

OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
PASTEUR MEDICAL BUILDING
1111 N. LEE AVENUE, SUITE 500
OKLAHOMA CITY, OKLAHOMA 73103

REGULAR MEETING
NOVEMBER 17, 2011

MINUTES

Call to order and roll call

Chairman Bouse called the meeting to order at 9:03 a.m. Members present were: Bart Bouse, Jay Scott Brown, Darlene Callahan, Ken Couchman, Wanda Felty, Howard Hendrick, Richard Kirby, Ben Loring, Claudette Selph and Brent Thackerson. Michael O'Brien arrived at 9:11 a.m., Lisa Hammond and Sid Brown arrived at 9:28 a.m. Members not present: Tom Alford, Janet Barresi, Gene Christian, Terry Cline, Mike Fogarty and Terri White.

Review and approval of the minutes from the June 16, 2011, and September 23, 2011, Regular Commission meetings

Hendrick moved, Kirby seconded to approve the minutes of both the June 16 and September 23, 2011, Regular Commission meetings as presented.

Commissioner Loring pointed out an error on page 2 of the June 16, 2011, minutes. ¶5, 2nd line, remove the word "person".

With approval of Commissioner Hendrick and Kirby; motion was amended to approve the June 16, 2011, minutes as corrected. All members present voted in the affirmative. Motion passed unanimously.

Director's Report on Agency Activities and Legislative Update – Lisa Smith

A written report from Director Smith did not make into the Commission packet mail-out; it was distributed at today's meeting.

She highlighted portions of the report as follows:

Ms. Smith commended the work of staff, Commissioners, and other agency personnel on the work they have done on behalf of the Children of Incarcerated Parents Task Force and the Foster Care System Improvement Task Force.

Ms. Smith reported that Diane Lewis has resigned her Comptroller position with the agency and has accepted the Finance and Administrative Director position at the Oklahoma Center for Applied Science and Technology; furthermore, Mark James, former PARB coordinator, has accepted the Deputy Superintendent position at the Central Oklahoma Juvenile Center, Office of Juvenile Affairs. **Congratulations to them both!!!**

It has been recommended by the Board of Child Abuse Examination that Dr. John Stuemky replace Dr. Robert (Bob) Block as the Chief Child Abuse Examiner for the State of Oklahoma; Dr. Sarah Passmore – University of Oklahoma, Tulsa Campus, will serve as the back-up Examiner in

cases where Dr. Stuemky has a conflict or when he is out of town. OCCY is in the process of completing contracts with the University of Oklahoma to finalize this change. **Congratulations Dr. Stuemky and Dr. Passmore.**

Ms. Smith reported that Commissioner Claudette Selph was recently asked to present on an Interim Study (2011-H-028) on Pseudoephedrine Medication sponsored by Representative Sue Tibbs. Commissioner Selph focused her presentation on the issue of babies being born positive to illicit drugs.

Ms. Smith further reported that the OCCY is currently working on a bill that would move the licensing/certification functions of the two state operated OKDHS shelters from OCCY to the Office of Juvenile Affairs (OJA). The original sponsor of this bill, Representative Ron Peters, has indicated strong support of this change.

Director Smith introduced Mr. Dan Arthrell. She indicated that Mr. Arthrell is assisting OCCY in pulling together all of the data from the Foster Care System Improvement Task Force in order to make complete and thorough recommendations to the Governor and Legislature. Mr. Arthrell is the Director of Public Policy for the Community Service Council of Tulsa. We welcome Mr. Arthrell and look forward to working with him.

Discussion and possible action on the status of children born drug positive in the State of Oklahoma – Chairman Bouse, Commissioner Selph, Lisa Smith and Jack Chapman

A brief outline regarding this issue, written by Chairman Bouse with the help of Lisa Smith and Jack Chapman, was distributed at today's meeting.

Chairman Bouse felt the Commission should look into this issue as a possible systemic issue that is happening with newborns here in the State of Oklahoma. However, he did point out that this is not just an Oklahoma problem; Oklahoma is but one of 12 states, along with the District of Columbia, that includes this type of exposure in their definition of child abuse and neglect.

He pointed out that Title 10A Section 1-1-105 (20) states in part that "a child who at birth test positive for alcohol or a controlled dangerous substance...is determined to be at risk for harm or threatened harm to the health and safety of a child"; however, he feels this definition is susceptible to a subjective determination of a child welfare worker pursuant to an assessment and that it could cause undesirable issues and results in disastrous outcomes for some children.

At the end of the hand-out are five questions Chairman Bouse feels the Commission should look into, answer, address, and hopefully make recommendations on to the Governor, Legislature, and the Oklahoma Department of Human Services for any changes.

Commissioner Felty advised Commissioners that when you look at the fact that a mother tests positive for drugs or alcohol, it is important to note that if baby is not tested immediately upon birth and/or its meconium, then the test on baby is lost. She was only speaking from her knowledge of what happens here in the Oklahoma City area at Children's Hospital.

She stated that if a mother tests positive for drugs or alcohol; whether or not if the drug or alcohol was passed to the baby through the placenta, is the baby still at risk with the mother; it is her opinion that yes, the baby would be at risk.

Commissioner Felty stated that she would like to see that if a mother and/or baby tests positive for drugs and/or alcohol at birth that an automatic referral is made to the Department of Human Services.

Chairman Bouse suggested that a committee be formed to look into this issue and come back to the Commission at its January, 2012, meeting with some possible recommendations.

Commissioner Hendrick stated that there are some other resources to be reviewed online about substance abuse; one is from SAMSHA (samsha.org) and the other is from the National Resource Center on Child Protective Services (nrccps.org).

