Resolve

123rd Legislature

First Regular Session

Chapter 137

S.P. 484 - L.D. 1396

Resolve, To Provide for an Independent Evaluation of the Procedures and Programs of the Department of Health and Human Services for Promoting Permanency and Safety for Children

Sec. 1 Independent evaluation of reforms. Resolved: That the Commissioner of Health and Human Services shall arrange for, oversee and evaluate the results of the following study and report.

1. The Department of Health and Human Services shall engage an independent expert or organization, familiar with the principles and research regarding the care of children who require the services of the State to achieve or restore permanent family relationships and to ensure appropriate education, health and well-being, for the purposes of evaluating the effects on children of the department's recent reforms of its programs and services for such children. The evaluator must be authorized to act independently of the department's staff assigned to such programs and services and must be given access and authority to interview staff and management of the department in a manner that assures interviewees that they will not be identified in any reports to the department or the Legislature. The evaluator shall also gather and consider the information and opinions of affected children and their families as well as those who provide residential and nonresidential services to meet the needs of affected children. The objective of the evaluation must be to ensure that the best interests of each child served by the department are served by the implementation of needed reforms in the child welfare system and that adequate provision for each child's safety and well-being is made when plans are developed and carried out for each placement, discharge or other significant transition resulting from a decision made by or on behalf of the department.

2. In preparing for and carrying out the evaluation described in subsection 1, the commissioner shall convene a working group consisting of at least 3 providers of children's services and 3 persons experienced in advocacy for the interests of children to assist in the selection of the evaluator and to provide information and suggestions regarding the scope and design of the evaluation. At least one of the provider representatives must currently be affiliated with a provider of residential children's services.

3. By December 1, 2007, the department shall report to the Joint Standing Committee on Health and Human Services on the findings reported to the commissioner in the course of the evaluation authorized by this section. If the evaluation and report are not final at that time, the department shall provide a progress report and confer with the committee regarding an appropriate date for a final report. The progress report must, at a minimum, describe the methods being employed in the evaluation, identify the person or entity performing it and describe interim findings, if any. The final report must summarize the findings of the

evaluation in light of its objective and must include the commissioner's recommendations for any changes in the department's programs or practices that the commissioner considers necessary as a result of the findings of the evaluator; and be it further

Sec. 2 Implementing legislation. Resolved: That, following receipt and evaluation of the final report described in section 1, the Joint Standing Committee on Health and Human Services may submit to the Second Regular Session of the 123rd Legislature such recommended legislation as may be necessary to accomplish the objectives addressed in the reports; and be it further

Sec. 3 Existing resources. Resolved: That the independent evaluation described in section 1 must be completed within existing resources of the Department of Health and Human Services.

Effective September 20, 2007