

**MINUTES**  
**Approved by the Committee**  
**Foster Care Study Committee**  
**Monday, September 12, 2016**  
**9:00 AM to 4:00 PM**  
**State Capitol, Room EW 42**  
**Boise, Idaho**

Co-chair Representative Christy Perry called the meeting to order at 9:00 a.m., and a silent roll was taken. Members present: Co-chair Representative Christy Perry and Representatives Mike Moyle, Lynn Luker, Jason Monks; Co-chair Senator Abby Lee and Senators Bart Davis, Mary Souza, Kelly Anthon. Senator Cherie Buckner-Webb and Representative Melissa Wintrow were absent and excused. Legislative Services Office (LSO) staff present: Jared Tatro and Ana Lara.

Other attendees: Judge Barry Wood, Kerry Hong, and Sara Thomas, Idaho Supreme Court; Brian McCauley, Foster Care Reform; Russ Barron, Stephanie Miller, Miren Unsworth, Sabrina Brown, Susan Dwello, and Gary Moore, Idaho Department of Health and Welfare; Tahna Barton and Stacy McAlevy, CASA; Brent King, Office of the Attorney General; Jaime Hansen, Family Advocates; Shane Darrington, 3rd District Appointed Attorney; and Teri Whilden, Canyon County Court.

Note: Presentations and handouts provided by presenters/speakers are posted on the Idaho Legislature website: <https://legislature.idaho.gov/sessioninfo/2016/interim/fostercare>; and copies of those items are on file at the Legislative Services Office located in the State Capitol.

Co-chair Perry called upon Mr. Gary Moore, Division Administrator, from the Dept. of Health & Welfare (DHW) to begin the DHW's presentation. Mr. Moore discussed some of his background in the healthcare field both in the private and public sector, and his military background. He described his responsibilities which include the activities within his division and the transition to improve services to foster care.

Mr. Moore explained that there are opportunities for improvement in:

- Customer service;
- I-care system (data system software) that is quite antiquated;
- Amount of time spent in transportation;
- Employee turnover; and
- Innovative technology.

Discussion:

Senator Davis asked Mr. Moore who he believes 'the customer' to be. Mr. Moore responded that there are both internal and external customers; respective examples could be the Office of Behavioral Health and the children in Idaho. Representative Luker questioned what levels of decision-making are involved in the process of removing children from their home and placing them with foster care parents. Mr. Moore explained that the DHW does not have the ability to remove children; law enforcement and the court have this ability. He did explain that this topic would be covered extensively in the presentation.

Deputy Administrator Miren Unsworth began the [presentation](#), which included introducing the child welfare workforce staff and their personal stories of what inspires them to do the work they do.

Highlights from the presentation include:

- If a state is found to be out of compliance on certain federal reports, it may face financial penalties.
- If a state is found to be out of compliance with federal requirements during a federal review, it must develop a program improvement plan to come under compliance within a certain period of time or it may face financial penalties.

- A comprehensive safety assessment is completed for all child protection referrals that fall under the purview of what is defined as abuse, neglect, and abandonment in the Child Protective Act (CPA).
- A comprehensive safety assessment includes: information collection process, standardized criteria for the differentiation between safe and unsafe children, and the social worker's critical analysis regarding a child's safety.
- A safety plan is put into place if a safety threat exists; an analysis is done to determine whether a safety plan can be managed at home or whether a recommendation should be made for removal of the child from the home to ensure safety.
- After a child is removed, the DHW takes action to reunify the child with the family as soon as it's safe to do so. They schedule visitation for the child and the family and create a family case plan.
- If it's believed that the child can be placed safely back in the home, the court may approve an extended home visit with legal custody remaining with the DHW. The case may be downgraded a step further to protective supervision. In protective supervision the child remains in the home, legal custody is vested to the parent, but there remains department involvement and court oversight.
- Systemic barriers that may delay or prohibit reunification of the child with the family include: no contact orders, length of time for criminal sentencing, access to services in rural areas, and establishment of paternity.
- Reentry is measured by the percentage of children who enter foster care in a 12-month period, who then discharge within 12 months, and then reenter foster care within 12 months of their discharge.
- Idaho has an over-representation of American-Indian and black/African-American children in foster care.
- Foster and adoptive training licensor process includes: applications for all adults in the home, criminal history background check, home assessment and pre-service training.
- The DHW seeks to notify a child's adult relatives including parents of a child's siblings within 30 days of a child's entry into foster care. When relatives are unable to be identified within those first 30 days, the DHW is expected to provide written notification when a relative is identified.
- Reasons for delays in identification and notifications of relatives: parents may refuse to identify relatives, identity of father is unknown, and contact information for relative is not known and must be sought through the Family Locate Unit.
- Federal expectations for 'consideration' include demonstrating that concerted efforts have been made to: identify, locate, inform, and evaluate both maternal and paternal relatives to be potential resources for the child.
- A 'fit and willing' relative must meet Idaho's definition of a relative. The relative must also qualify as a licensed foster or adoptive home, and be able to recognize and be willing to provide for a child's special needs, provide a safe and nurturing home, ensure the child's safety, and follow through with visitation or contact/relationship building with the child prior to the placement in the home.

