

## Legislative Fiscal Office

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## Joint Committee on Ways and Means

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**To:** Human Services Subcommittee

**From:** Haylee Morse-Miller, Legislative Fiscal Office

**Date:** June 16, 2021

**Subject:** SB 710 – Relating to children in care  
Work Session Recommendations

SB 710 prohibits child-caring agencies, proctor foster homes, certified foster homes, or developmental disabilities residential facilities from placing a child in care in restraint or involuntary seclusion as a form of discipline, punishment, or retaliation. Restraint or involuntary seclusion may be used in cases when a child's behavior poses a risk of bodily harm to the child or others; and if specific circumstances are met, as outlined in this measure.

The Department of Human Services (DHS) must be immediately notified if a child in care suffers a reportable injury as a result of restraint or involuntary seclusion, or if a staff person suffers serious bodily injury or death in connection with restraint or involuntary seclusion. Children in care are to be notified of their reporting rights for inappropriate use of restraint and involuntary seclusion.

Programs must report quarterly to DHS on their use of restraint and involuntary seclusion. DHS is to adopt by rule training standards and certification requirements regarding placement of a child in care in a restraint or involuntary seclusion.

The - A7 amendment changes the date for the first quarterly reports to be submitted by programs. The amendment also changes the effective date of the measure to September 1, 2021. Finally, the amendment includes approximately \$4.4 million total funds, including \$1.5 million General Fund, for implementation of this measure. DHS anticipates hiring three new Compliance Specialist 3 positions to provide for increased oversight regarding use of restraints and involuntary seclusion; as well as one Fiscal Analyst 2 position to assist with data and reporting requirements. DHS also anticipates that the trainings, mandatory meetings, and reporting requirements under this measure will increase the cost per case for the Intellectual and Developmental Disabilities Children's Residential Services program.

**Recommended Changes**

LFO recommends adoption of the - A7 amendment.

**Final Subcommittee Action**

LFO recommends that SB 710, as amended by the - A7 amendment, to be moved to the Ways and Means Full Committee.

**Carriers**

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_