



Idaho State Senate

SENATOR ALI RABE

OPE Request

Idaho's Residential Care Programs for Children and Youth

The reason for this request stems from reported concerns about the safety and welfare of children and youth living in Idaho's residential programs.

Recent news articles by InvestigateWest, a nonprofit investigative journalism organization, detailed years of concerning reports at a facility for girls, where most of the clients were in Idaho's foster care system. The reports revealed the state's lack of oversight at this facility and disturbing incidents of girls being raped, assaulted, physically and/or medically restrained against protocol, or harassed by untrained staff. The news organization also released state investigation records that suggested the state's lack of oversight at this facility was not out of the ordinary. State regulators had found serious concerns with several similar facilities in the last decade, yet regulators continued to let them operate. Further investigation indicates that Idaho has no record of suspending or shutting down a youth residential program, despite repeatedly finding children in danger.

Finally, the report reveals investigations into complaints over the past decade have shown that the state's lack of oversight at the facility described above is typical. State regulators identified significant issues at several similar residential facilities in the last decade. In spite of this, the Department allowed these facilities to continue operating.

Idaho's laws for monitoring these programs do not mandate that the Department of Health and Welfare have a comprehensive understanding of the conditions inside, as the state only requires one announced licensing inspection per year, which is scheduled in advance. In contrast, other states require multiple unannounced inspections. As an example, the Idaho Department of Juvenile Corrections (IDJC) has chosen not to contract with specific facilities due to increased safety risks while the Department continues to send youth in their custody or youth with behavioral health issues to these same facilities. Insufficient monitoring of facilities under contractor monitoring by the Division of Licensing and Certification under the Department of Health and Welfare does little to ensure that Idaho's residential

care programs for children and youth are delivering safe, quality care for their residents, positive outcomes for families or using taxpayer funds responsibly.

We are seeking examination of how well the Department of Health and Welfare investigates complaints, conducts on-site surveys, and takes appropriate licensure action to protect the health and safety of vulnerable children receiving residential services. We hope the evaluation will shed light into:

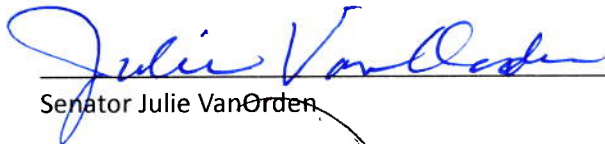
1. Incident Reports: How well does the Department handle incident reports involving harm, sexual assault, and mistreatment? Do the actions taken by the Department actually reduce the risk of harm?
2. Placement Decisions: Does the Department send Idaho's vulnerable youth to residential facilities that are undergoing open investigations for neglect, abuse, and sexual assault?
3. Inconsistencies in Practices: Does the Department consistently monitor facility treatment plans, training records, policies and procedures, standards of care, and other requirements found in rule for licensing? Or, does the Department's practices allow substantial and ongoing discrepancies between records and what is actually happening in the facility?

We are looking to the Office of Performance Evaluations to develop recommendations to ensure the Department of Health and Welfare's Division of Licensing and Certification is functioning effectively as applied to Children Residential Care Facilities, Children's Therapeutic Outdoor Programs, and Psychiatric Residential Treatment Facilities (PRTFs).

Thank you for your consideration,



Senator Alison Rabe



Senator Julie VanOrden



Senator Melissa Wintrow



Representative Marco Erickson