

HOUSE COMMITTEE ON CHILDREN AND FAMILIES

March 12, 1993
- 50

Hearing Room 50 1:30 p.m.

Tapes 49

MEMBERS PRESENT: Rep. John Meek, Chair Rep. Lisa Naito,
Vice-Chair Rep. Ron Adams (Alternate) Rep. Patti Milne Rep. Gail Shibley

MEMBER EXCUSED:

STAFF PRESENT: Annette Price, Committee Administrator Edward C.
Klein, Committee Assistant

PUBLIC HEARING: HB 2004 - Creates State Commission on Children
and Families

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These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation
marks report a speaker's exact words. For complete contents of the
proceedings, please refer to the tapes. [--- Unable To Translate Graphic
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TAPE 49, SIDE A

003 CHAIRMAN MEEK: Calls the committee to order at 1:35 p.m. -He
makes several announcements.

PUBLIC HEARING ON HB 2004 -- EXHIBITS A - E

Witnesses: Steve Carmichael, Director, Lane County Department of Youth
Services Muriel Goldman, Children First Steve Kafoury, Oregon Alliance
of Children's Programs David Fuks, Legislative Chair, Child and
Adolescent Residential Psychiatric Providers Pam Patton, Legislative
Chair, Oregon Alliance of Children's

Programs Arnie Green, White City Steve Fulmer, Multnomah County Youth
Commission

CHAIRMAN MEEK: Opens the Public Hearing on HB 2004.

024 STEVE CARMICHAEL, Director, Lane County Department of Youth
Services:

Last week a couple of commissioners and department heads met on the CCT
legislation. -We're generally excited about HB 2004. -We believe
services should be shifted to the local level. -You've already addressed
the issue of the funds needing to go through

the county commissions. -There's concern that once the programs are
shifted to the counties the funding will still be there in the coming
years. -It's not clear when services will be shifted. -A timetable could
be developed to ease the transition. -The counties feel the counties
should employ the staff. -That could be a critical issue whether or not

the legislation is supported by the counties.

083 REP. CAMPBELL: Which commissioners reviewed it?

CARMICHAEL: Explains.

REP. CAMPBELL: Do they understand they appoint the commissioners?

CARMICHAEL: Yes.

REP. CAMPBELL: The services provided are the commission's responsibility and not the county commission.

CARMICHAEL: The counties see the services as the responsibility of the counties and the commission.

REP. CAMPBELL: They're responsible, because they have to approve the plan. -The money flows through them and they appoint the commission. -They want to hire the staff instead of the commission hiring them?

094 CARMICHAEL: They do; that's the way it happens now. -There's a fear of having a staff that's independent of the county. -If there's some problems with the staff, they want to be responsive to that.

102 REP. CAMPBELL: Lane County is concerned because of the problem created with their fair board. -Some members of the CCT and the Governor have problems with the county commissions having the power to run these programs. -We're interested in developing a citizen commission that develops and

runs the program and which will be answerable to the county. -If you don't get local folks, you don't get the local commitment. -Is this a turf battle issue?

114 CARMICHAEL: The fair board has raised their sensitivity, but he doesn't think it's a turf issue. -The county commissioners haven't raised an issue with anything the youth services commission has done.

REP. CAMPBELL: They have with the fair board, which is a comparable program.

CARMICHAEL: The fair board is the example they don't want to see. -They support the youth commission.

REP. CAMPBELL: We'll do some exploring.

129 CHAIRMAN MEEK: We will hold a series of hearings.

150 MURIEL GOLDMAN, Children First: Presents testimony in support of HB 2004 and relates some concerns (EXHIBIT A).

303 REP. CAMPBELL: Is impressed with the questions they've developed. -He asks staff to identify the answers we already have and clarify those we need to explore.

CHAIRMAN MEEK: He'll provide her with some answers. -He refers to the first page of her testimony and the language in section 1. -Are you working on some language?

GOLDMAN: We will present some amendments to you later. -She refers to

the goals on page 10 of the CCT report. -The values on which the bill is based could be listed in the bill to set the tone for whoever has the responsibility.

REP. NAITO: Is pleased Rep. Shibley has such an advocate for children and families in her district.

354 STEVE KAFOURY, Oregon Alliance of Children's Programs: We've spent quite some time reviewing this and are in support of the general direction of the proposals. -There are several questions the legislation raises.

392 DAVID FUKS, Legislative Chair, Child and Adolescent Residential Psychiatric Providers: We support some of the values of the proposal.

417 PAM PATTON, Legislative Chair, Oregon Alliance of Children's Programs: The Wellness Model requires a shift of our thinking.

