

Submitter: Bob Sowdon
On Behalf Of:
Committee: House Committee On Behavioral Health
Measure, Appointment or Topic: HB4042
Chair and Committee members

HB 4042 – expands the types of adverse licensing actions the Department of Human Services may take against child-caring agencies following certain findings. Modifies certain provisions regarding the use of restraints on children in care. Creates exceptions to certain placement limitations.

This bill creates a legal pathway for the state to house children alongside violent adults, intentionally ignoring the physical and psychological devastation that results from such placements. It allows these placements even when the setting is not a licensed child-caring agency or a qualified treatment program.

HB 4042 changes how child-caring agencies (CCAs) are regulated in a way that protects the system rather than the child. Rather than closing facilities that fail to protect residents, this bill allows the Director to rescind an intent to revoke a license if they decide concerns have been “ameliorated”.

The bill lists requirements like “behavior management” and “safety,” it also allows DHS to merely “place conditions” on a license instead of taking the decisive action required to prevent further abuse.

Thank you