

Joint Legislative Oversight Committee Minutes

December 13, 2005
East Conference Room
JR Williams Office Building
Boise, Idaho

Co-chair Senator Shawn Keough called the meeting to order at 1:35 p.m. Attending the meeting were Senators John Andreason, Kate Kelly, and Bert Marley, and Representatives Margaret Henbest, Maxine Bell, and Debbie Field. Representative Donna Boe arrived later. Also present were staff members Rakesh Mohan, Director, and Margaret Campbell, Administrative Coordinator, and all other OPE staff.

Co-chair Keough thanked Michelle Fuller for interpreting the meeting in sign language and excused her after determining there was no one attending who needed the service. Senator Keough acknowledged the attendance of Senator Corder, and Representatives Kathie Garrett and Kathy Skippen. She welcomed all others in attendance, including:

Office of the Governor: Trish Stack

Division of Financial Management: Randy Tilley, Sara Nye

Legislative Services Office: Ray Ineck, Jeff Youtz, Cathy Holland-Smith, Jason Hancock

State Board of Education: Laird Stone, Vice President

Office of the State Board of Education: Dwight Johnson, Interim Executive Director

Idaho School for the Deaf and the Blind: Harvey Lyter, Interim Superintendent

Council for the Deaf and Hard of Hearing: Wes Maynard, Executive Director

Department of Education: Marilyn Howard, Superintendent

Department of Correction: Thomas Beauclair, Director

Board of Health and Welfare: Quane Kenyon, President

Department of Health and Welfare: Karl Kurtz, Director; Ken Deibert, Division Administrator

Department of Juvenile Corrections: Brent Reinke, Director

Judicial Branch: Patty Tobias, Administrative Director

Idaho State Police: Colonel Dan Charboneau, Director

Representative Henbest moved to approve the minutes of the October 17, 2005, meeting. Senator Marley seconded the motion and it passed unanimously by voice vote.

Report From the State Board of Education: Idaho School for the Deaf and the Blind (ISDB)

Co-chair Keough called on Laird Stone, Vice President, State Board of Education, and Dwight Johnson, Interim Executive Director, Office of the State Board of Education, to present the findings and recommendations of the Committee on the Education of the Deaf and the Blind. Mr. Stone said the committee provided general recommendations with a timeline for more specific recommendations by July 1, 2008. Mr. Stone said the Board of Education had received the committee's report, but had not yet approved or taken action on the recommendations.

In response to questions from Senators Marley and Kelly, Mr. Stone discussed the make up of the proposed workgroup that would provide specific recommendations. He said the board would address some issues before July 2008, and indicated that ISDB was currently implementing recommendations from the OPE report. He also said the board planned to bring statutory changes to the 2006 session that aligned statute with current practice.

Representative Bell said she wanted clarity about whether ISDB was a school or an agency. Representative Henbest said she wanted to see a comprehensive survey of parents and their needs; a comprehensive profile of student needs; the impact on regional localities if an integration of ISDB students occurred; and a request to the board to shorten their timeframe to get much of their work done within 12 months.

Representative Field moved to conduct a comparative study of the differences and commonalities of OPE's recommendations and the State Board of Education's recommendations for presentation at a meeting in January. Senator Marley seconded the motion and it passed unanimously by voice vote.

Report Release: [State Substance Abuse Treatment Efforts](#)

Representative Field moved to receive the report on state substance abuse treatment efforts. Senator Marley seconded the motion and it passed unanimously by voice vote.

Mr. Rakesh Mohan, Director, thanked First Lady Patricia Kempthorne and the staff at various agencies for their assistance in conducting the study. Mr. Chris Shoop and AJ Burns, Sr. Performance Evaluators, and Rachel Johnstone, Performance Evaluator, presented a summary of the report findings and recommendations.

JLOC Questions

Senator Andreason said it was clear there were problems with the Department of Health and Welfare's management of its treatment program, and asked why. Senator Kelly asked if the current statute calling for a commission on substance abuse would need to be revised if the report recommendation was implemented.

Representative Bell asked whether alternatives to an oversight commission were viable, such as a working group among agencies or assigning these responsibilities to the Board of Health and Welfare. Senator Marley and Representatives Henbest, Field, and Boe asked questions to clarify the findings of the report and data availability.

Agency Response

Co-chair Keough called on Patty Tobias, Administrative Director, Judicial Branch, to address the committee. Ms. Tobias said substance abuse was the biggest problem facing the court system and a strong treatment program would make a significant difference in reducing the problem. She said she anticipated the Judicial Branch would be willing to participate in a commission on substance abuse, saying that a similar statewide model had worked well for the drug courts.

Co-chair Keough called on Brent Reinke, Director, Department of Juvenile Corrections, to address the committee. Mr. Reinke said he looked forward to participating in the strategic planning process of a statewide commission to strengthen the statewide substance abuse treatment program.

Co-chair Keough called on Thomas Beauclair, Director, Department of Correction, to address the committee. Mr. Beauclair said he supported an independent commission. He expressed concerns about requiring licensure of substance abuse counselors, because the Idaho Board of Drug-Alcohol Counselor Certification had a program that worked well. He asked for a focus on the "continuum" and quality of care in treatment programs.

In response to Representative Field's question about his experience with the Commission on Alcohol-Drug Abuse, Mr. Beauclair said the prior commission was housed within Health and Welfare, which made it difficult to address issues from the perspective of criminal justice. He said the coordination of statewide substance abuse treatment needed to come from an independent source. Representative Henbest asked about how Correction arranges programs for inmates whose release is dependent upon receiving substance abuse treatment. Mr. Beauclair said that Correction was not mandated to provide treatment, and that the demand for treatment had the potential to outpace his staff's ability to provide it. He discussed the department's process for scoring and determining inmate priority for substance abuse treatment.

Follow-up Questions

In response to Senator Kelly's question about credentialing requirements for substance abuse counselors at Health and Welfare, Ms. Johnstone said current credentialing was voluntary, and state professional requirements for substance abuse counselors, and thus the quality of providers, could be strengthened.

Agency Response

Co-chair Keough called on Karl Kurtz, Director, Department of Health and Welfare, to address the committee. Mr. Kurtz said he supported the establishment of an independent commission. He said many of the report's recommendations were already in place, and the department had begun improvement to the overall management of the substance abuse treatment program. He referred specific questions about the report to Ken Diebert, Administrator, Division of Family and Community Services.

Representative Henbest asked about the management and oversight responsibilities of Health and Welfare staff in charge of substance abuse activities. Mr. Diebert said there had been a temporary shift of staff from the substance abuse program to the Access to Recovery (ATR) program until the authority and funding for ATR staff became available. He also indicated between October 2004 and February 2005 the position that had oversight responsibilities for the contract had been vacant.

Representative Henbest asked if the department had received a final report from the federal government on the department's use of ATR grant funds. Mr. Diebert said he had not received a written or verbal report, and indicated that as soon as it arrived he would make it available.

Committee Action

In light of a time shortage, **Representative Henbest moved to continue a discussion of the substance abuse report at the next JLOC meeting. Representative Field seconded the motion.**

Members discussed the need to move quickly so efforts to address issues identified in the report could occur during the legislative session. Co-chair Keough requested the next meeting be scheduled the first week of session.

The motion for a discussion of the substance abuse report at the next meeting passed unanimously by voice vote. Co-chair Keough said the remaining office business would also carry to the next meeting. **Senator Kelly moved to adjourn.**

The meeting adjourned 4:00 p.m.