#### Discussion:

Representative Luker asked how much federal funding is tied to the federal acts. Ms. Unsworth explained that Title IV-E provide funding and about 70% of the foster care program funding is federal funding. Co-chair Lee asked the DHW what areas of federal funding it believes to be vulnerable or what conflicts might arise if the state statute is modified. Ms. Unsworth explained the complexity of this topic. She elaborated that Title IV-E Plan is a large document that details all the federal requirements and how a state meets those requirements. Anticipating this question, an effort was made to answer this question by referring to its federal partners. She explained that a shift in placement preference could cause the DHW to be out of compliance with Title IV-E, although there are some states that have done this and have retained their funding.

Senator Davis inquired what decisions are made at the discretion of the social worker and what decisions involve more entities to participate in the process. Ms. Unsworth explained that in the case of a safety concern there is first a supervisory review, and a case consultation and staffing process in which the social worker explains the analysis and how the conclusion was reached. Senator Anthon asked if the courts request safety plans from the DHW in domestic violence cases.

Ms. Unsworth responded that the DHW provide them whenever referrals are made to them. Representative Monks asked which entities provide the most referrals and if the DHW could provide a breakdown between the entities. Ms. Unsworth stated that the DHW could provide that information and explained that the top referring entities are: law enforcement, schools, and family members; in terms of removals most of those referrals come from law enforcement. Representative Monks asked if the DHW ever contacts law enforcement to review a home. Ms. Unsworth responded in the affirmative and explained that in their IDAPA rules, all priority ones and twos require law enforcement to be contacted to coordinate a response and potential decision-making on what should be done regarding the child's safety.

Representative Luker asked what the process is for referrals to be assigned. Ms. Unsworth explained that the decision of when referrals meet the guidelines for a response is done through their central intake unit, which consists of licensed social workers, and the final approval is given by a supervisor or chief. Representative Monks requested reentry rates based on final placement of the child (i.e., adoptions disruptions, failed reunifications, adoption with relative, etc.). Representative Moyle asked if when a child is sent to a family member in another state, does that data reporting fall under the other state or the state of Idaho. Ms. Unsworth explained that when a child is placed with another parent in another state it is done initially through an extended home visit and there is monitoring done for a period of time. If it is found that this placement will not work, the child is returned to Idaho before 12 months and would not be included in the data. If the case was closed in Idaho and the child entered foster care in the other state, data would be included in the other state.

Representative Anthon asked if in the case of illegal narcotics use by the parents, would it be a sufficient reason for removal of the child. Ms. Unsworth responded that typically drug use alone is not a sufficient reason for the removal of the child, but it does depend. She elaborated that the DHW would do an assessment, law enforcement might do an assessment, and there could be a recommendation made to the court. There are safety plans that can be done without the removal of the child, but it would depend on the circumstances.

Senator Davis inquired what training is offered to foster parents about their role and relationship with the child. Ms. Unsworth explained that in the training and ongoing conversations, DHW emphasizes that the primary goal is reunification and that most children reunify with parents. The DHW is also clear that they look for relatives. What can become complicated, she explained, is when foster parents are asked if they would consider becoming a permanency option, if reunification fails and relatives cannot be found. Co-chair Perry paraphrased an IDAPA rule which states that a foster parent has to support the DHW in their decision-making and their requests, or changes could be made by the DHW. She then questioned how the DHW can have a rule like this in place and keep open dialogue between foster parents and the department. Ms. Unsworth stated that it may be that the rule needs to be clarified or changed. The rule is intended to be specific to the foster parents supporting the family case plan. She stated that this does not necessarily mean that foster parents will agree with everything that the parties are doing, but all parties need to be able to work together to support efforts towards the child. She also clarified that the intent is for foster parents to support the plan regardless of disagreement, discuss the plan, and work collaboratively together when there is a disagreement about the plan.