TAPE 50, SIDE A

011 FUKS: Discusses the historical context in which Children's Services has been operating for the last 20 years. -He discusses the 1968 Greenlee report, which started the swing to create CSD and the consolidation at the state level. -Some of the same values expressed in this report are identical to those expressed by the Care Team. -He presents questions of concerns (EXHIBIT B) and discusses questions 1 & 2. -He discusses triage. Triage is not the right model. -He continues with question #3.

158 PATTON: Discusses questions 7 and 8.

176 REP. CAMPBELL: How do you accomplish those things?

PATTON: Responds.

REP. CAMPBELL: The state commission identifies the areas of concern that need to be dealt with. -The local commission determines how you deal with them. -This gives the local jurisdictions the ability to develop programs locally. -If the demand for how it's done comes from the top, everyone does it the same way and it could be the wrong way.

212 PATTON: We're not talking about the how, we're talking about the who

and what. -Basic services need to be provided to a certain part of the population.

REP. CAMPBELL: Give me an example.

FUKS: Presents an example.

REP. CAMPBELL: Thinks we're in agreement.

PATTON: It isn't in the statute.

REP. CAMPBELL: The bill says the commission will determine the priorities, the local commission will determine how to meet those priorities. -What else do you want?

228 PATTON: Wants you to tell the state commission that certain basic priorities need to happen for all children. -The state also has the responsibility to provide services for certain

target children.

REP. CAMPBELL: You want the legislature to tell the commission.

PATTON: We want you to protect those children, we don't want them to get lost in this process. -We want the statutes to say that certain populations of children and certain needs shall be met and that will be passed from the state commission down to the local commissions or to the State Office for Children and Families.

220 REP. ADAMS: If a commission is set up at the state level to help define the needs of the state and if we create local commissions to do the same thing and help localize that process, and the bill mandates all of the

things you want outlined, why do we need both commissions if it is all mandated in the bill?

234 FUKS: Responds with an example of how education mandates work in various schools. -Similar things can be established in the areas of services to children.

257 REP. ADAMS: Is we don't say that, the locals will leave it out?

FUKS: Correct.

REP. ADAMS: These things seem so logical to be put into statute.

PATTON: People don't always think alike.

REP. ADAMS: Would like a copy of the Greenlee report.

REP. ADAMS: Idealism doesn't get you there.

268 PATTON: Continues with question #8.

291 REP. NAITO: Are you suggesting the commission recommend to each legislative session what should be included in the low frequency, high intensity as part of a review process?

PATTON: Responds. -Until such point that the system is stable it needs to stay with the state.

320 FUKS: Describes services which are statewide resources. -He describes what happened in the State of Washington. -We need to maintain the state infrastructure.

351 PATTON: Continues with #9.

361 REP. CAMPBELL: There is nothing in the CCT report that isn't running

successfully somewhere in the state.

PATTON: Responds. -It's hard to imagine how a volunteer group of people will take a \$2 billion budget and manage the system. -Could a volunteer group manage such a system? -Is there another state model?

REP. CAMPBELL: Would love to speak about what happened in Texas and their paid commission.

FUKS: It didn't go well.

REP. CAMPBELL: The volunteer commission is where you get your local involvement. -The paid staff is the key to any of these programs, but they have to have the ability to get the direction and involvement of the local or state commission.

453 FUKS: We're talking about a major shift and there needs to be training, support and infrastructure. -We need to look at the policy function of the commission and make sure that it has strong support. -The executive function of the state and local government needs to be managed in a way that it's accountable and effective.

TAPE 49, SIDE B 017 PATTON: Continues with questions 10 through 12.

043 FUKS: Discusses proposed amendments (EXHIBIT B). -We will be submitting another amendment Monday. -We recommend this change not be too quick. -There are many successful models that work.

064 PATTON: Suggests pilot projects in some counties. -We recommend you take time to implement this.

075 FUKS: Structural solutions don't solve funding problems.

079 CHAIRMAN MEEK: We'll work on answering your questions. -The transfer of programs will be brought up in more detail in HB 200 5. -He responds to amendment 2. -We can have further discussions on that.

110 KAFOURY: Responds, using the education analogy.

120 CHAIRMAN MEEK: The standard is the Oregon Benchmark, not the treatment.

129 KAFOURY: Responds.

CHAIRMAN MEEK: This issue will be brought up again.

141 REP. ADAMS: Are the standards you discussed in statute or in rules?

KAFOURY: Some are in statute and some are in the Department of Education's administrative rules.

147 CHAIRMAN MEEK: Does not know how much of an option pilot projects will be.

REP. NAITO: We're willing to work on a timeline.

157 CHAIRMAN MEEK: Page 12 of the report asks that the vision be achieved by the year 2000.

166 ARNIE GREEN, White City: Presents testimony on HB 2004. -He agrees with deleting language in section 1.

185 CHAIRMAN MEEK: Asks staff to delete language in section 1.

REP. NAITO: Concurs with the request. -It's more appropriate to identify the goals we identify in the mission and insert positive language.

GREEN: Suggests amendments.

210 CHAIRMAN MEEK: Do you have these written down?

GREEN: Will leave his copy. -He suggests eliminating HB 2003. -He continues with his suggested amendments.

232 REP. CAMPBELL: How do you define successful services? -Remember, we're looking for a single point of access.

GREEN: Responds. -He believes it's problematic in having everything in one building. -He continues with amendments on page 2.

263 REP. NAITO: Thinks there's a typo, it should be "low frequency, high

intensity service and...."

GREEN: That's what he'd like to see.

REP. NAITO: We could argue the point that child protective services aren't exactly low frequency.

274 GREEN: Continues with suggested amendments.

315 REP. SHIBLEY: Let's get back to the open and competitive bidding process. -Is there a way to stay true to your concept, but also deal with the diversity issue we've fallen short on?

336 GREEN: We need to address both issues.

REP. SHIBLEY: Appreciates his work on section 3. -She refers to page 3, line 1. Perhaps you could take another look at

that language?

358 GREEN: He will. -There's a lot of good language in SB 1018 and the statutes relating to the Children and Youth Services Commission. -You might want to look at this language. -It would also be useful to keep this in one section of law. -He thinks political reality will dictate we go slow with the transition. -If the commission is given the responsibility of the rest of the program movement, they'll be overwhelmed. -He recommends there be a joint interim committee to study and recommend further implementation.

405 REP. SHIBLEY: Could you discuss the emergency clause?

REP. CAMPBELL: The emergency clause is for the set up of the State Office and State Commission. -The earlier the commission is established the faster we can deal with

the issues. -People have read things into the emergency clause.

TAPE 50, SIDE B

019 STEVE FULMER, Multnomah County Youth Commission: He is not appearing as a member of the commission. The commission will be submitting testimony to you later. -The commission was very concerned when we read the legislation. -We felt more comfortable when we read the report. -We're very supportive of the proposal. -The model suggested in the report is very different from HB 2004. -He would feel more comfortable if the legislation was more closely tied to the report. -Funding is a major concern. -He hopes we move at a pace that doesn't traumatize children and families. -He believes the county commissions will buy into the plan. -If children are truly first, he hopes they will guarantee funding. -There's a question about how much money will be available. -He hopes there will be some fazing in and check points, for opportunities to express concerns to legislature.

109 REP. NAITO: We discussed feedback loops and have to make sure those are incorporated.

FULMER: Agrees. -We'd also like timeliness attached to the feedback loops. -This could be a shock to the existing commission structure. -He also has concerns of a small volunteer commission.

135 REP. NAITO: Child protective services should be retained as a state function, at least for now.

FULMER: We'd prefer to see the philosophical components be expressed in imperative language, to tie it directly to the plan. -We'd prefer there be wiggle room in the funding. -We hope waivers will be dealt with at the state level. -It comes back to how much we can handle and how fast.

159 REP. ADAMS: Do you agree the county commissioners should hire the director?

FULMER: The legislation doesn't address the functions of management, finance and policy. -It appears the state commission has control of policy. -It seems financing remains with the legislature and the management is

passed on at the local level. -He doesn't believe citizens will be able to engage in the management. -He believes it's fine if the counties take on the management, but the

local staff should be independently hired. -The staff of the commission that sets the local policy should report directly to the commission; the management of how that occurs should report to the county. -It's important where the board of county commissioners fits in. -Who has the money will drive the policy. -We hope the policy comes from the state. -We want to make sure people from downstate can have their problems addressed.

211 REP. CAMPBELL: The CCT recommended that policy would be determined by the state commission, which would have no management responsibilities. -He thought it was clear that the local commission was a policy commission, whose staff had the responsibility for contracts, etc. -Has he missed something in the bill? Several people have testified that they can't see that clearly. -Maybe he sees things that aren't there.

225 CHAIRMAN MEEK: Has made notes to make sure we clarify this. -He

adjourns at 3:17 p.m.

Washington County's Response to the Children's Care Team Proposal is filed as EXHIBIT C. -Suggested plan for committee filed as EXHIBIT D. -Letter from Verna Brown in opposition to HB 2004, filed as EXHIBIT E.

Submitted by,

Reviewed by,

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EXHIBIT LOG:

A - Testimony on HB 2004 - Muriel Goldman - 3 pages B - Testimony on
HB 2004 - David Fuks/Pam Patton - 3 pages C - Washington County
Response to CCT Proposal - Staff - 2 pages D - Suggested Committee plan
- Staff - 3 pages E - Letter from Verna Brown in opposition to CCT
Legislation - Staff - 13 pages