

MINUTES OF THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Doug Mays at 2:10 p.m. on March 19, 2002 in Room 313-S of the Capitol.

All members were present except: Representative Judy Morrison, Excused  
Representative Tony Powell, Excused  
Representative Dan Williams, Excused

Committee staff present: Russell Mills, Legislative Research Analyst  
Shelia Pearman, Committee Secretary

Conferees appearing before the committee: Representative Bonnie Huy  
Representative Frank Miller  
Representative Peggy Palmer  
Representative Bonnie Sharp  
Luke Demaree, Law Student/Foster parent  
Brandi Connor, Johnson County Foster child  
Shelly Kwalik, Johnson County Foster parent  
Lisa Neighbors, Johnson County Foster parent  
Elaine VonFeldt  
Dean Dunlap  
Lori & Erica Oden, Foster Mom & Daughter

Others attending: See attached list

Chairman Mays opened the hearing on **HB 2907 - Child in need of care code; foster parent would be an interested party; HB 2908 - Foster parents bill of rights; 2945 - Child in need of care; central registry for child abuse perpetrators; definition of abuse; family preservation.** Representative Palmer expressed strong support for **HB 2945** because the current child welfare system needs to work with families and not against them and the process should not be a criminal process. Portions of this proposed legislation are based on statues in Arizona and Texas which gives clearer guidelines to those working with families and children. (Attachment #1)

Representative Huy informed the committee the vagueness of the laws due to discrepancies in the definition of abuse, neglect and sexual abuse provide sexual workers with almost complete control in what they subjectively and routinely define as abuse and neglect. More than 50 legislators (Attachment #2) are concerned with the current practices of Child Protective Services. She urged the committee to aid the families by improving the process of protecting children and working with families.

Representative Miller discussed details of a constituent's case which he believes was unjustly dealt with by the Social & Rehabilitation Services unit. He stated the children were removed from the home following the molestation of foster children by a relative. He feels this situation has unjustly been dealt with by SRS.

Written testimony supporting the proposed legislation was submitted by Senator Brownlee (Attachment #3), Representative Bonnie Sharp (Attachment #4) Representative Mary Cook (Attachment #5), and Representative Sue Storm. (Attachment #6)

Mr. Demaree rose in support of a foster parent's bill of rights which he assisted with the drafting process. He stated the foster care system should acknowledge that foster parents are more than just temporary housing but also temporary parents who care for the children while in their home. (Attachment #7)

Ms. Neighbors supported **HB 2908** requesting former foster parents be notified in the event a former foster child returns to SRS protective custody. Regardless of being temporary parents, the mementos of the child's life during the time with this family may have an important significance for the child. (Attachment #8)

Ms. Connor asked for the proposed legislation to reduce the fear that foster children can be "snatched" away at any time. She also stated foster parents needs prior information to be better able to relate to

assist the children. (Attachment #9)

Ms. Kwalik cited the need for the proposed legislation due to lack of information supplied to the foster parents to adequately address some specific needs. She stated foster parents need to participate in the planning and decision-making process for the children. Additionally, she emphasized permanent records need to be provided to the families so they can assist a child place parts of their lives together and be able to help a child heal. (Attachment #10)

Representative McCreary spoke in support of **HB 2945** following a case where his constituent asked for treatment not covered by insurance for her child. He stated the current system is arrogant in its handling of cases with little regard for the feelings and concerns of parents. He believes contains a less subjective definition of abuse and neglect, the mediation provided for in this bill and allowing Legislators access to confidential information are extremely important. (Attachment #11)

Ms. VonFeldt informed the committee of a "team" decision that a foster child would not return to his foster home following a request for assistance during a verbally abusive and threatening episode rather than utilize physical exercise which a biological parent would likely use. As a therapeutic foster parent they obtain additional training to be better equipped to deal with the various needs some of the foster children require. (Attachment #12)

Mr. Dunlap stated he and his wife, Debbie (written testimony Attachment #?), have been foster parents for more than 30 children in the last fifteen years. "Being foster parents who endured and survived the carnage caused by the debacle of privatization, which was fraught with incompetence, we are encouraged that provisions of these bills would put statute and the force of law behind the insincere terms of 'partnership' and 'team-member'." He urged adoption of **HB 2908** and **HB 2945**. (Attachment #13)

Mrs. Oden appeared before the committee in support of **HB 2908** with 16 years of foster care experience. She stated respect and dignity is not adequately displayed to foster or adoptive parents in our state. She implored the passage of a foster parent's bill of rights. Following advocacy actions for a foster child, she was banned from the hearings until she adopted Erica. Another child was removed from her home. Since March, she has stopped taking children into her home as a protest to a system that no longer considers the best interest of the children. In just one week, she has refused six children. (Attachment #14)

Ms. Oden stated despite fear of repercussions, her foster parents were her advocates. She stated she was in the foster care system for 11 years. After she turned 18 "we" were allowed to look at the SRS records and she discovered no one knew about her fears or the abuse which was a deterrent in adequate treatment. Erica stated the only way to know what is best for the child is to get to know the child rather than treat the child as a case number. She said I am not only a person asking to be heard, I am a person who was not heard and suffered. She urged adoption of **HB 2908**. (Attachment #15)

The meeting recessed at 3:20 p.m. with the next scheduled meeting on March 20, 2002.