Senator Anthon asked for clarification on whether the expectations of federal regulations requirements are the seeking out and notifying components. Ms. Unsworth responded that federal requirements are the seeking out, notifying, and evaluating components. She clarified that this does not necessarily mean placement. The DHW has to be able to show that they made a concerted effort to contact the relatives and to take them through the process to determine if they are a fit and willing relative. Senator Souza asked how often are the list of practice standards and IDAPA rules updated and reviewed. Ms. Unsworth answered that the DHW is continually updating practice standards and, when necessary, the IDAPA rules; the practice standards were updated within the last 2 years. Senator Davis inquired about the definition of 'fictive kin.' Ms. Unsworth described

'fictive kin' as individuals who do not meet the state's statute definition of relative, but who had a significant relationship with the child prior to foster care.

Representative Luker asked how the putative registry law plays in identifying fathers. Ms. Unsworth responded that many children who enter the foster care system do so with a complicated paternity situation. Examples of this include: a child has more than one possible father, the man identified as the child's father is someone other than the father listed on the birth certificate, the mother refuses to identify the father, etc. She stated that the DHW has established a taskforce that works across divisions, child support, and vital statistics to sort through these complicated situations. Permanency Program Specialist Ms. Stephanie Miller further explained that many times children are not born in Idaho and the punitive father registry may not apply, since some states do not have a punitive father registry. There are a number of cases in Idaho where the mother is not married and a legal affidavit must be filled out by both parents to state that he is the father, and sometimes this is done when the father is not the actual biological child. While the putative father registry is useful, Ms. Miller stated, in some scenarios there are other complicating factors beyond that.

Senator Souza inquired about the cost of doing paternity testing to scientifically establish the father of this child. Ms. Miller stated that she did not have that information, but explained that paternity testing is done through Child Support Services because they receive funds specifically for this purpose. Senator Souza asked if establishing paternity early on, before they are on the punitive father registry, with a paternity test would be realistic given the cost and the process. Ms. Miller stated that this suggestion has been discussed, but the cost is significant, and also because paternity testing could cause significant delays in the case moving forward. Representative Luker asked if the effort to determine unknown fathers is based on the perception of federal law or due to a department determination. Ms. Miller answered that it is a part of the federal requirement, but it is conducted early on in the case. She explained that this identifying process does not delay the placement process.

Ms. Unsworth explained that the DHW has an Extended Placement Selection Committee that continues the initial permanent placement selection process in specific circumstances when a family considered, but not selected for placement, disagrees with the Hub placement decision. Since 2011, 24 families have raised this concern to the committee members who perform a review, speak to the families involved, and provide a recommendation to the division administrator for the final placement recommendation. In a number of those cases a possibility of a relative being ruled out for adoption so that a non-relative could be considered. In 5 of 11 cases the relative was not identified as the child's adoptive home. Usually a number of factors led to the home not being selected for an adoptive home. Some of the factors include:

- Inability to meet the child's medical or physical needs;
- Inability to meet the child's emotional/behavioral needs;
- Inability to address the child's trauma history;
- Failure to demonstrate a willingness and ability to safely maintain a child's important connections; and
- Placement preferences of the parents, relatives, and child.

The meeting adjourned for lunch at 12:00 p.m.

The committee reconvened at 1:30 p.m.

Co-chair Perry called upon Ms. Sharon Harrigfeld, Director of Idaho Department of Juvenile Corrections (IDJC). Director Harrigfeld began her [presentation](#) by thanking the co-chairs for the opportunity to address the committee about how IDJC and the DHW work together. She provided a brief introduction of IDJC, which consists of 3 facilities, 3 district offices, and headquarters. IDJC looks at the full continuum of care from prevention to aftercare, and it works closely with the counties.