Chairman Bouse requested from Commissioner Hendrick copies of all the data reports dating back to 1998 on Infants Born Exposed to Alcohol and Other Harmful Substances. Commissioner Hendrick stated that he was not sure how far back data was collected; however, this information should be contained in the OKDHS Annual Reports on Child Abuse and Neglect.

Those agreeing to participate on this Committee are: Commissioners Bouse, Selph, Felty (Chairperson), White (or designee), Hammond, and Cline (or designee), along with Deb Smith from the OKDHS.

A meeting of this committee will be set and all members will be notified.

Oral report from the Planning and Coordination Steering Committee – Commissioner Ben Loring

Commissioner Loring reported that the self-study that the Office of Planning and Coordination has been working on is just about finished, and expects that it will be reported on at the next Commission meeting in January, 2012.

He further reported that the Canadian County Healthcare Access Initiative is up and running and appears to be going quite well.

Commissioner Loring stated that it is now time for Commissioners to begin thinking about and working on the new four-year State Plan for Services to Children and Youth. If anyone has any specific issue(s) they would like to see incorporated into this plan, please send those to Brandy Smith or Dr. Gary Theilen.

Oral report and possible action on the Oklahoma Child Welfare Stakeholder Collaborative – Commissioner Ben Loring

Dr. Theilen distributed the Proposed Methodology for the Oklahoma Child Welfare Stakeholder Collaboration.

Commissioner Loring stated that the P&C Steering Committee is requesting that the Commission give a green light to proceed on with this collaboration. The general plan is for the Office of Planning and Coordination to go into various counties to conduct studies to determine any specific issues with DHS in the particular county.

Kirby moved, Hammond seconded to approve the Commission going forward with the Oklahoma Child Welfare Stakeholder Collaborative under the OCCY as presented. All members present voted in the affirmative. Motion passed unanimously.

Oral report from the Strengthening Custody and Transition Services Advisory Team – Commissioner Brent Thackerson

Commissioner Thackerson reported that the Central Oklahoma Juvenile Center (COJC) now has a new director, Mr. Jerry Fry.

Dr. Gary Theilen and Brandy Smith will be visiting with Mr. Fry regarding the continuation of the pilot project the Office of Planning and Coordination had started there prior to his taking on the new position; they will report back on this at a later date.

Report from the Office of Planning and Coordination – Brandy Smith

A written report from the Office of Planning and Coordination was included in the Commission packet.

Brandy Smith was not available at the meeting today; therefore, Dr. Gary Theilen, briefly highlighted items that were included in the written report.

Oral report from the Foster Care System Improvement Task Force – Commissioner Jay Scott Brown

Commissioner J.S. Brown, reported that HB 1359 created the Foster Care System Improvement Task Force; it's purpose is to review the state's foster care system and make recommendations to the Governor and Legislature on areas of the system that need improvement/change. The recommendations will include identification of desired outcomes for children and families in the system, best practices to assist in achieving the outcomes, accountability standards used to measure success in meeting the outcomes and an estimated cost for implementing the recommendations.

A legislative report is due to the Governor and Legislature by March 15, 2012

Report from the Office of Juvenile System Oversight – Lisa Smith and Jack Chapman

A written report from the Office of Juvenile System Oversight was included in the Commission packet.

Director Smith pointed out that there has been a language change, effective November 1, 2011, to Title 10A Section 1-6-105. This is regarding the public releases that are done by the OJSO when a child dies or nearly dies from abuse and/or neglect, and the person responsible for the child (prfc) is charged with a crime that led to the death or near death. Previously, this statute said "any other investigations concerning the child or other children while living in the same household...", the OJSO could go back to look at three years worth of any system involvement with the child who died/nearly died and/or other children in the same household, plus one year immediately following the death/near death; however, the change to the statute deleted only looking back or forward the three and one year rule; OJSO can now look at any system involvement, no matter when it occurred.

Mr. Chapman recognized the hard work of Mr. Harold Jergenson, Ms. Raegan Qualls, and Ms. Janice Sharp in keeping required visits to facilities up-to-date and on target for the year in the extended absence of their supervisor who is out on extended leave. **WAY TO GO GUYS!!!! KEEP UP THE GREAT WORK!!!**

Discussion and possible action on the OKDHS Advocate General Vacancy – Committee members: Commissioners Bouse, Sid Brown, Callahan, Hammond and Thackerson
This item was tabled until the next meeting in order that the Committee could meet and have some discussion prior to making any recommendations to the Commission.

Discussion and possible action on meeting dates for CY 2012 – Chairman Bouse
Kirby moved, Thackerson seconded to have regular meetings on the following dates in CY 2012: Friday, January 27; Friday, March 30; Friday, May 18; Friday, June 15; Thursday and Friday, August 23-24; Friday, September 21; and Friday, November 16. All members present voted in the affirmative. Motion passed unanimously.

Note: These dates were recorded with the Secretary of State’s office on Thursday, November 17, 2011

Discussion and possible action on Commission Officers: currently they are: Chairman (Bart Bouse); Vice Chair (Darlene Callahan); and Secretary (Mike Fogarty) – Chairman Bart Bouse

Hammond moved, Kirby seconded to reappoint those currently serving in the positions of Chair, Vice-Chair and Secretary to the Commission. Bouse abstained. All others members present voted in the affirmative. Motion passed.

Public Comment

None

New Business

Chairman Bouse announced that the Committee reviewing applications for the OKDHS Advocate General vacancy would meet immediately following today’s meeting; as well as the Planning and Coordinating Steering Committee, Chaired by Commissioner Loring.

Adjournment

Chairman Bouse adjourned the meeting at 10:46 a.m.