

REVISED

## STATEMENT OF PURPOSE

RS31475 / S1380

This legislation establishes an office of the health and social services ombudsman to monitor and evaluate the compliance of public agencies and private entities in the provision of health and social services policy for children under the care of the state. ~~and vulnerable adults.~~

- The ombudsman will respond to claims related to services provided to children in foster care, protective supervision, or residential treatment facilities in Idaho.
- The office operates independently of the legislature, the courts, the Department of Health and Welfare (DHW), and other state agencies.
- The ombudsman will establish and manage a procedure for receiving, examining, and resolving complaints.
- The office will also ensure that service recipients know their legal rights under Idaho and federal law.
- The office will produce an annual report on its work, the status of child welfare ~~and adult protective~~ services, along with any recommendations to the governor, the legislature, the director of DHW, the state public defender, the courts, and all other relevant state departments.
- Complaints submitted to the ombudsman can include events where an agency's behavior was 1) contrary to law, rule, or policy; 2) imposed without adequate reason; or 3) based on irrelevant, immaterial, or erroneous grounds.
- Complaints can be submitted by the service recipient and other biological and legal representatives.
- For any individual who interferes or impedes the ombudsman with the duties of the office or retaliates against anyone who files a complaint, that individual will be guilty of a misdemeanor, which includes a fine of up to \$1,000 and a jail term of up to six months.

## FISCAL NOTE

This legislation transfers three (3) FTP from the Department of Health and Welfare to create the following positions in the office: ombudsman, client services analyst, and executive assistant. This transfer includes \$325,000 for personnel, \$125,000 for operations, and \$20,000 for capital outlay for the purposes of standing up the office.

### Contact:

Senator Abby Lee  
(208) 332-1000

**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).