Highlights from the presentation include:

- The number of juvenile arrests have decreased even though the number of juveniles from the ages of 10-17 has increased.
- Partnership with DHW includes the detention-clinician project, which allows juveniles to see a clinician to address any mental health issues before they return to the community.
- 271 juveniles in custody at this time; this number has decreased since last year and 5 years ago.
- 84% of the population are males; 16% are females.
- Average age is 17; Director Harrigfeld attributes this to the prevention work the IDJC is doing in communities.
- Average length of custody is 19.7 months due to the complexity of cases.
- Recombitment rate is 14%.
- Recidivism rate varies from 23% to 30%
- Judicial Rule 19 provides judges the criteria for whether a juvenile can be committed or not.
- Crossover Youth - Youth who experience maltreatment and engage in delinquency and who may or may not be known to the child welfare and/or juvenile justice systems.
- Dually-Involved Youth - Crossover youth who have some level of concurrent involvement (diversionary, formal, or a combination of both) with both the child welfare and juvenile justice systems.
- 7.5% of juveniles committed come from foster care placement. They tend to be younger, risk level is a little less, and while their recidivism rate is higher, they tend not to go into the prison system.
- Foster juveniles that are committed tend to only have professional connections and not personal connections.
- Multi-System Interagency Approach Team members are researching to determine the best way to assist juveniles who started in the DHW and are now committed to the IDJC.
- Idaho Crossover Youth Project Goals are to: reduce the number of youth contacts with the Idaho child welfare and juvenile justice systems, reduce the number of youth who are committed to the custody of the IDJC, and improve educational success for crossover youth.
- Dually-involved youth have: higher rates of substance abuse, mental illness, criminal involvement as adults, and public system involvement.

#### Discussion:

Once a young person is committed to IDJC through Judicial Rule 19 and the criteria has been established, a screening is then performed. This screening involves a probationary officer, the parent, IDJC district office employee, and possibly DHW, to determine if all community based services have been exhausted and whether the juvenile should be committed. Once the juvenile is committed to IDJC, a clinician performs a month-long assessment process that includes: personality test, risk, education needs, mental health needs, substance abuse issues, sex offending charges, etc. This assessment helps determine where the juvenile is placed.

Director Harrigfeld described Rule 16 as an expansion rule. She explained that for juveniles that do not have personal connections upon release an expansion case is developed with the assistance of the DHW. Over the last 4 years there has been a small amount of expansion cases.

Representative Monks asked if juveniles who were in foster placement, but not at the time they are committed are included in the data. Director Harrigfeld responded that they are not included in this number. She explained that the IDJC is working with the DHW to gather this data.

IDJC is working on the following items to improve outcomes for juveniles:

- Focusing on prevention of and early intervention for maltreatment;
- Be clear on pathways--not all dually-involved youth are the same;
- Different pathways vary from one another and may have different needs for intervention/services;
- Identify the presence of trauma and determine whether it is related to the youth's behavior;
- Carefully consider the use of placements;

- Assess risk for delinquency and providing appropriate intervention; and
- Recognize context plays a significant role in the situations of dually-involved youth.

Discussion:

Senator Souza asked the Director if she believed the lack of bonding has a significant impact on juveniles. The Director responded that the most difficult juveniles to work with are those who have been diagnosed with reactive attachment bonding disorder. Representative Luker questioned what happens to a permanency plan if a juvenile is committed to IDJC. Director Harrigfeld explained that once a juvenile has completed their program, IDJC activates the relationship with the DHW - ideally 90 days before release.

Co-chair Perry then called upon Mr. Jonathan Morgan, a licensed social worker, to introduce himself and begin his presentation. Mr. Morgan described his background as a foster care case manager in Missouri and his extensive post-secondary education. In the past two years he has worked with abused and neglected children, as well as adopted children.

He stated that 'attachment' is synonymous with the word 'relationship.' Mr. Morgan explained the attachment cycle as fairly simple - the infant experiences distress and the parent responds to that need, which creates the framework for how he perceives the world. This world may be perceived as either a trusting place where they trust others, or due to that distress, in extreme cases such as reactive attachment disorder, they fail to respond to others due to a lack of trust that their needs will be met. This has profound implications for the brain.

He explained that abject neglect is far more severe and dilapidating in the first few years of the child's life because there are no neuronal connections happening to help the brain select the best traits to help them with survival. Mr. Morgan explained that attachment is what gets used as a rubric for every relationship a child has (peers, teachers, etc.). It affects central nervous system and how overly responsive one is to others; ability to regulate emotions is highly dependent on attachment. He also mentioned that physical growth has been linked to not having enough attachment; lack of reciprocal interaction can impact physical development.

Mr. Morgan stated that the brain's response, in the cases in which the cycle has not been met regularly by a caregiver or parent, is to react with a great response (anger, aggression, etc.) to optimize their survival. He further explained that this may predispose them to be reactive to relationships and to be at times non-trusting. When children are moved through multiple places, he explained, it can have severe implications for how a child develops and relate to others. He emphasized that attachment is the foundation for all development.

Discussion:

Referencing the recessive genes that can be activated through trauma and possibly become permanent, Senator Souza asked, is there a developmental age limit for this to occur or can this continue into early adulthood. Mr. Morgan explained research has found that the 'limit' is hard to distinguish, and there does not seem to be a definitive answer at this time. Co-chair Lee asked if it was more important to be concerned from the initial 3 or 4 years of the child's life. Mr. Morgan answered in the affirmative, and emphasized that the earlier in life that this can be dealt with, the better the chance the child has to develop these skills. Mr. Morgan further explained that trauma, regardless of age, can still disrupt attachment severely. Representative Monks questioned how multiple movements affect children. Mr. Morgan responded that a separation from a caregiver causes an attachment break and that alone is significant.

Senator Anthon asked if research supported the current policy, which is to prioritize reunification with family, then a relative, and lastly a non-relative. Mr. Morgan stated that he was not aware of any research that has evaluated the hierarchy of family placement. He offered that social-reciprocity teaches us to interact with others and there would be likelihood that negative traits would continue from generation to generation, which could mean that those patterns could be displayed by other

family members. Co-chair Perry inquired whether it was safe to assume that reactive attachment disorder is not necessarily curable, but manageable. He stated that he would personally disagree with that; there is plenty of evidence to support that it is treatable. He explained that there every reason to believe that the person can become self-aware of their interaction patterns and engage in social-reciprocity. Co-chair Perry asked if a child was to spend the first 2 years of their life with a foster parent - should a blood relative take precedence in placement. Mr. Morgan admitted some bias, due to his own foster care parent experiences, and opined that it should take very little precedence. Clinically speaking, he said, there is plenty of evidence that would suggest that, if a child has spent 2 years with someone, it would be a significant break for that child.

Co-chair Perry called upon Senior Director Marian Woods and Ms. Kara Wood, Senior Director of Public Policy, from the Casey Family Programs Work to present next. Ms. Wood began by stating that most children enter foster care due to neglect and not abuse or sexual abuse. She clarified that neglect may include: parental substance abuse, inadequate housing, child behavior problems, etc. Neglect accounts for 81% of foster care placement in Idaho, and the majority of children (41% in Idaho vs. 39% nationally) are reunified with parents within 12 months. Decisions made in regards to the safety, services, and care of the child are determined by the courts based on "best interest" determinations which take into account both the child's safety and the caregiver circumstance. The four most frequently stated guiding principles nationally in state statutes include:

- Preference for avoiding removal to keep the child in the home;
- Health, safety and/or protection of the child;
- Importance of timely permanency decisions; and
- Assurance that the child removed from home will be given care, treatment, and guidance that will assist the child in developing into a self-sufficient adult.

Ms. Wood explained that several components are critical when considering the appropriate role that welfare services can play in protection of children and the support of vulnerable families. The first is that children do best at home; research shows that in most cases children do best with their own families. Children and families should be assessed to see what safety risks exist and if they can be safely addressed at home. She described current landmark bipartisan legislation under consideration at the federal level that would fundamentally shift how the federal government partners with states and tribes to support families and that would ensure that the right services and interventions are available to keep children safely in their own homes.

Ms. Wood emphasized that there is a much larger investment of federal dollars in foster care than in preventive care; nationally for every \$7 that is invested in foster care, only \$1 is invested in preventive services. She opined that the committee consider reviewing what services are available to the foster care system and families. She stated that it is critical that placement of a child in a foster care home be temporary and should only be utilized to ensure the safety child. It's also important to establish a timely plan for a child and achieve permanency. In cases where foster care is necessary, placement should be with family or with friends of family, ideally where they can be in a school where current relationships can be maintained. Ms. Wood stated that federal law has prioritized placement with kin because research indicates that children placed with kin experience better outcomes in: safety, placement stability, and maintenance in family connections.

Improvements in several outcomes by kinship placement, as compared with foster placement, include:

- Less likely to reenter care;
- More stable and fewer placement disruptions;
- More likely to be placed with siblings and maintain relationships with birth parents and relatives; and
- More likely to remain in their community of origin and maintain connections to cultural identity, as well as remain in the same school.

Currently, 45 states give priority to relative placement in state statutes, including Idaho. If a child cannot be safely reunified with their parents, then preference for placement with kin extends to permanency options of adoptions or permanency legal guardianship.

If a child may be an American-Indian or Alaska Native child, the federal Indian-Child Welfare Act and the Bureau of Indian Affairs Regulations require specific steps to determine tribal membership, and to identify and notify the child's tribe; placement preference extends beyond relatives to include members of the child's tribe.

Children placed in a family setting experience better outcomes than children placed in group homes. Children in group placement experience increased negative outcomes: higher school dropout rates, higher likelihood of being arrested, and higher likelihood of aging out of foster care without achieving legal permanency. In addition, placing children who have already experienced trauma in group settings can put them at greater risk for further physical abuse when compared to placement in a family setting.

Senator Anthon asked Ms. Wood if she was aware of any states that have defined what 'fit and willing' really means. Ms. Wood replied that the 'fit and willing' definition begins first with the federal definition, and while some states will vary slightly, they cannot deviate very much from the federal definition.

Ms. Wood continued her presentation and addressed Casey's research with other partners that has identified best practice principles relating to screening and assessment, which may include:

- Employ a comprehensive assessment;
- Screen all family members;
- Include all feedback;
- Maintain high standards;
- Focus on strengths; and
- Acknowledge differences in kinship assessments.

Safe Home Approach is a tool that is used nationally to assess foster care applicants. It assists practitioners in identifying and addressing both strengths and concerns that may impede current functioning, as well as safe and effective parenting during the home study process. Basic practice principles recommend support, such as: adequate foster care payment rates, 24-hour crisis lines for foster care parents, respite care opportunities and mentoring/peer support by other foster care parents. Another critical component is to ensure stable placement for children for the time they are in foster care, meaning zero or limited moves in an effort to improve outcomes. Minimizing placement changes:

- Reduces trauma;
- Lessens child attachment disorders and emotional disorders;
- Increases academic achievement;
- Decreases foster parents' stress; and
- Lowers program costs.

Basic practice principles specific to placement stability includes:

- Diligent and proactive family finding to identify kinship placement as early as possible;
- Effective training for foster parents;
- Matching children to school district;
- Targeting specific training needs for foster parents; and
- Frequency of face to face visits with foster parents and children by the case worker.

Research shows that the longer the extended stay in foster care, the more detrimental it can be for the child. Compared to their peers and general population, foster care alumni experience:

- Higher rates of incarceration and criminal justice involvement;

- Unintended pregnancy;
- Food, housing, and income insecurity;
- Unemployment;
- Educational deficits;
- Receipt of public assistance; and
- Mental health problems.

The odds of achieving permanency decrease by 12% for every additional year of a youth's age at the time of their first placement. Adolescents who feel connected to a parent are better protected from a range, risk behaviors, including:

- Emotional distress and suicidal thoughts;
- Alcohol use;
- Smoking;
- Violent behavior;
- Early sexual activity; and
- Early pregnancy.

Ms. Marian Woods continued the presentation and provided a brief description of the local Casey Family Programs services that are offered to the community. She explained that their program is family centered. Another important area that she emphasized is that their work is culturally responsive. The last area she emphasized is that their work is trauma-informed. Trauma related to abuse, neglect, and loss is severe and has gone unaddressed for a significant period of time. Their organization accepts that trauma is cumulative over time and can be transferred over generations.

Promoting child well-being is another 'child's best interest consideration. A large body of research indicates how maltreatment harms the cognitive, physical, behavioral, and social dimensions of children's development and overall well-being. While safety is always the primary concern, it's important to recognize that there is a difference between risk of harm and immediate/imminent risk of danger. This should be assessed and considered when making decisions about removals.

She opined that child welfare systems have a unique opportunity to assess and promote child well-being across each of these domains. Agencies with a robust and transparent process in place for continuous quality improvement can do this more successfully. Ms. Woods emphasized that child welfare agencies should not be alone in promoting child well-being; flexible funding, cross-system coordination and information/data sharing would allow resources to be used more efficiently to promote healthy child development, while keeping children safe and helping them achieve permanent family relationships in nurturing environments.

Representative Luker asked Ms. Woods if she was familiar with the Idaho safety assessment format, and if she had any differing opinions on how it is conducted. Ms. Wood stated her familiarity with the Idaho safety assessment format and offered only compliments regarding the work.

