

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 19, 2015

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Romrell, Vander Woude, Beyeler, Redman, Troy, Rusche, Chew

**ABSENT/  
EXCUSED:** None

**GUESTS:** Keith Fletcher, Community Care Advisory Council; Sara Thomas and Sharon Harrigfeld, Criminal Justice Commission; Kathy Baird, SOMB.

**Chairman Wood** called the meeting to order at 9:01 a.m.

**Sara Thomas**, State Appellate Public Defender, Chairman, Idaho Criminal Justice Commission (ICJC), began the presentation of the ICJC 2015 Legislative Update. Established in 2011, the ICJC members are from the executive, judicial, and legislative branches of government. The membership expands further into the community with members from the counties, cities, other stakeholder groups, and two public citizens.

**Sharon Harrigfeld**, Director, Department of Juvenile Corrections, continued the presentation. She said the community and system strategic plan provides a full continuum of care. To reduce victimization and recidivism, the ICJC is focusing on children of incarcerated parents, reentry, and prevention.

Ongoing assessments of problem solving courts and other community based sentencing alternatives, along with emerging issues examination, will provide solutions that are balanced, cost effective, and best practices.

To achieve well informed policy decisions, they have four objectives. First, identify strategies to promote efficiencies and effectiveness. Second, continue presentations and training on trends, best practices, and priority issues. Third, create and implement data sharing mechanisms and agreements among stakeholder agencies. Fourth, maintain awareness of substance abuse trends and priority issues.

**Ross Mason**, Regional Director, Department of Health and Welfare (DHW), Chairman, Children of Incarcerated Parents Committee, discussed the program. He said the ICJC is interested in improving the lives of children with parents in long-term incarceration. The committee has completed a toolkit to assist counselors, teachers, parents, and other adults when answering questions from the children. Parent/teacher conferences have been established with inmates. A pilot program school curriculum provides life skills and socialization.

In its third year, the pilot program has a total of 38 kids and a number of schools participating. Preliminary data from the previous two years indicates overall improvements in grades, homework completion, behavior, and ease of making friends. Homework completion, although improved, and attendance remain issues.

The pilot group was compared to a control group of 81 children with regular childhood experiences and non-incarcerated parents. Over the same period of time, the control group had equal grades, a slight decline in homework completion, unchanged behavior, and unchanged self esteem. The pilot group showed improved grades, increased homework completion, slight behavior improvement, and slightly improved self esteem.

The program will fine tune the curriculum and make it available, at no cost, to all Idaho schools. The Mott Foundation grant will fund after school program participation. A longitudinal study, supported by Boise State University, will be developed to follow some of the children as they graduate from high school.

**Ms. Thomas** described the five-level sex offender registration system being presented in **S 1095**. The current system is based only on conviction and does not address the actual reoccurrence risk level posed by the offenders. The new system identifies those offenders with the highest risk to re-offend. The risk and registration requirement level can be reduced by the offender engaging in treatment, providing attendance incentives. It identifies the re-offend level of risk for approximately 78% of the registered sex offenders living in the community who are not under supervision by the Department of Correction.

Answering questions, **Ms. Thomas** said each sex crime has an initial registration point based on national dynamic and static risk factors. Having done something that changes risk factors, the individual can request a reduced level. Prosecutors and law enforcement can also ask for a reassessment. Actively engaging in treatment reduces an offender's risk level and time on the registry. Everyone currently registered would start at a risk level 4 and would have one automatic level assessment review.

Upon questioning, **Mr. Mason** responded the Department of Education will develop a system, calendar, and mechanism for statewide after school programs for the children. The activities will occur at schools or community centers of some nature, but not at boys and girls clubs.

**Ms. Thomas**, answering questions, said the tiered registration system combined with the Reentry Council will address transition issues, including housing and medications. The current child protection, juvenile justice, and adult system information is kept in separate pods. Using available grants, the new judicial case management system will make it easier to track data for juveniles exiting the system to determine what is and is not working, still protecting their anonymity.

**Keith Fletcher**, Member, Community Care Advisory Council (CCAC), presented the Council's 2015 update. Formed in 2005, the CCAC advises the DHW on policy and rules for assisted living and certified family homes (CFH). The twenty CCAC members represent a variety of stakeholders. The 2015 residential assisted living trends show a 5.3% growth in licensed beds and a 1.7% growth in buildings, with the new facilities being large and many small home-like facilities closing. Initial facility surveys have decreased by 10%, and complaint investigations have decreased by 33%. This decline indicates the industry is doing a good job following the rules and regulations. Seven statewide provisional licenses were issued in 2015, with no license revocations

CFH deficiency areas of concern are safety fire equipment and fire drills. The CCAC and DHW have submitted rule changes for sharing administrators between small residential care facilities. Additional rule changes have addressed the extra supervision needed for new staff while awaiting background check results.

The CCAC, Drug Enforcement Administration, and the Board of Pharmacy have published a best practices guide to curb drug diversion within the facilities. The Veterans Affairs Medical Foster Home Program's stringent federal regulations created a state certification exemption.

Future issues and challenges include the aging population growth beyond the capacity of new beds and facilities. Medicaid pays at a rate that is 50% of the private pay rate, so businesses are closing their doors to Medicaid residents.

The CCAC recommends a fresh look at operating environments to assure all funding adequately cares for the residents. The skilled nursing facilities housed a variety of clients, including sex offenders and the mentally ill. It is recommended that Idaho consider adapting Oregon's specialty licensing method to address behavioral and safety issues. This would separate populations, disorders, and may provide the solution to appropriate placement roadblocks for individuals with behavioral issues. Incentives could offer premiums above the Medicaid rates and grants for specialized equipment or facility modifications. Public safety needs to be taken into account when locating the specialized homes.

Also recommended is a review and update of the CFH governing rules. This has not been done for quite a long time.

Answering questions, **Mr. Fletcher** said facility surveys can vary, depending on the surveyor. Sometimes they are more punitive than helpful. In his experience, the surveyors have helped fix and solve problems. Assisting families providing home care is not part of the CCAC purview. This is a very helpful option, although it can prove to be more expensive.

**Chairman Wood** recognized the service of Legislative Page **Ben Satterlee**, who has been assigned to the committee for the first half of the session.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 9:55 p.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary