



Brad Little-Governor
Trevor Sparrow- Ombudsman

OFFICE OF THE OMBUDSMAN
Boise, ID 83720

Interim Report from the Idaho Health and Social Services Ombudsman Office

To: Chairpersons of House and Senate Health and Welfare Committees &
Joint Finance -Appropriations Committee

This report is submitted in reference to Senate Bill 1459 (2024), stating, *"The Office of Health and Social Services Ombudsman shall deliver an interim report to the Legislature, including the chairman of the House and Senate Health and Welfare Committees, as well as the Joint-Finance Appropriations Committee, by December 1, 2024, on the initial work of the office and the current operation of child welfare in the state. The report shall include related recommendations to the governor, the Legislature, the director of the Department of Health and Welfare or other relevant state department or agencies, the state public defender, and the courts."*

Given the recency of my start as the Ombudsman, I will do my best to provide a report that meets the legislative requirements of this bill. This report was due on December 1st, 2024 and my official start date as the Ombudsman was December 8th, 2024. Several things have been accomplished since that start date to include:

- Finding an office to operate the HSSO. The HSSO office will be located on the first floor of the Borah Building. Renovations are necessary to make the office suitable. It is the intention to have the office operation ready by June 2024. Until then all HSSO staff will be working remotely and meeting on a regular basis in locations available in the Capitol Mall complex.
- Investigative case management software is being explored to determine the best fit for agency use of keeping track of complaints, documenting investigations, and reporting data gleaned from investigations for use in future reports to the Idaho Legislature, Governor's Office, Department of Health and Welfare, and other stakeholders.
- The first job announcement for an analyst, working title will be Deputy Ombudsman, was announced and closes on January 3, 2025. It is exciting to report that interest in the position is high. This can be attributed to the classification of the position as a pay grade N. This was done to attract professional level applicants that can bring a great deal of experience to the position.
- A meeting is set scheduled to meet with Deputy Director Prow, DHW and the Child, Youth & Family Services administrators to discuss HSSO's mission and priorities as well as set up access to DHW's reporting systems.

- An Executive Assistant position classification is almost complete, and this position will be advertised soon. This will provide for a full complement of staff as allowed by law.
- As the Idaho Ombudsman, I requested membership of the United States Ombudsman Association (USOA). Idaho will adopt and follow the USOA Governmental Ombudsman Standards in its work.
- The Ombudsman and any Deputy Ombudsman staff will be enrolled in and complete the National Association of Certified Mediators 40-hour mediation training. This training will be crucial in navigating complaints the office receives. Mediation training is a recommended best practice for Ombudsman work.

Budget and Resources Requested for FY2026

The HSSO's budget request for FY2026 includes \$50,000 in Personnel Cost Funding in addition to the Change in Health Benefit Costs of \$3,900 and Salary Multiplier of \$2,900. The FY2026 budget will not have the one-time \$20,000 in capital outlay, therefore the total increase would be \$36,800 or 7.83%. This increase is requested in order to recruit professional level staff and be comparable to other state Ombudsman office staff. This ensures the HSSO can attract staff with the experience necessary to carry out the duties of the office and provide high quality investigations and recommendations to stakeholders.

Current Operation of Child Welfare in Idaho

Due to the recency of me filling my position as Ombudsman, I do not feel qualified yet to fully comment on the current operation of child welfare in the State of Idaho. Preliminary "high level views" have been provided to my office of the current responses to Executive Order 2024-05 from the Governor's Office. There have been significant, positive, changes in regards to children in care of the Idaho Department of Health and Welfare in the state. Some of those include:

- DHW rewrote the foster care licensing rules to remove adoption fees from the rules. In addition, the foster care licensing rules were rewritten to streamline the process and attract families to foster care and by extension, adoption.
- DHW is seeking opportunities to increase the number of foster families. The director, deputy director and division administrator have been available for meetings with over 100 current and former foster families to hear feedback from their experiences and have incorporated the feedback into the revision of rules, policies, and practices withing the Youth Safety & Permanency Program.
- Waivers for payment of certain tangibles goods required by rule, such as smoke detectors, have been implemented for foster and kinship families.
- DHW has partnered with and led the charge for many private agencies to provide 8 weeks of paid parental leave for new foster parents. Governor Little has also extended this leave to executive branch employees. This time for parents to spend

with kids in their home is so crucial in providing the kids with a sense of safety and belonging as well as forming bonds that are important to a child/parent relationship.