Co-chair Perry thanked both Ms. Wood and Ms. Woods for their presentation and proceeded to invite Ms. Unsworth and Ms. Miller to continue the DHW presentation. Ms. Unsworth explained that the definition of 'best interest' that the DHW has is a definition that was based on a review of laws and policies in states where the term was already defined. She explained that there are 8 best interest factors to consider placement determination, which includes:

- Emotional/behavioral needs;
- Medical/physical needs;
- Educational/developmental needs;
- Cultural/religious needs;
- Trauma history and past experiences;
- Relationships with parents, relatives, siblings and caretakers;

- Child's interests and community connections;
- Child and family placement preferences.

Ms. Unsworth proceed to explain that the DHW is working on managing communication and relationships with foster parents. She opined that the 2016 legislation will assist with this as there is much more information about the child that must be presented to the courts. She explained that the DHW is considering to bring back a 'signature page' that the foster parent, birth parent and social-worker would sign that includes information about the child and their specific needs. This page would ensure that each party has seen and reviewed the information.

Ms. Unsworth proceeded to discuss placement changes both planned and unplanned. Over 50% of children who exited foster care only had 1 placement, but close to 20% of children experience 3 or more placements. She explained that there are many reasons for changes in placement, both planned and unplanned, but all of them impact children and have the potential to cause distress.

Next, Ms. Unsworth explained that the department believes a child to have achieved timely permanency when the child has a relationship with an adult that meets all of the following characteristics:

- Parent/child roles are present;
- Intent for the relationship to continue life-long;
- Sense of belonging for the child;
- Legal and social recognition of the relationship; and
- Unconditional commitment by the adult towards the child.

She went on to explain that 61% of children are adopted by non-relatives and 39% were adopted by relatives. Ms. Unsworth finalized her presentation by relaying some options for consideration for the committee from the DHW:

- Align communication requirements (placement changes);
- Clarify department party status (present difficulties with legal representation);
- Allow for adoption finalization in Idaho for children in foster care placed out of state; and
- Allow open adoption for children exiting foster care.

Ms. Unsworth also relayed to the committee that currently the DHW is looking at what services are being done post-adoption to support families.

Discussion:

Representative Luker asked if the DHW has come across a disparity in interpretation of 'best interest' with the court system versus what the department's policy states. Ms. Unsworth responded that there have been times when there is a difference in the judge's decision compared to what the DHW recommended, but the court may not necessarily disagree with the factors that were considered. Co-chair Lee questioned whether there was an analogous comparison for children that are still in care and not just those who have left care this year. Ms. Unsworth responded that the DHW can provide that information for the committee. Co-chair Perry requested for the DHW to provide the reasons for why removals are being done for less than 30 days. Ms. Unsworth explained that the DHW is currently researching why the percentage of children who return home within the first 30 days is twice as much as the national average. Another important area to note is what the reentry rate for those children who do return home within 30 days is, as it appears to be much higher.

Senator Anthon asked at what point has too much time lapsed for a family member to request custody of the child. Ms. Miller responded that there is no set number; it is case dependent. The reason for this is because the majority of time, when relatives are contacted to see if they are interested in child placement, they often are interested. She explained that sometimes a relative may be found, and then the assessment determines that this is not the best placement for the child. During this time foster care parents become attached to the child, which is ideal,

but it can be difficult for them to comprehend that relatives are being reviewed for placement. Co-chair Perry asked if the percentages displayed in the presentation are reflective of the last 5 years, or is it different because of the interest in this topic the last year. Ms. Unsworth responded that the majority of adoptions being made by non-relatives trend has been consistent, although there has also been an increase in the last few years of relative placement and relative adoptions. However, she did not know if the area regarding the time in placement prior to a relative transition had become better or worse, and offered to look into this for the committee.

Representative Luker inquired about the department's definition of 'disruptive adoption.' Ms. Unsworth defined it as when an adopted child reenters foster care because the adoptive parents have said they can no longer care for the child or were found to have abused or neglected the child. Senator Anthon asked what percentage of non-relative disrupted adoptions are from existing foster care system families. She responded that she was not sure, but offered that the majority of non-relative adoptions are by foster care providers who provided care for the child. Co-chair Perry thanked the DHW for their presentation.

The committee rescheduled November's meeting date from the 10th to the 16th.

The committee adjourned at 4:16 p.m.