

**STATE OF ARKANSAS
CHILD WELFARE AGENCY
REVIEW BOARD MEETING**

**DEPARTMENT OF HUMAN SERVICES
700 West Main St.
Little Rock, Arkansas**

July 24, 2019
1:30 p.m.

THOSE IN ATTENDANCE:

MR. ED APPLER, CHAIRMAN
MR. CHARLES FLYNN, BOARD MEMBER
MS. SANDY DOHERTY, ACTING BOARD MEMBER
MS. BEVERLY FOTI, BOARD MEMBER
MR. DAVID WHATLEY, BOARD MEMBER
MR. ANDY ALTOM, BOARD MEMBER

MR. DAVID GRIFFIN, DIRECTOR
MS. SHIRLEY PRESTON, LICENSING SPECIALIST
MR. CHARLES ARNOLD, LICENSING SPECIALIST
MS. PATTY GLANTON, LICENSING SPECIALIST
MS. SUSAN FANCHER, LICENSING SPECIALIST
MS. DARLA THOMPSON, LICENSING SPECIALIST
MS. CHARLOTTE GALUSHA, LICENSING SPECIALIST
MS. SHANNON ROUSE, LICENSING SPECIALIST
MS. RACHEL CARLTON, LICENSING SPECIALIST
MS. LAKESHA WHITE, LICENSING SPECIALIST

MS. SKYE MARTIN, ATTORNEY FOR DHS
MS. JULIE CHAVIS, ATTORNEY FOR THE BOARD

COURT REPORTER: DAWN CRAWFORD

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PROCEEDINGS

1
2 MR. CHAIRMAN: I'm going to call to order the
3 July 24, 2019 meeting of the Child Welfare Agency
4 Review Board, and the first item on the agenda is the
5 approval of the May 2019 minutes. I assume everyone
6 has had a chance to read those.

7 MR. ALTOM: I'll make a motion to approve.

8 MR. CHAIRMAN: Motion.

9 MS. DOHERTY: Second.

10 MR. CHAIRMAN: Motion and a second. Any
11 discussion?

12 BOARD MEMBERS: No response.

13 MR. CHAIRMAN: If none, all in favor say, aye.

14 BOARD MEMBERS: Aye.

15 MR. CHAIRMAN: Opposed the same.

16 BOARD MEMBERS: No response.

17 MR. CHAIRMAN: Motion Carries. Okay. I see
18 number 1 and 2 have been scratched off, so number 3.

19 MS. GLANTON: Item 3, Patty Glanton, PRLU. DCFS
20 is requesting a special consideration for Regulation
21 209.2, "Each bedroom shall have at least 50 square
22 feet per occupant." This home will have -- there are
23 two nieces and one grand niece sharing a bedroom of
24 130 square feet with a total of three occupants. The
25 home has two twin beds and a crib for the three-month-

1 old. Licensing visited the home May 22nd. This is
2 child specific. PRLU supports this request.
3 Temporary approval was granted by Shirley Preston May
4 9, '19, and I have Casey Tolbert here with Resource if
5 you have any questions.

6 MR. CHAIRMAN: So there's a 12-year-old, a 14-
7 year-old, and a three-month-old, right?

8 MS. GLANTON: Correct.

9 MR. WHATLEY: I make a motion to approve the
10 request.

11 MR. ALTOM: I'll second.

12 MR. CHAIRMAN: Motion and a second. Any
13 discussion?

14 BOARD MEMBERS: No response.

15 MR. CHAIRMAN: If none, all in favor say, aye.

16 BOARD MEMBERS: Aye.

17 MR. CHAIRMAN: Opposed the same.

18 BOARD MEMBERS: No response.

19 MR. CHAIRMAN: Motion Carries.

20 MS. GLANTON: Item number 4. DCFS is requesting
21 a special consideration for Regulation 209.2 for
22 Christopher and Amy. "Each bedroom shall have at
23 least 50 square feet per occupant." This home will
24 have two males, a son and a placement nephew sharing a
25 bedroom measuring 83.31 square feet. The room is

1 furnished with twin bunk beds. The request is child
2 specific. Licensing visited the home May 15th of '19,
3 And PRLU supports the request. Temporary approval was
4 granted 4/26/19 by Shirley Preston. This also is
5 request is child specific, and Casey Tolbert is here
6 from Resource if you have any questions.

7 MR. CHAIRMAN: How old are the kids?

8 MS. TOLBERT: There are two -- it's two younger
9 kids that are in the room.

10 MR. CHAIRMAN: Like elementary school age or
11 something?

12 MS. TOLBERT: Uh-huh.

13 MR. CHAIRMAN: Okay.

14 MS. TOLBERT: Yes, sir.

15 MR. ALTOM: I'll make a motion to approve the
16 request.

17 MR. FLYNN: I'll second.

18 MR. CHAIRMAN: Motion and a second. Any
19 discussion?

20 BOARD MEMBERS: No response.

21 MR. CHAIRMAN: If none, all in favor say, aye.

22 BOARD MEMBERS: Aye.

23 MR. CHAIRMAN: Opposed the same.

24 BOARD MEMBERS: No response.

25 MR. CHAIRMAN: DCFS abstains.

1 MS. GLANTON: Item number 5, Patty Glanton. I am
2 going to step in for Rachel Carlton. DCFS is
3 requesting a special consideration for Regulation
4 209.2, "Each bedroom shall have at least 50 square
5 feet per occupant." We have four males; 2 placement,
6 2 bio to share a room that is 117 square feet. The
7 room is furnished with two twin bunk beds. Temporary
8 approval was granted by Shirley Preston April 29th of
9 '19. PRLU supports this request. This is child
10 specific, and Licensing visited the home May 15th of
11 '19. I have Judy (Inaudible) from Resource if you
12 have any questions. Judy Olinger, sorry.

13 MR. ALTOM: What's the -- I noticed one of the
14 occupants is five years old. The rest of them are
15 pre-teen or almost teenagers; is that correct?

16 MS. OLINGER: Yes, we have an 11, a 17 and a 15.

17 MR. ALTOM: And then a five-year-old.

18 MS. OLINGER: And then a five.

19 MR. ALTOM: Is there any concern about the five-
20 year-old?

21 MS. OLINGER: This is not my home, but as far as
22 I know, no. I'm here representing another resource
23 worker.

24 MR. FLYNN: It's fictive kin. What is the
25 relationship with the children.

1 MS. OLINGER: Family friend. They've always been
2 together, the family has.

3 MR. FLYNN: So the kids are friends, too.

4 MS. OLINGER: The kids have grown up together,
5 yes.

6 MR. FLYNN: Okay. This is a single foster
7 parent?

8 MS. OLINGER: Yes.

9 MR. CHAIRMAN: So I make a motion we approve the
10 request.

11 MR. FLYNN: I'll second.

12 MR. CHAIRMAN: Motion and a second. Any further
13 discussion?

14 BOARD MEMBERS: No response.

15 MR. CHAIRMAN: If none, all in favor say, aye.

16 BOARD MEMBERS: Aye.

17 MR. CHAIRMAN: Opposed the same. DCFS abstains.

18 MR. ALTOM: I oppose it.

19 MR. CHAIRMAN: Pardon me?

20 MR. ALTOM: I'm opposed.

21 MR. CHAIRMAN: Okay.

22 MR. ALTOM: I don't like the idea of the five-
23 year-old being in the room.

24 MR. CHAIRMAN: Thank you.

25 MS. GLANTON: Item number 6, Patty Glanton for

1 Rachel Carlton. DCFS is requesting special
2 consideration for Regulation 209.2. "Each bedroom
3 shall have at least 50 square feet per occupant."
4 This special consideration will allow three females to
5 share a room measuring 120 square feet. The room is
6 furnished with a twin bunk and a toddler bed.
7 Temporary approval was granted by Shirley Preston June
8 11th '19. Licensing visited the home 6/21/19. This
9 is child specific. PRLU supports this request, and
10 Judy Olinger is here from Resource if you have any
11 questions.

12 MR. WHATLEY: With it being in the best interest
13 to keep the children together, I'll make a motion to
14 approve the request.

15 MR. ALTOM: I'll second.

16 MR. CHAIRMAN: Motion and a second. Any further
17 discussion?

18 BOARD MEMBERS: No response.

19 MR. CHAIRMAN: If none, all in favor say, aye.

20 BOARD MEMBERS: Aye.

21 MR. CHAIRMAN: Opposed the same.

22 BOARD MEMBERS: No response.

23 MR. CHAIRMAN: Motion Carries. DCFS abstains.

24 MS. FANCHER: Susan Fancher with the Placement
25 and Residential Licensing Unit. Item number 7 is a

1 request from the Curt, Cliff and Opal Young Children's
2 Home. The Agency is requesting an emergency
3 residential type to their already existing license to
4 provide care on an emergency basis in their Hart Home.
5 The agency's total licensing capacity will not be
6 affected by this change. The Young Children's Home
7 has maintained compliance with the minimum licensing
8 standards and the Placement and Residential Licensing
9 Unit supports this request. Here with me today is
10 Administrator Marlon Nelson to answer any questions
11 that you might have.

12 MR. CHAIRMAN: This is an interesting time to be
13 seeking this license. Can you explain a little bit
14 behind this reasoning.

15 MR. NELSON: Sure. With the changes in the laws
16 that we just had, we had some QRTP beds awarded and
17 they've shifted them around all together to one of our
18 places. And so the request was made from Little Rock
19 to see if we could not make that home also be an
20 emergency placement instead of just long-term because
21 we were losing some emergency placement beds
22 otherwise, and because we kind of specialize or
23 primarily have just younger children and our staff is
24 kind of prone to younger children in it, it's so rare
25 you can find a spot for a two and three-year-old at

1 4:00 in the morning. So we're just trying to be that,
2 you know, place filler, I guess for that.

3 MR. FLYNN: So it'd be just very short term.

4 MR. NELSON: Yes. Yes, sir.

5 MR. FLYNN: So that'll be in a separate house.
6 You'd have Q RTP in one house?

7 MR. NELSON: Yes, sir. We ended up with no Q RTP
8 in Arkansas.

9 MR. FLYNN: Oh, you --

10 MR. NELSON: We have three residential style and
11 then we'll have the one emergency.

12 MR. FLYNN: Okay. All right, I got you.

13 MR. ALTOM: I'll make a motion to approve the
14 request.

15 MR. FLYNN: I'll second.

16 MR. CHAIRMAN: Motion and a second. Any further
17 discussion?

18 BOARD MEMBERS: No response.

19 MR. CHAIRMAN: If none, all in favor signify by
20 saying, aye.

21 BOARD MEMBERS: Aye.

22 MR. CHAIRMAN: Opposed the same.

23 BOARD MEMBERS: No response.

24 MR. CHAIRMAN: Motion Carries.

25 MR. NELSON: Thank you.

1 MR. WHITE: Item No. 8, Lakesha White, Placement
2 and Residential Licensing Unit. I'm here today
3 regarding a special consideration. DCFS is requesting
4 a special consideration for Regulation 209 which
5 states "Each bedroom shall have at least 50 square
6 feet of floor space per occupant." DCFS is requesting
7 this special consideration to allow three males, ages
8 11, 12, and 14 years old to share a room that is 133
9 square feet which is 17 square feet less than the 150
10 square feet needed for 3 people. DCFS would like to
11 place the children in this home to allow them to be
12 placed with family. This request is child specific to
13 the children listed. PRLU granted a temporary
14 approval on 4/30 of '19. A monitored visit to the
15 home was completed on 5/13/19. PRLU supports this
16 request. I have Tracy Holloway here with DCFS if you
17 have any additional questions.

18 MR. CHAIRMAN: And these are nephews of the
19 foster parents?

20 MS. HOLLOWAY: Yes.

21 MR. ALTOM: I make a motion to approve the
22 request.

23 MR. WHATLEY: Second.

24 MR. CHAIRMAN: Motion and a second. Any
25 discussion?

1 BOARD MEMBERS: No response.

2 MR. CHAIRMAN: If none, all in favor say, aye.

3 BOARD MEMBERS: Aye.

4 MR. CHAIRMAN: Opposed the same.

5 BOARD MEMBERS: No response.

6 MR. CHAIRMAN: DCFS abstains. Motion Carries.

7 MS. WHITE: Item No. 9, Lakesha White, Placement
8 and Residential Licensing Unit. I'm here today
9 regarding a special consideration. DCFS is requesting
10 a special consideration for Regulation 209.10 which
11 states, "Foster children except infants under the age
12 of two years shall not share a sleeping room with
13 adults. This age would increase through age four for
14 the grandparent of the child and a teen parent in
15 foster care with her child." DCFS is requesting this
16 special consideration to allow 17-year-old Sinia
17 (phonetic) to share a room with her grandmother. The
18 bedroom measures 21 x 11 and consists of a twin bed
19 for Sinia and a queen bed for her grandmother. The
20 grandmother has cleared the necessary background and
21 participated in in-home consultation to open as a
22 provisional foster home. The benefits of placing this
23 child in this home is that she will be placed with
24 family and can continue her sibling bond. She will
25 also remain in the same school district. This special

1 consideration is child specific and time limited. A
2 temporary approval was granted on 5/3/19. PRLU
3 completed a monitor visit on 5/14/19. PRLU supports
4 this request. I have Yvonne Peeler here with DCFS if
5 you have an additional questions.

6 MR. ALTOM: I make a motion to approve the
7 request.

8 MR. FLYNN: Second.

9 MR. CHAIRMAN: Motion and a second. I have a
10 question. Is this the granddaughter we're talking
11 about?

12 MS. PEELER: Yes, sir.

13 MR. CHAIRMAN: Okay. Any further discussion?

14 BOARD MEMBERS: No response.

15 MR. CHAIRMAN: If none, all in favor say, aye.

16 BOARD MEMBERS: Aye.

17 MR. CHAIRMAN: Opposed the same.

18 BOARD MEMBERS: No response.

19 MR. CHAIRMAN: Motion Carries. DCFS abstains.

20 MS. PEELER: Thank you.

21 MS. WHITE: Item No. 10, Lakesha White, Placement
22 and Residential Licensing Unit. I'm here today
23 regarding a special consideration. Arkansas Baptist
24 Childrens Home is requesting a special consideration
25 for Regulation 209.7 which states, "Children of the

1 opposite sex shall not share the same bedroom if
2 either child is four years or older except for a
3 parent in foster care with her child." ABC is
4 requesting this special consideration to allow two
5 siblings, a two-year-old male and a four-year-old
6 female to share a bedroom. The siblings will have
7 separate beds with the one-year-old sleeping in a
8 toddler bed and the four-year-old sleeping in a twin
9 bed. ABC would like to place the siblings in this
10 foster home because they will be placed together to
11 maintain their sibling bond. This is a foster home in
12 Crittenden County that has shown exceptional ability
13 to care for the two siblings. This request is child
14 specific to the children listed and time limited until
15 7/24/21. There was a temporary approval granted on
16 5/24/19. PRLU supports this request. Ryan --

17 MR. CHAIRMAN: I'm assuming there's a typo in
18 there.

19 MS. WHITE: Yes, there is.

20 MR. CHAIRMAN: So it's a two-year-old or one-
21 year-old?

22 MR. ROBB: Two-year-old.

23 MS. WHITE: It's a two-year-old.

24 MR. CHAIRMAN: Okay. All right.

25 MR. WHATLEY: I'll make a motion to approve the

1 request.

2 MR. ALTOM: I'll second.

3 MR. CHAIRMAN: Motion and a second. Any
4 discussion?

5 BOARD MEMBERS: No response.

6 MR. CHAIRMAN: If none, all in favor say, aye.

7 BOARD MEMBERS: Aye.

8 MR. FLYNN: I abstain. And Derrick Brown is
9 still our director, so.

10 MR. CHAIRMAN: Motion Carries. Thank you, ma'am.

11 COURT REPORTER: Lakesha, what is his name?

12 MS. WHITE: Ryan Robb, R-o-b-b.

13 COURT REPORTER: Thank you.

14 MS. PRESTON: That's due to our computer program,
15 Charles.

16 MR. FLYNN: Computer program. We're going to
17 mess y'all up with foster care on computers.

18 MS. PRESTON: Oh, yes.

19 MR. FLYNN: I just don't have the Ranch
20 directory.

21 MS. WHITE: Item No. 11, Lakesha White, Placement
22 and Residential Licensing Unit. I'm here today
23 regarding a special consideration. DCFS is requesting
24 a special consideration for Regulation 209.2 which
25 states "Each bedroom shall have at least 50 square

1 feet of floor space per occupant." DCFS is requesting
2 this special consideration to allow three males, ages
3 16, 12, and four years old to share a room that is 141
4 square feet, which is 9 square feet less than the 150
5 square feet needed for three people. DCFS would like
6 to place the child in this home to allow him to be
7 placed together with family and bond with his
8 relatives. Ms. W has completed all state background
9 checks and an in-home consultation. This request is
10 child specific to the children listed. PRLU granted a
11 temporary approval on 5/10/19. A monitor visit to the
12 home was completed on 6/20 of '19. PRLU supports this
13 request. I have Yvonne Peeler with DCFS if you have
14 any additional questions.

15 MR. CHAIRMAN: I'm kind of curious because the
16 language says this will permit him to bond with his
17 relatives. Has he had prior contact with his
18 relatives?

19 MS. PEELER: Prior to moving there?

20 MR. CHAIRMAN: Pardon?

21 MS. PEELER: Prior to moving in?

22 MR. CHAIRMAN: Yes.

23 MS. PEELER: Yes, sir.

24 MR. CHAIRMAN: Okay. So they already know each
25 other.

1 MS. PEELER: Yes, sir.

2 MR. CHAIRMAN: They get along with each other and
3 all that good stuff.

4 MS. PEELER: Yes, sir.

5 MR. WHATLEY: I make a motion to approve the
6 request.

7 MR. FLYNN: I'll second.

8 MR. CHAIRMAN: Motion and a second. Any
9 discussion?

10 BOARD MEMBERS: No response.

11 MR. CHAIRMAN: If none, all in favor say, aye.

12 BOARD MEMBERS: Aye.

13 MR. CHAIRMAN: Opposed the same.

14 BOARD MEMBERS: No response.

15 MR. CHAIRMAN: Motion Carries.

16 MS. WHITE: Thank you.

17 MS. PEELER: Thank you.

18 MS. THOMPSON: I'm Darla Thompson with Placement
19 and Residential Licensing Unit. I'm here on behalf of
20 DCFS who is requesting special consideration for
21 Regulation P209.10 which states, "Foster children
22 except for infants under the age of two years shall
23 not share a sleeping room with adults. This age would
24 increase through the age four for grandparents to the
25 child and a teen parent in foster care with her

1 child." The foster home is a relative placement of
2 the maternal grandmother. The foster child is a 14-
3 year-old female. The request is to allow the 14-year-
4 old female to share a bedroom with female 19-year-old
5 cousin that returns home during the college breaks.
6 The room meets minimum licensing standards, and this
7 would be child specific and time limited until
8 7/31/2021. A temporary approval was granted on 6/7/19
9 by the Licensing Unit. PRLU completed a visit to the
10 foster home on 6/11/2019, and PRLU supports the
11 request. I've got Mary Dobbins, Resource Worker for
12 DCFS present if you need to ask any additional
13 questions.

14 MR. ALTOM: This is just for when she comes back
15 from college or visits. It's not like a 24/7 --

16 MR. CHAIRMAN: She'll be in a bedroom by herself,
17 right, until the 19-year-old comes home for a weekend
18 or something and then goes back to college.

19 MS. DOBBINS: That's correct.

20 MR. ALTOM: I make a motion to approve the
21 request.

22 MR. WHATLEY: Second.

23 MR. CHAIRMAN: Motion and a second. Any
24 discussion?

25 BOARD MEMBERS: No response.

1 MR. CHAIRMAN: If none, all in favor say, aye.

2 BOARD MEMBERS: Aye.

3 MR. CHAIRMAN: Opposed the same.

4 BOARD MEMBERS: No response.

5 MR. CHAIRMAN: DCFS abstains. Motion Carries.

6 MR. CHAIRMAN: It's hard to think of a 19-year-
7 old as an adult.

8 MR. ARNOLD: This is No. 14 on the agenda. My
9 name is Charles Arnold. I'm with the Placement and
10 Residential Licensing Unit. DCFS is requesting a
11 special consideration to allow three boys to share a
12 bedroom less than 150 square feet. This will allow
13 the siblings to be placed together with their
14 grandparents. This is a child specific request to the
15 grandchildren of Ralph and Rebecca. A temporary
16 approval was given for this request on 5/17 of '19,
17 and the Licensing Unit supports this request. And the
18 regulation number to this would be 209.2, I forgot to
19 state at the beginning. I have Michelle Brown from
20 DCFS if you have any questions.

21 MR. WHATLEY: The boys are 9, 10, and 12?

22 MR. ARNOLD: Yes.

23 MR. CHAIRMAN: And the 9 and 10 are grandsons,
24 ant the 12-year-old is a cousin of theirs?

25 MS. BROWN: Yes, it's the -- Ralph and Rebecca's

1 grandchild as well.

2 MR. WHATLEY: I make a motion to approve the
3 request.

4 MR. ALTOM: I second.

5 MR. CHAIRMAN: Motion and a second. Any
6 discussion?

7 BOARD MEMBERS: No response.

8 MR. CHAIRMAN: If none, all in favor say, aye.

9 BOARD MEMBERS: Aye.

10 MR. CHAIRMAN: Opposed the same.

11 BOARD MEMBERS: No response.

12 MR. CHAIRMAN: DCFS abstains. Motion Carries.

13 MS. BROWN: Thank you.

14 MR. ARNOLD: Thank you. This is Item No. 15 on
15 the agenda. Again, Charles Arnold with the Placement
16 and Residential Licensing Unit. This is a special
17 consideration for Standard 209.10. "Foster children
18 except infants under the age of two years shall not
19 share a sleeping room with adults. This age would
20 increase through age four for the grandparents of the
21 child and a teen parent in foster care with her
22 child." DCFS is requesting this special consideration
23 to allow two-year-old Camille and two-year-old Melanie
24 to share a master bedroom with the foster parents.
25 The bedroom is 249 square feet. This is a child

1 specific request and time limited to 7-31 of 2021, and
2 the Licensing supports this request.

3 MR. CHAIRMAN: Do the two-year-olds each have
4 their own bed?

5 MS. KING: Yes.

6 MR. ARNOLD: And I want to add something. I
7 don't remember, that they were -- they had finalized
8 the adoption, and so one of these two-year-old has now
9 been adopted. The other two-year-old is still in
10 foster care.

11 MR. ALTOM: I make a motion to approve the
12 request.

13 MR. FLYNN: Second.

14 MR. CHAIRMAN: Motion and a second. Any
15 discussion?

16 BOARD MEMBERS: No response.

17 MR. CHAIRMAN: If none, all in favor say, aye.

18 BOARD MEMBERS: Aye.

19 MR. CHAIRMAN: Opposed the same.

20 BOARD MEMBERS: No response.

21 MR. CHAIRMAN: DCFS abstains. Motion Carries.

22 MR. ARNOLD: This is Ms. Kim King from DCFS. I
23 have Item No. 16 on the agenda as well. This is a
24 special consideration for Standard 209.10, "Foster
25 children except infants under two year shall not share

1 a sleeping room with the adult. This would increase
2 to age four for a grandparent to the child or a teen
3 parent in foster care with her child." DCFS is
4 requesting this special consideration to allow a
5 foster child to continue to share a room with the
6 bio's son who has turned 18 but is still in high
7 school. This would prevent the foster child to have
8 to be moved from the home, and he had been there since
9 June of 2018. This is a child specific request and is
10 time limited to 7/31 of 2021. The Licensing Unit
11 supports this request. And again, Kim King with DCFS
12 is here.

13 MR. WHATLEY: I make a motion to approve the
14 request.

15 MR. FLYNN: Second.

16 MR. CHAIRMAN: Motion and a second. I have a
17 question. I'm not sure I understand. Okay, so the
18 son had turned 18.

19 MS. KING: Uh-huh.

20 MR. CHAIRMAN: And a foster child is going to
21 share the bedroom with the 18-year-old?

22 MS. KING: So he's been -- the foster child has
23 been placed in the bedroom with this now 18-year-old
24 since June of 2018. The bio child turned 18 in
25 December and did graduate in May. The bio child will

1 remain there and go to college, and this particular
2 two-year-old, he's been TPR'd and so we have
3 disclosure happening on Friday. He should be moved
4 into his adoptive home within the next month.

5 MR. CHAIRMAN: How old is the foster child?

6 MS. KING: Two.

7 MR. CHAIRMAN: Two. There's been a motion and a
8 second. Any further discussion?

9 BOARD MEMBERS: No response.

10 MR. CHAIRMAN: If none, all in favor say, aye.

11 BOARD MEMBERS: Aye.

12 MR. CHAIRMAN: Opposed the same.

13 BOARD MEMBERS: No response.

14 MR. CHAIRMAN: Motion Carries. DCFS abstains.

15 MS. KING: Thank you.

16 MS. ROUSE: Good afternoon, Shannon Rouse,
17 Placement and Residential Licensing Unit. I have Item
18 No. 17 for DCFS. DCFS is requesting a special
19 consideration for Regulation 209.2 which states, "Each
20 bedroom shall have at least 50 square feet of space
21 per occupant." Three children will share a bedroom
22 measuring 134 square feet. A temporary approval was
23 granted 5/23/19. This request is child specific.
24 Based on supporting documentation, PRLU supports this
25 request. I have Dana Yarbrough here with DCFS if you

1 have any further questions.

2 MR. ALTOM: What are the ages?

3 MS. ROUSE: Six, ten, and seven.

4 MR. CHAIRMAN: So the two boys, 6 and 10, and the
5 girl is 7, right?

6 (No audible response)

7 MR. CHAIRMAN: Okay. And I'm reading this. It
8 says, "Someone is monitoring the children during sleep
9 hours throughout the night." How is that occurring?

10 MS. YARBROUGH: The grandfather is getting up.
11 He's getting up, walking throughout the night, making
12 sure that the kids are asleep. He gets up constantly.
13 But the good thing is, they're getting ready to go on
14 a 60-day trial visit, so they're getting ready to
15 transition back home.

16 MR. CHAIRMAN: How long have they been there?

17 MS. YARBROUGH: Since May. The boys were there
18 in March, but the girl didn't come until later on,
19 until the 24th of May.

20 MR. CHAIRMAN: So is this a request regarding the
21 square footage of the room or is it a request for
22 opposite gender sharing a room?

23 MS. ROUSE: We have both.

24 MR. CHAIRMAN: Okay.

25 MS. ROUSE: It's different ones.

1 MS. DOHERTY: It's 17 and 18.

2 MR. CHAIRMAN: Oh, 17 is that one?

3 MS. DOHERTY: And 18.

4 MR. CHAIRMAN: Okay.

5 MR. WHATLEY: So 17 we're voting is for footage,
6 correct?

7 MS. ROUSE: Yes.

8 MR. CHAIRMAN: And then 18 would be opposite
9 gender.

10 MR. FLYNN: I'll make a motion to approve the
11 square footage. We need to do that first.

12 MR. CHAIRMAN: Yeah.

13 MR. WHATLEY: I'll second that.

14 MR. CHAIRMAN: Motion and a second. Any
15 discussion?

16 BOARD MEMBERS: No response.

17 MR. CHAIRMAN: If none, all in favor say, aye.

18 BOARD MEMBERS: Aye.

19 MR. CHAIRMAN: Opposed the same.

20 BOARD MEMBERS: No response.

21 MR. CHAIRMAN: Motion Carries. DCFS abstains.

22 Then moving on down to 18.

23 MS. ROUSE: Shannon Rouse, Placement and
24 Residential Licensing Unit. Item No. 18 for DCFS.
25 DCFS is requesting a special consideration Regulation

1 209.7 which states, "Children of the opposite sex
2 shall not share the same bedroom if either child is
3 four years old or older except for a parent in foster
4 care with her child." This is a provisional placement
5 for opposite sex sibling group of three. There will
6 be two males, ages 6 and 10, and one female, age 7
7 sharing the same bedroom. A temporary approval was
8 granted 5/23/19. This request is child specific and
9 time limited until 7/31 of 2021. Based on supporting
10 documentation, PRLU supports this request, and Dana
11 Yarbrough with DCFS is here if you have any further
12 questions.

13 MR. CHAIRMAN: All three of these kids are
14 grandchildren, right?

15 MS. YARBROUGH: Yes, sir.

16 MR. ALTOM: I make a motion to approve the
17 request.

18 MR. CHAIRMAN: I'll second that. Motion and a
19 second. Any further discussion?

20 BOARD MEMBERS: No response.

21 MR. CHAIRMAN: If none, all in favor say, aye.

22 BOARD MEMBERS: Aye.

23 MR. CHAIRMAN: Opposed the same.

24 BOARD MEMBERS: No response.

25 MR. CHAIRMAN: Motion Carries. DCFS abstains.

1 MS. ROUSE: Thank you. Shannon Rouse, Placement
2 and Residential Licensing. Item No. 19 for Immerse
3 Arkansas. Immerse Arkansas received a provisional
4 foster care placement license September 25, 2018.
5 Immerse appears to be able to operate in full
6 compliance with minimum licensing standards. The
7 agency has current policies and procedures and
8 qualified staff in place that meets the requirements
9 for this license. PRLU recommends that the agency's
10 provisional foster care placement license be converted
11 into a regular foster care placement license, and I
12 have Leah Williams here with Immerse if you have any
13 further questions.

14 MR. ALTOM: I make a motion to approve the
15 request.

16 MR. WHATLEY: Second.

17 MR. CHAIRMAN: Motion and a second. Any
18 discussion?

19 BOARD MEMBERS: No response.

20 MR. CHAIRMAN: If none, all in favor say, aye.

21 BOARD MEMBERS: Aye.

22 MR. CHAIRMAN: Opposed the same.

23 BOARD MEMBERS: No response.

24 MR. CHAIRMAN: Motion Carries.

25 MS. ROUSE: Thank you.

1 MS. STEPPS: Good afternoon, Fatima Stepps with
2 the Placement and Residential Licensing Unit. I have
3 Item 20 on your agenda for Compact Family Services.
4 This request is for an administrative change to
5 correct the agency's license where a previous error
6 was made. Compact Family Services previously
7 requested to lower the capacity of their transitional
8 living license from six to ten children, and they were
9 mistakenly given independent living licensing for
10 ten children instead. The agency does not have an
11 independent living license, and it's requesting that
12 their transitional living license be reinstated for
13 ten children to correct this error, and the Licensing
14 Unit supports the request.

15 MR. FLYNN: I move we approve this request.

16 MR. ALTOM: Second.

17 MR. CHAIRMAN: Motion and a second. Any
18 discussion?

19 BOARD MEMBERS: No response.

20 MR. CHAIRMAN: If none, all in favor say, aye.

21 BOARD MEMBERS: Aye.

22 MR. CHAIRMAN: Opposed the same.

23 BOARD MEMBERS: No response.

24 MR. CHAIRMAN: Motion Carries.

25 MS. STEPPS: Thank you.

1 MS. GALUSHA: Good afternoon, Charlotte Galusha
2 with Placement and Residential Licensing Unit, and I'm
3 the licensing specialist assigned to Meritan. Meritan
4 is here to request a special consideration for
5 Regulation 311.6, "The number of children placed into
6 one therapeutic home shall not exceed two." And
7 Meritan is requesting to place a 13-year-old male
8 child into the home of Mr. and Mrs. H. This
9 particular child has been in a residential facility
10 for about four years. It is reported that the child
11 would really like to be in a family setting. There
12 are currently two other TFC children placed in the
13 home. There's an 18-year-old and a 16-year-old male.
14 The 18-year-old female will be attending college in
15 the fall, and this is going to be a little bit of a
16 change from what we originally have here. The
17 original plan was that she was going to move on campus
18 when she started college. I just was informed just a
19 few minutes ago that she is considering staying in the
20 home for her first year, for her freshman year in
21 college. She thinks that she may rather stay in the
22 foster home. Mr. Darrell Johnson is here from Meritan
23 if you have further questions. Of course, if this
24 child continues to stay in the home our end date of
25 9/1/19 will no longer be valid. A temporary approval

1 was granted on 6/8/19, and the Licensing Unit -- it is
2 specific to the children listed. The Licensing Unit
3 approves this request. And it has been reported that
4 since the children have been there, since the
5 temporary approval was granted that everything has
6 been going well, and there has been no incident
7 reports regarding the 13-year-old.

8 MR. ALTOM: All these kids are therapeutic foster
9 care?

10 MR. JOHNSON: Yes. The two older ones are
11 siblings.

12 MR. ALTOM: Okay. I'll make a motion to approve
13 the request.

14 MR. FLYNN: Second.

15 MR. CHAIRMAN: Motion and a second. Any
16 discussion?

17 MR. WHATLEY: One question. Just making sure the
18 Licensing Unit is approving making a motion to approve
19 the request, but it was also -- when you first
20 approved the request, it was when you thought that the
21 18-year-old was going to be going into college.

22 MS. GALUSHA: Yes.

23 MR. WHATLEY: But you're still --

24 MS. GALUSHA: Yes, we are.

25 MR. WHATLEY: Still in agreement, okay.

1 MS. GALUSHA: With my supervisor's approval
2 because we literally just found this out.

3 MS. PRESTON: Yes, given the length of time in
4 the home and the circumstances, we do approve.

5 MS. DOHERTY: Does the 18-year-old have her own
6 room?

7 MR. JOHNSON: Yes.

8 MR. CHAIRMAN: Does each child have their own
9 room?

10 MR. JOHNSON: No, the 13-year-old and the 16-
11 year-old share a room, the two boys. No sexualized
12 issues with any of the children.