- Adoption of nationally recognized models of licensure for non-relatives and kin was integrated in the licensing rule re-write and adopted in July 2024.
- DHW collaborated with the housing authority agencies in the Treasure Valley to have access to Fostering Youth Vouchers for youth who aged out or are aging out of the foster care system. The Idaho Housing and Finance Association received a \$3.8 million award to address youth and young adult homelessness.
- Youth Safety & Permanency has 14 in home prevention case managers in reach region to work with families to prevent placement of children in foster care.
- DHW will be implementing a WARM LINE. This will a phone number the will provide after hour clinician services as a support to foster parents when a youth they are caring for is in crisis. These clinicians will be able to assist with brainstorming intervention ideas, talking with youth, facilitating family communication, making crisis plans that involves outside resources such as crisis centers or hospital assessments. As time allows and as the this program develops, support will also be provided to parents who want non-crisis clinical coaching.
- Children in congregate care, who were being housed in temporary homes such as Airbnb or hotels have been reduced to 0.

The HSSO does not have an official reporting mechanism as of this report in order to take complaints in relation to youth in care. Idaho Technology Services (ITS) was very helpful in getting an initial website (hssso.idaho.gov) set up very quickly. On this website, there is a general “Contact Us” tab. Contacts from this tab get send to a general Contact HSSO email which is available to the Ombudsman. This went live on December 17, 2024 and since then, the HSSO has received 4 requests for assistance (RFAs).

This is an interesting number as there has been little education about what the HSSO office does or when RFAs will begin to be processed. These are individuals who have been observing the formation of this office and who need HSSO assistance. If this same pattern holds true, there could be well over 100 RFAs per year. National standards recommend that analysts work on no more than 25 active RFAs at any one given time. Idaho HSSO will track this number and other trends for a more comprehensive report prior to the SFY 27 legislative session.

Initial Recommendations

Idaho started the Health and Social Services Ombudsman office on the right footing in statute, allowing operation independent of the legislature, the courts, the department of health and welfare and any other state agency or department (Title 56, Chapter 19). USOA Governmental Ombudsman Standards state that a successful Ombudsman program must have:

Independence- The Ombudsman's Office, in structure, function and appearance should be free from outside control or influence. This standard enables the Ombudsman to function as an impartial and critical entity that reports findings and makes recommendations based solely on review of facts and law, in the light of reason and fairness.

Impartiality- The Ombudsman should receive and review each complaint in an objective and fair manner, free from bias, and treat all parties without favor or prejudice. This standard instills confidence in the public and agencies that complaints will receive a fair review and encourages all parties to accept the Ombudsman's findings and recommendations.

Confidentiality- The Ombudsman should have the privilege and discretion to keep confidential or release any information related to a complaint or investigation. This standard balances the need to protect sensitive information so that a complainant can come forward, and witnesses and subjects can speak openly, with the need to disclose information as a part of an investigation or public report.

Credible Review Process- The Ombudsman should perform his or her responsibilities in a manner that engenders respect and confidence and be accessible to all potential complainants. This standard is necessary for the work of the Ombudsman to have value and be accepted by all parties to a complaint.

Any future legislation or rules referencing the authority, duties, or obligations of the Ombudsman office should keep these standards in mind.

In relation to Child Welfare and future possible legislation, it is the understanding of the HSSO that Idaho Department of Health and Welfare is proposing to hire a significant amount of additional in-home prevention case managers. This is an effort to decrease the number of children in foster placement. If parents are willing and able, interventions can take place prior to foster placement that would allow them to stay in their home. This, of course, takes resources and more in-home prevention case managers. This is a worthwhile effort for the state to consider as it places the emphasis on a pro-active approach vs reactive approach when it comes to placing children in care. This is, in many ways, is healthier for the children involved.

Conclusion

The HSSO is off to a running start and is dedicated to ensuring compliance of public agencies with regards to care of some of Idaho's most vulnerable children. We are dedicated to being fair, impartial and providing a credible review process so that all parties can be satisfied with and follow the recommendations of the Ombudsman office.

Respectfully submitted: Trevor Sparrow, OMBUDSMAN

January, 7, 2025