

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, March 14, 2024

TIME: 8:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Beazer), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative(s) Redman

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Vander Woude called the meeting to order at 8:00 a.m.

RS 31641C1: **Rep. Marco Erickson**, District 33, presented **RS 31641C1**, proposed legislation for Administrative Rule determinations for which the House and Senate are in agreement.

MOTION: **Rep. Wheeler** made a motion to introduce **RS 31641C1** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Chairman Vander Woude** will sponsor the bill on the floor.

RS 31642: **Rep. Marco Erickson**, District 33, presented **RS 31642**, proposed legislation for the one Administrative Rule section rejected by the House and approved by the Senate.

MOTION: **Rep. Wheeler** made a motion to introduce **RS 31642** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Chairman Vander Woude** will sponsor the bill on the floor.

S 1379: **Rep. Brit Raybould**, District 34, presented **S 1379**, legislation pertaining to the use of Bed and Bath (bnb) housing for foster children. Stipulations include the length of stay, age of child, notifications, and the ongoing approval of the Director of the Department of Health and Welfare (DHW). This legislation will strengthen the foster care family system and provide safer housing.

MOTION: **Rep. Healey** made a motion to send **S 1379** to the floor with a **DO PASS** recommendation.

Cadence Wright, Self, Idaho Voices for Children, testified in support of **S 1379**, sharing her experience in foster care with bnb stays. The bnbs are isolation, lock-down facilities and the children are frisked daily. The rotating staff is not trained to handle the situations which arise and the children are further traumatized.

Christine Tiddens, Idaho Voices for Children, testified in support of **S 1379**. The increasing use by the DHW of such unregulated care settings has become common practice for children of all ages, including toddlers. This is an inappropriate type of care for children. Answering questions she said Idaho communities can better support foster parents through services such as respite, child care, and church resources.

Rep. Beazer invoked Rule 80 stated a possible conflict of interest and she would be voting on the legislation.

Dr. Kylie Billingsley, Foster Parent, testified in support of **S 1379**, sharing stories of children who were traumatized during their stays at the bnbs. This practice provides no structure, no rules, and no backup.

Rep. Raybould, in closing, said the DHW has been rotating their regular staff to cover the bnbs. The effective date was selected to allow the Department time for proper implementation. A lack of staffing is one aspect of the problem, but it is also an internal decision for an unacceptable practice. Idaho has failed these kids.

VOTE ON MOTION:

Chairman Vander Woude called for a vote on the motion to send **S 1379** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Raybould** will sponsor the bill on the floor.

S 1380:

Rep. Brit Raybould, District 34, presented **S 1380** to further address the foster care system issues by establishing the Office of the Ombudsman. This office is independent from the DHW and provides a firewall between those providing, receiving, and resolving problems with foster care services. The Ombudsman will provide an annual report to the Governor, Legislature, and DHW to help identify areas requiring attention. Should the Ombudsman receive information indicating jeopardy to life, health, or safety, they must report it to the appropriate law enforcement agency.

Any complaint means something bad has happened to a child. Historically there have been stories of retribution, which this legislation addresses through penalties for obstruction or retaliation. Although this office does not solve all of the foster care service problems, it does provide oversight, transparency, and improved accountability. The three full-time personnel and funding requirements will be pulled from the DHW budget.

In response to questions, **Rep. Raybould** explained the obstruction provision pertains to files for the foster kids to assure they are provided to the Ombudsman's office in a timely manner. There is also a penalty if any retaliation occurs to a complainant after a report is provided by the Ombudsman.

MOTION:

Rep. Healey made a motion to send **S 1380** to the floor with a **DO PASS** recommendation.

Rep. Raybould further responding to questions said this position requires specific qualifications and expertise which makes it more appropriate as a gubernatorial appointment instead of an elected official. The DHW still oversees foster parents and deals with any complaints for that group of individuals.

Rep. Beazer invoked Rule 80 stating a possible conflict of interest and she would be voting on the legislation.

Testifying in support of **S 1380** were **Brian McCauley**, Self, Former Foster Parent; **Christine Tiddens**, Director, Idaho Voices for Children; **Jamie Kruszewski**, Adoptive Parent; **Jeremy Rudolph**, Self, Foster Parent; **Dr. Kylie Billingsley**, Self; **Meritt Dublin**, Attorney, Former Foster Parent; **Stephanie Morgan**, Guardian Ad Litem.

Sharing personal stories, they said this legislation limits the current system's almost unlimited power and is a step forward in helping youth facing unsafe situations. It also prevents foster parents from receiving extreme retaliation when they share their concerns. The DHW is not being held accountable. Predictably wrong decisions are being made for the care of traumatized kids. Many foster parents are now afraid to come forward.

MOTION:

Rep. Wheeler made a motion to call for the question.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Wheeler made a unanimous consent request to withdraw his motion to call for the question. There being no objection, the request was granted.

During discussion committee members expressed concern and frustration regarding the stories of retaliation, the lack of action by the Executive Branch, the need to empower both kids and communities, the Ombudsman having power beyond recommendations, the need for accountability within the DHW, and the importance of supporting kids and parents.

**ROLL CALL
VOTE:**

A roll call vote was requested. **Motion carried by a vote of 11 AYE, 1 NAY, and 1 Absent/Excused. Voting in favor** of the motion: **Reps. Erickson, Blanksma, Kingsley, Mitchell, Dixon(24), Healey, Wheeler, Beazer, Rubel, Roberts, and Vander Woude. Voting in opposition** to the motion: **Rep. Gallagher. Rep. Redman** was absent/excused. **Rep. Raybould** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:32 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary