

Members

Rep. William Crawford, Chairperson  
Rep. Mary Kay Budak  
Sen. Teresa Lubbers  
Sen. Rose Antich  
Ellen Clippinger  
Cheryl A. Seelig  
Sven Schumacher  
Kimberly Tracy Armstrong  
Donald Amos  
Nathan Samuel  
Marsha Hearn-Lindsey  
Barb Schuck  
Carol Johnson  
Sharon Pierce  
James Hmurovich  
Mara Snyder  
Johnie Underwood



# BOARD FOR THE COORDINATION OF CHILD CARE REGULATION

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Authority: IC 12-17.2-3.1

## MEETING MINUTES<sup>1</sup>

Meeting Date: October 7, 1999  
Meeting Time: 1:30 P.M.  
Meeting Place: State House, 200 W. Washington  
St., Room 156 B  
Meeting City: Indianapolis, Indiana  
Meeting Number: 4

**Members Present:** Rep. William Crawford, Chairperson; Rep. Mary Kay Budak; Sen. Rose Antich; Ellen Clippinger; Cheryl A. Seelig; Sven Schumacher; Donald Amos; Nathan Samuel; Marsha Hearn-Lindsey; Barb Schuck; Carol Johnson; James Hmurovich; Mara Snyder; Johnie Underwood.

**Members Absent:** Sen. Teresa Lubbers; Kimberly Tracy Armstrong; Sharon Pierce.

### I. Call to Order

Representative Crawford, Chairperson, called the meeting to order at approximately 1:40 p.m. Members of the Board introduced themselves to those attending the meeting.

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Representative Crawford announced that the final meeting of the Board will be on October 18, 1999, and that all recommendations that are to be considered in the draft final report should be in to Susan Cullen, the Board's attorney, by Tuesday, October 12, 1999. He emphasized that there will need to be nine affirmative votes for a recommendation to become part of the final report.

## II. Expert Testimony

A. *Cheryl Seelig, Board Member and President of Seeco, Inc.*, made the following remarks:

- Since July 1, 1999, when HEA 1576 went into effect, some concerns have been raised by foster parents in regard to special needs foster care.
- Special needs foster parents are putting in the required number of hours of training, but they are not being credited for the number of hours they are putting in. Typical foster parents may have completed 12 to 16 hours of training for a special needs child which can include hospital training, CPR training, and medical equipment training, but those parents are only being credited for 2 to 3 hours of training by their case worker.
- Cost for a babysitter for special needs foster children when a foster parent needs to attend training sessions can be expensive and it can be difficult to find a babysitter for special needs children.
- Many foster families who do not have a special needs license are getting special needs children but at the same time are not receiving the special needs per diem because they do not have a special needs license.
- FSSA needs to reevaluate the hours of training foster parents are fulfilling and assure that case workers will credit foster parents for those hours.

B. *Tricia Blender, Supervisor, Child Welfare Program and Policy, Division of Family and Children*, made the following comments:

- The range of training that is accepted for special needs and therapeutic foster care parents varies widely. Training hours should be accepted so long as they are beneficial to the foster care parent and the hours can be documented.
- HEA 1576 defines a therapeutic foster family home as a home that provides care to a seriously emotionally disturbed or developmentally disabled child in which the child receives treatment in a family home through an integrated array of services supervised and supported by qualified program staff from the office of the secretary of FSSA, a managed care provider that contracts with DMH, or a licensed child placing agency.
- HEA 1576 requires applicants for a therapeutic foster family license to meet the same requirements as regular foster homes and to complete ten hours of pre-service training and ten hours of in-service training each subsequent licensing year.
- HEA 1576 defines a special needs foster family home as a home that provides care for a child who has a mental, physical, or emotional disability and will require additional supervision or assistance in behavior management, activities of daily living, or management of medical problems.
- HEA 1576 requires applicants for a special needs foster family license to meet the same requirements as regular foster family homes and to complete ten hours of in-service training each subsequent licensing year to meet the child's specific needs.
- HEA 1576 prohibits the Division of Family and Children from removing a special needs or therapeutic foster child from a foster family home in which the child is placed before July 1, 1999, because the home does not meet

- the requirements for a special needs or therapeutic foster family home.
- The Division of Family and Children sent an administrative letter to all of its offices detailing ways to implement HEA 1576. No children were moved due to this bill.

Ms. Blender submitted a handout which describes her testimony more fully and also provides additional information (Exhibit # 1).

*C. Janet Deahl, Chief, Educare Section, Bureau of Child Development, Division of Family and Children*, made the following remarks regarding the Social Security Block Grant (SSBG /Title XX) and the Child Care and Development Fund (CCDF vouchers):

- SSBG (Title XX) is federal money that goes to the state and can be used for many purposes. The state has received Title XX funding for more than 20 years and has allocated the money to many different programs which include child care. SSBG has approximately \$8.9 million in funding and serves about 6,500 children.
- CCDF has existed for about 6 or 7 years and has approximately \$141.7 million in funding. CCDF serves about 65,000 children. (The dollar amount does not include the \$39.7 million in TANF savings that were made available by Governor O'Bannon's announcement on August 30, 1999.)
- SSBG funds are available in 37 counties and SSBG is administered through contracted providers. CCDF vouchers are available in 92 counties and are administered through county voucher agents who give the voucher to parents who then take the voucher to a provider.
- 101 providers contract with Title XX and all of those providers are licensed. 18,000 providers contract with CCDF and only 40% of those are licensed.
- Title XX claims are paid through the state whereas CCDF provider claims are reimbursed by a voucher agent.

Ms. Deahl submitted a handout which describes her testimony more fully and also provides additional information (Exhibit # 2).

### **Questions from the Board**

In response to Ms. Seelig's remarks, Representative Crawford asked Ms. Seelig to clarify who she receives calls from regarding the placement of children in her home. She stated that case workers from the Division of Family and Children call her when children need to be placed. Representative Budak recognized Ms. Seelig for her hard work as a foster parent as well as her hard work as a member of the Board. She then emphasized the great deal of testimony and study that went in to drafting the bill on special needs and therapeutic foster care and the fact that it took four years to get the bill passed. Representative Budak remarked that the HEA 1576 applies to everyone and that, unfortunately, some of the people who are following the law are the ones who are affected by glitches in the system. She supported Ms. Seelig's concern about being credited for training hours and requested FSSA to look into this issue. She also suggested that special needs foster families discuss babysitting amongst themselves and try to come up with a way to help each other out. Senator Antich asked Ms. Seelig if there are state laws limiting who can babysit the foster children when parents are at training. Ms. Seelig said there are no limits, and typically a sitter is only needed on a short term basis. Choosing a babysitter is up to the discretion of the foster parent.

Ms. Schuck questioned Ms. Seelig about the process for recording training hours. Ms. Seelig responded that at training seminars the foster parent puts their name on a sign-up sheet. She said hospital training is harder to document and that is where most parents are

only being credited for two to three hours. She said typically the only forum allowing for eight hours worth of training at one time would be a state conference but she also said these conferences do not always correspond with the specific type of training the foster parent needs at that particular time. Mr. Underwood suggested a competency based curriculum so that foster parents could have training that is specific to the needs of a child in the foster parent's care at that particular time.

In response to Ms. Blender's remarks, Representative Crawford asked how many homes were grandfathered into the provision that the Division of Family and Children may not remove a special needs or therapeutic foster child from a foster family home if the child was placed before July 1, 1999. Ms. Blender did not have specific numbers to give Representative Crawford but said she would get those numbers for him at a later date. Representative Crawford also asked whether Ms. Seelig's concerns could be dealt with by a better system of documentation of the training hours a foster family has completed. Ms. Blender said better documentation would help considerably. She stated that if a tool helps a foster parent, such as the Internet, books, or videos, then a foster parent should receive credit for that training. Ms. Schuck suggested that the Division of Family and Children create a document to keep better track of the training hours being put in by foster parents.

Mr. Hmurovich noted that special needs foster parents may be going to a hospital for 16 hours and getting credited for only 3 hours of training because the foster parents may not actually be learning anything for 13 of those hours. Mr. Samuel asked who a foster parent should contact if they have a problem with their case worker. Ms. Blender suggested contacting a supervisor or office director at the local Office of Family and Children and as a last resort the central office could be contacted. Mr. Underwood stressed the need for case workers to be consistent in how they are applying the training hour rules to foster parents. Ms. Blender responded that the special needs and therapeutic foster home licensing process is consistent across the state, but that the system for determining the number of hours that should be credited is not being administered consistently.

Representative Budak asked how the per diem rates for families are set. Ms. Blender said that foster care, therapeutic foster care and special needs foster care rates widely vary and that in some locations local offices set the rate yet and in other locations a court may decide what amount is to be paid. Ms. Blender said private agencies set their own rates and Representative Budak suggested that the rates all be standardized. Mr. Hmurovich said that these inconsistencies in rates exist because the family and children's fund is under the local county council's control.

Ms. Blender said that the Division of Family and Children contracts with foster care training coordinators in each region to address many of the issues raised today. Representative Crawford asked for a profile on the type of person that is a training coordinator. Ms. Blender said that there are six regions in Indiana, and the training coordinator could be an individual or an agency. She also said that the training coordinator in the Northwest region of Indiana has among other things, a masters in social work and a great deal of experience in both the private sector and the academic sector. Representative Crawford requested that a list of the training coordinators be mailed to the Board members.

Mr. Samuel questioned whether Ms. Seelig's concerns about hour accreditation may in fact be an exception rather than the rule. He stated that case workers carry the burden of finding a home for foster children and it does not seem that they would want to credit foster parents with less hours than they deserve. Ms. Clippinger asked how special needs children are being placed in foster care where the foster family does not have a special needs license. Ms. Blender responded saying that when HEA 1576 went into effect July 1, 1999, most kids were not moved from their placement at that time. She explained that due

to the transition period, special needs children may still be in a foster home not licensed for special needs. Mr. Hmurovich said he would look further into this issue. Representative Budak requested that Mr. Hmurovich get Board members a report on how case workers are trained.

In response to Ms. Deahl's remarks, Representative Crawford questioned why only 37 counties qualify for the availability of SSBG funds. Mr. Hmurovich responded that Title XX has been around for more than twenty years and there have not been any new applicants since Title XX started. Ms. Johnson commented that Title XX provides a cushion for subsidized child care because many people do not meet the eligibility requirements for CCDF vouchers. She said that if the welfare to work program is effective, fewer people will qualify for CCDF vouchers.

In response to Representative Crawford's question about who selects the voucher agents, Ms. Deahl said the local office of Family and Children, Step Ahead, and Resource and Referral select the best agent and contract with that agent. Representative Crawford inquired about who sits on the local Step Ahead Councils and Ms. Deahl said that the Step Ahead Councils are made up of volunteers. She also said there are bylaws that govern what the Councils can do. Senator Antich and Representative Crawford agreed that the bylaws for Step Ahead should be uniform throughout the state.

### **III. Public Testimony**

A. *Bart Giesler, Indiana Association of Residential Child Care Agencies (IARCCA)*, testified that IARCCA supports the therapeutic and special needs training hours requirement as it stands in HEA 1576 because the hour requirements take into consideration the best interests of children.

B. *Alfreda Smith, Villages*, testified that training for special needs and therapeutic foster parents should be viewed as family development. She stated that hours should not all be of one type and that parents should be able to meet the hour requirements with diverse training such as books and videos. She also said there needs to be consistency with how hours are being credited.

C. *Clara Anderson, Children's Coalition and Children's Bureau*, testified that over the past four years she has worked with many people on the Board in order to get HEA 1576 passed. She said training is very important, but so too is flexibility. This is a new bill and there will be implementation issues. The important point is that children are getting the service they need because the details can be worked out later.

D. *John Rogers, Northwest Family Services, Executive Director*, testified that he is pleased that the Board is considering Title XX funding. He said that many of the working poor do not qualify for CCDF vouchers because they are working and Title XX helps those people a great deal. He stated that Title XX serves up to 190% of poverty while CCDF funds have a 143% cut-off in order to serve more persons. He also stated that Title XX funds that go to the providers are all service dollars with no funds received for administration. Mr. Rogers suggested that the state needs to add some of its funds to the Title XX program in order to increase funding to existing experienced Title XX providers and to expand the number of licensed providers who would be willing to use Title XX funds to serve in needed areas.

### **IV. Board Discussion**

Ms. Snyder started discussion with a reference to the after school child care programs by

saying that she wanted Board members to know that these programs do not violate any building or safety rules. Representative Budak stated her recommendation to the Board. She asked the Board to consider the following: CCDF vouchers shall be given only to licensed child care providers. The only exception to the licensing requirement would be for kinship care. However, in the case of kinship care, the child care provider must be a blood relative of the person placing their child in the provider's care. She emphasized that there have been many problems recently with children dying in the care of a mother's boyfriend. Representative Budak also stated that there is not an incentive to become licensed as a child care provider. Representative Crawford suggested looking into the definition of "blood relative" so that too many people are not excluded.

Representative Crawford recommended that the Department of Education require all before and after school child care program contracts to be in writing. Representative Budak also recommended that the five minimum standards discussed in Ms. Lauralee Martin's testimony at the September 28, 1999 Board meeting be required in each county. Representative Crawford emphasized that these are recommendations only and would need to go to the General Assembly.

Ms. Clippinger passed out an information sheet that she had put together for Board members and a brochure that contained information from the National School-Age Care Alliance on standards and guidelines for quality school-age care. She also passed out guidelines for school age child care put together by the Indiana Association for School Age Child Care. She commented that some type of registration of school age child care programs should be required. Ms. Lindsey passed out a 1999 status of child care in Indiana report for members of the Board.

The meeting was adjourned at approximately 3:45 p.m.