

# ARIZONA STATE SENATE

46TH LEGISLATURE  
FIRST REGULAR SESSION

## MINUTES OF COMMITTEE ON FAMILY SERVICES

**DATE:** January 16, 2003      **TIME:** 9:00 a.m.      **ROOM:** SHR 3

**CHAIRMAN:** Senator Anderson      **VICE CHAIRMAN:** Senator Tibshraeny

**ANALYST:** Barbara Guenther      **COMMITTEE SECRETARY:** Debbie Kennedy

**INTERN:** Stephen Matcha      **ASSISTANT ANALYST:** Tracey Landers

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### ATTENDANCE

### BILLS

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<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Brotherton			X		
Senator Giffords	X				
Senator Rios	X				
Senator Verschoor	X				
Senator Weiers			X		
Senator Tibshraeny, Vice Chairman	X				
Senator Anderson, Chairman	X				

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### GOVERNOR'S APPOINTMENTS

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<u>Name</u>	<u>Position</u>	<u>Recommendation</u>
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Chairman Anderson called the meeting to order at 9:05 a.m. and roll call was taken.

### **Introduction of Members and Staff**

All members introduced themselves. Chairman Anderson introduced the following staff:

Barbara Guenther – Research Analyst  
Tracey Landers – Assistant Analyst  
Debbie Kennedy – Committee Secretary  
Stephen Matcha – Intern  
Wendy Baldo – Senior Policy Advisor for the Majority Caucus  
Javan Mesnard – Policy Advisor for the Majority Caucus  
Matthew Bailey – Majority Staff Intern  
Patsy Osmond – Staff Attorney for the Democratic Caucus  
Elvy Medina – Democratic Staff Intern  
Sophia Atkinson – Page  
Kelly Rastello – Page

### **Committee of Reference Appointments**

Chairman Anderson appointed the following members to the Senate Family Services Committee of Reference:

Senator Jay Tibshraeny, Chairman  
Senator Jim Weiers  
Senator Thayer Verschoor  
Senator Bill Brotherton  
Senator Gabrielle Giffords

### **Adoption of Committee Rules**

Chairman Anderson distributed the Family Services Committee Rules (Attachment A).

**Senator Tibshraeny moved that the rules for the Committee on Family Services be adopted. The motion CARRIED by a voice vote.**

### **Overview of Plans for Child Welfare by Noreen Sharp, Special Advisor to the Governor**

**Ms. Sharp** stated that she is heading the Governor's project which will focus on the renewal of the Child Protective Services (CPS) system. She will also assist the Governor and staff with issues concerning human services policy for the Department of Economic Security (DES). Ms. Sharp commented that Susan Gerard will also be on the staff. The staff will discuss the integral relationships between the Department of Health Services (DHS), Arizona Health Care Cost Containment System (AHCCCS) and DES.

Ms. Sharp indicated that the Governor wants the major heads of State agencies with programs that have impact upon the lives of children and families to meet together and take responsibility for coordinating the services to children and families. The Governor's goal is to have the most efficient,

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effective and compassionate human services available in this State. Ms. Sharp clarified that these discussions will also include the Arizona Department of Juvenile Corrections (ADJC) and the Arizona Department of Corrections (ADC). There also will be representatives from the courts.

The Governor will also be conducting a project concerning CPS. Ms. Sharp indicated that there will be a CPS Advisory Committee that will be meeting for six months to recommend policy, legislation, collaboration and funding. There also will be seven subcommittees working simultaneously feeding into this Committee. Ms. Sharp pointed out that all of the members are welcome to attend any of these sessions.

Senator Rios requested that his name be put on the list for the CPS meetings. He stated that he has concerns on opening up CPS cases and vulnerable children being identified by name in the newspaper.

Senator Verschoor questioned if non-profit, private and faith-based organizations will be invited to these meetings. Ms. Sharp clarified that they would be. There will be a broad spectrum of participation and everyone is welcome.

### **Update by John Clayton, Director of DES**

**Mr. Clayton** presented handouts entitled “Services Provided By DES” (Attachment B), “Matrix of DES Programs” (Attachment C) and “DES Comparison of State General Fund Appropriations and the Temporary Assistance for Needy Families (TANF) Block Grant State Fiscal Years 1999 – 2003” (Attachment D). His testimony came directly from the handouts.

Mr. Clayton testified that when the economy is doing well, the number of people participating in their programs goes down and when the economy is doing poorly, the number of people participating in their programs rises. He emphasized that there is pressure on the department to provide more services with fewer resources. He stated that DES has not taken the approach to reduce the number of front line workers or cut services. They have cut administrative costs. However, if there are more budget cuts, DES will not be able to function as an agency.

Mr. Clayton mentioned that the federally mandated Health Insurance Profitability and Accountability Act (HIPPA) was designed to protect the privacy of people who are receiving health care. However, the federal government did not allocate any monies to implement this project. This program could cost up to \$40 million. The first year cost will be \$4.5 million and there is no appropriation for these funds. Further, there are penalties in this mandate if the State does not comply with the legislation.

Senator Tibshraeny asked if it would be helpful if the Committee members sent letters to the federal government requesting monies for these mandates. Mr. Clayton concurred that would be an excellent idea.

Mr. Clayton further expounded that there are multiple federal programs that are due for reauthorization from Congress such as TANF. He explained that the TANF block grant is now being used for general fund programs and TANF monies have been overspent. He further commented that President Bush supports a policy that every person receiving TANF has to work 40 hours per week. This requirement would have to be funded along with related childcare benefits. The TANF Block Grant for the State is now \$222 million per year.

In response to Senator Verschoor, Mr. Clayton stated that he has been with DES for five years; as Director for four years. Mr. Clayton also clarified that the budget is driven by the benefits given to people. Senator Anderson clarified that the overall appropriation from the general fund for DES did not go down in the years when there was a budget surplus. Mr. Clayton responded, however, the general fund appropriation did go down.

In response to Senator Verschoor, Mr. Clayton stated that the expenditures for 2003 will be covered by reserves; however, the reserves will be spent by the end of this year.

Senator Giffords encouraged all members of the Committee to spend time with DES employees to learn about the programs and the workload of the Department.

Senator Rios commented that even when the economy is good, the Department is not meeting the needs of the people.

**Overview of Court Appointed Special Advocate (CASA) and Foster Care Review Board (FCRB) Volunteer-Based Programs by Bill Stanton, Director of Dependent Children's Services Division, Administrative Offices of the Court (AOC)**

**Mr. Stanton** presented a handout entitled "Dependent Children's Services Division Arizona Supreme Court" (Attachment E). He stated that the programs within the Dependent Children's Services Division are the following:

- Parent Assistance Hotline
- FCRB
- CASA
- Court Improvement Project or Model Court

Mr. Stanton explained that the FCRB has been in existence for over 25 years and was established to oversee the progress of children who have been removed from their homes by CPS. There is a FCRB in every jurisdiction throughout the State and they review all dependency cases and make recommendations to the court. There are over 400 volunteers that come from diverse backgrounds. At the present time, approximately 6,248 children are being reviewed by these boards. FCRB volunteers dedicate over 1 million hours to the review process.

Mr. Stanton stated that CASA was established over 20 years ago. Volunteers are appointed by the court to serve a specific child until the child has a safe, permanent home. Over 900 volunteers statewide served over 2,400 children last year. These volunteers aid the court in making decisions regarding what is in the child's best interests; determine if reasonable efforts have been made; and provide advocacy to ensure appropriate case planning and services are provided for the child.

In response to Senator Anderson, Mr. Stanton stated that there are people in his office that do the recruiting for volunteers. Each county recruits their own CASA volunteers. They do some advertising which is mainly at no cost.

In response to Senator Verschoor, Mr. Stanton stated that CASA volunteers stay with a child until they are permanently placed.

Mr. Stanton introduced **Ms. Carole Cohen, FCRB Volunteer**. **Ms. Cohen** testified that she has served on the FCRB for five years and on the Removal Review Team since its inception. The Removal Review Team convenes within the first 72 hours after a child is removed from his or her home, and is comprised of the CPS Intake Case Manager, Intake Supervisor, Program Manager, a psychologist and/or medical doctor if applicable and other parties which includes an FCRB member. The FCRB's function is to make recommendations to the Juvenile Court Judge about the efforts and progress in each case. Prior to serving on local boards, volunteers undergo training regarding legal, social and psychological issues surrounding foster children, including drug dependency and child sexual abuse. The focus is on safe, permanent homes for the children.

In response to Senator Verschoor, Ms. Cohen explained that in a review, all of the interested parties look at the child's education, the child's medical status and anything that has to do with the welfare of the child. They then make recommendations to the court.

In response to Senator Rios, Ms. Cohen stated that there are approximately 6,000 children in foster care.

In response to Senator Giffords, Ms. Cohen stated that the training for volunteers consists of psychological evaluation training, judicial training, and drug training. She further stated that the initial training is two days and then it is ongoing. Volunteers come from diverse backgrounds.

**Greg Broberg, CASA Volunteer**, testified that CASA's goals are advocacy for the best interests of Arizona's abused and neglected children. He has been a volunteer for 2½ years. Mr. Broberg pointed out the following statistics regarding foster children:

- Twice as many foster youth repeat a grade versus non-fostered youth.
- Foster children have significantly higher dropout rates.
- One study in Washington State found that foster youth score 16 to 20 percentile points below non-fostered youth on standardized testing.

CASA's goals are the following:

- To have more ready access to information and more consolidated statewide reporting
- To have more focused efforts towards recruitment of surrogate parents
- To have a higher degree of awareness by local educational agencies so that volunteers can gain the access to the records they need
- To stop the cycle of delinquency associated with dependency, by working with local educational agencies, and other groups that service older youth, to collaborate and assist with volunteer mentors
- To have more collaboration between organizations that service and support foster youth
- To have focused attention and federal and state funds placed with agencies that can demonstrate collaboration

In response to Senator Verschoor questioning how long children are in foster care, Mr. Broberg stated that their goal is to have a child permanently placed within 18 months.

Mr. Stanton mentioned to the Committee that they would be receiving an Annual Report with all of the statistics on foster care.

Senator Anderson concluded by stating that children from married, two-parent families have better outcomes and all parents need to be educated to have the skills and abilities to become good parents to prevent some of these problems with children.

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully submitted,

Debbie Kennedy  
Committee Secretary

(Tapes and attachments on file in the Secretary of the Senate's Office/Resource Center, Room 115.)