls to Centralized intake
- Review of DHS by another party [Alabama]
- Risk Factor assessments

12:55 Point of order called by Co-Chair Kaufman that member exceeding the time limit for questions.

1:00 pm – Process Overview Continuation – Guest speaker

- District Associate Judge Colin J. Witt

Judge Witt discussed

- Placement process
- Filing of petitions for removal
- Hearings and time frames
- Relative placement
- Guardians ad Litem
- In-camera hearings with children
- Court appointed special advocates [CASA]
- Out of state placement

1:40 p.m. Co-Chair introduced

- Abby Patterson, Child Abuse Prevention Program Coordinator. Patterson provided program overview of their services.

Questions were asked regarding how Iowa compares with other states, decision of combining services that were previously separate, etc.

1:50 p.m. Co-Chair Kaufmann introduced

- Sheriff Steve Hoffman, Marshall County
- Police Chief Jeff Hanson, Spirit Lake Police Department

Both presented overviews of their involvement as it pertained with DHS and the criminal aspects of calls received. While some ran parallel to each other, others did not.

Committee members asked questions of both presenters including:

- Were older children treated differently
- Reason for denial – from a law enforcement perspective
- Although DHS denial – could law enforcement proceed, circumstances
- Drug testing by DHS and potential for criminal follow-up
- Suggested changes, especially pertaining to 24 hour mandatory follow up by DHS
- Encouragement for everyone to listen to DHS workers w/o fear of repercussions
- Good working relationship with DHS overall

2:20 p.m. Co-Chair Kaufman introduced

- Scott Woodruff, Home School Legal Defense Association

A handout was provided to the members of Oversight [but one was not obtained for Oversight Records]

Discussion on some statistical information within that booklet. One point included #1 recommendation to look at risk factors – if there had been a previous allegation – that should be taken into consideration prior to further involvement for placement.

During Q/A Point Of Order was called by Rep. Heaton asking to “rephrase language of 2 girls murdered” pointing out that at no time was information presented that murders had occurred.

Discussion continued with respect to home schooling, safety nets in place for those, and a “muscle” policy needs to be in place. Truancy reports and denial of home schooling was discussed as well during this portion of discussion.

Closing remarks were made starting at 2:55 and given by Ranking Members Rep. Finkenauer, Sen. McCoy, Co-Chair Sen. Breitbach and Co-Chair Rep. Kaufmann.

Motion made to adjourn meeting by Rep. Heartsill.

Meeting was adjourned at 3:11 p.m.

Senator Michael Breitbach

Maureen Taylor, Committee Secretary