

MINUTES
Legislative Post Audit Committee
Foster Care Scope Statement Subcommittee
December 29, 2015

Call to Order

Welcome by the Chair. The meeting was called to order by Chair O'Donnell at 9:02 a.m. in Conference Room #1 at the offices of Legislative Post Audit. All members were present by conference call. Subcommittee members present:

Senator Michael O'Donnell, Chair	Representative Peggy Mast
Senator Laura Kelly	Representative Ed Trimmer
Senator Jeff Longbine	

Also present on the conference call was Marilyn Jacobson, representing KVC Behavioral Healthcare.

Review of Previously Approved Questions

Justin Stowe, Deputy Post Auditor, had provided subcommittee members in advance with a packet of information related to the audit questions. He reviewed for subcommittee members the questions approved at the December 22 meeting for recommendation to the full Legislative Post Audit Committee:

- 1. Is DCF following adequate policies and procedures to ensure the safety of children during the removal and placement process?**
- 2. Does DCF's child placement process help ensure that children are placed in foster care or adoptive homes with a sufficient living space and sufficient financial resources?**
- 3. Are DCF's criteria for recommendations regarding the removal and placement of children designed to help keep families together as much as possible?**
- 4. Does DCF ensure that all applicable state and federal laws governing the foster care system in Kansas are followed?**

Mr. Stowe noted that staff had made a few minor modifications to the

questions to better reflect DCF's specific role in the foster care and adoption process. By consensus, subcommittee members approved the revised questions as presented.

Review of Revised Questions on Same-Sex Couples

At the December 22 meeting, the subcommittee directed staff to re-work the original audit question related to same-sex couples to make it less inflammatory. At today's meeting, Mr. Stowe reviewed for subcommittee members staff's changed language ("What are DCF's formal policies and actual practices regarding the placement of foster care and adoptive children with same-sex couples?"). He noted that Senator O'Donnell also had submitted revised language to address the same issue ("What are DCF's policies as it relates to foster and adoptive placement with same-sex couples, and how do these policies compare with relevant policies in other states?").

After discussion, Senator Kelly moved to accept both revised questions 1 and 2 related to same-sex couples. Senator Longbine seconded the motion. Motion carried. Mr. Stowe said that, because the two questions overlap somewhat, he would combine the two into a single question.

Selection of Audit Questions on Privatization

Mr. Stowe noted that, in response to the subcommittee's direction at the last meeting, staff had developed three questions on the issue of foster care privatization:

- 1. Do foster care contractors have sufficient capacity to provide necessary foster care services?**
- 2. Has the privatization of foster care and adoption significantly affected outcomes for children and families?**
- 3. Has the privatization of state foster care and adoption significantly affected the cost of those services to the state?**

Senator Longbine moved approval of all three proposed privatization questions. Senator Kelly seconded the motion; motion carried.

Other Updates from Previous Meeting

Statutes relevant to the discrimination issue. At the last meeting, subcommittee members had directed staff to research whether state or federal law addressed issue of discrimination in foster care placements. Mr. Stowe reviewed for

members a memorandum prepared by the Revisor of Statutes' Office which stated that:

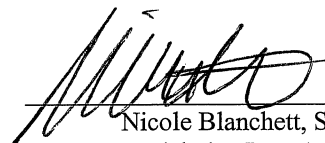
“Although there are no binding state or federal court cases pertaining to this issue in Kansas, other state courts have struck down state laws attempting to discriminate against non-traditional family settings in foster care placement and adoption decisions.”

Outcomes in foster placements. At the December 22 meeting of the subcommittee, Representative Mast had raised the possibility of looking at outcomes for children placed in various types of foster care. At today's meeting, she said that, in view of the number of questions already approved, she would work with staff to develop the outcomes issue as a separate scope statement for possible future consideration.

She also suggested looking at the extent to which parents may have input into the types of foster placements into which their children may be placed. Mr. Stowe indicated that that analysis could be accommodated in the current audit.

Adjournment

The Chair adjourned the meeting at 9:34 a.m.



Nicole Blanchett, Secretary
Legislative Post Audit Committee

1-7-16
date

All handouts and other documents referred to in these minutes are on file with Legislative Post Audit. Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim and have not been submitted to the individuals appearing before the committee for editing or corrections.