13 MR. CHAIRMAN: any further discussion?

14 BOARD MEMBERS: No response.

15 MR. CHAIRMAN: There's been a motion and a
16 second. All in favor say, aye.

17 BOARD MEMBERS: Aye.

18 MR. CHAIRMAN: Opposed the same.

19 BOARD MEMBERS: No response.

20 MR. CHAIRMAN: Motion Carries.

21 MR. JOHNSON: Thank you.

22 MS. GALUSHA: Again, Charlotte Galusha with
23 Placement and Residential Licensing. Kindred Sprits
24 Adoption Services have requested a change of address
25 to their license. They have recently moved to 900

1 South Shackleford, Suite 300 here in Little Rock, and
2 the Licensing Unit supports this request.

3 MR. WHATLEY: I make a motion to approve the
4 request.

5 MS. DOHERTY: Second.

6 MR. CHAIRMAN: Motion and a second. Any
7 discussion?

8 BOARD MEMBERS: No response.

9 MR. CHAIRMAN: If none, all in favor say, aye.

10 BOARD MEMBERS: Aye.

11 MR. CHAIRMAN: Opposed the same.

12 BOARD MEMBERS: No response.

13 MR. CHAIRMAN: Motion Carries.

14 MS. GALUSHA: Thank you.

15 MR. ARNOLD: Edward S, permission to work with
16 children.

17 MS. PRESTON: It's no longer needed, Charles.

18 MR. ARNOLD: Okay. I'm sorry. Regina M. These
19 next items, the Board members will just be getting the
20 packages, so as they read, we ask for some patience as
21 they read through the information given.

22 MR. CHAIRMAN: This was in 1992?

23 MS. REGINA: Yes.

24 MR. CHAIRMAN: And nothing since then?

25 MS. REGINA: No.

1 MS. GRIFFIN: I'm Gayla Griffin. I'm the foster
2 home resource for Area 4 representing Union County,
3 and this is Ms. Regina requesting permission to work
4 with children for her three grandchildren.

5 MR. ALTOM: I make a motion to approve the
6 request.

7 MR. WHATLEY: And I'll second.

8 MR. CHAIRMAN: Motion and a second. Any
9 discussion?

10 BOARD MEMBERS: No response.

11 MR. CHAIRMAN: If none, all in favor say, aye.

12 BOARD MEMBERS: Aye.

13 MR. CHAIRMAN: Opposed the same.

14 BOARD MEMBERS: No response.

15 MR. CHAIRMAN: DCFS abstains.

16 MS. GRIFFIN: Thank y'all.

17 MS. HOLLOWAY: I'm Tracy Holloway. I'm the Area
18 8 resource supervisor. I'm here with Mark requesting
19 permission to work with his two grandchildren who are
20 currently in foster care.

21 MS. DOHERTY: I wanted to thank Mr. Bell for
22 coming on short notice. In less than a week, he was
23 able to get off work and be here.

24 MR. CHAIRMAN: While we're looking at this, why
25 don't you just share with us what happened. I know

1 you've written it down, but I'd just like to hear it
2 from you.

3 MR. BELL: Just all I can really say is that you
4 know, in the past, you know, I did some things that I
5 should not have done, but I have been completely drug
6 free for over 10 years now, and the job I have, I've
7 had for over 8 years. And I do random drug tests and
8 hair follicle to hire in, and I'm just a different
9 person, you know. And I really need those grandkids
10 as bad as they need us.

11 MR. WHATLEY: Random drug test required by your
12 employer?

13 MR. BELL: Yes, for everyone that works there.

14 MR. ALTOM: I make a motion to approve the
15 request.

16 MR. WHATLEY: Second.

17 MR. CHAIRMAN: Motion and a second. Any
18 discussion?

19 BOARD MEMBERS: No response.

20 MR. CHAIRMAN: If none, all in favor say, aye.

21 BOARD MEMBERS: Aye.

22 MR. CHAIRMAN: Opposed the same. DCFS abstains

23 BOARD MEMBERS: No response.

24 MR. CHAIRMAN: Motion Carries. Thank you, sir.

25 MS. HOLLOWAY: Thank you.

1 MS. PRESTON: Our agenda has changed so many
2 times, you all may not have the list of temporaries.
3 I have one if you would like to see it. They have all
4 either been resolved today or will be on the next
5 Board meeting in September.

6 MR. CHAIRMAN: You say we resolved these today?

7 MS. PRESTON: Yes. There are some that will be
8 heard in September due to our deadline for submissions
9 on the agenda.

10 MR. CHAIRMAN: Okay. Other business.

11 MS. PRESTON: We sent you all some proposed
12 residential standards for field trips, excursions,
13 outings, also for transportation, and some revisions
14 to the transitional living standards which would not
15 require agencies to have an existing residential
16 license. We don't expect a vote on this today. It
17 was our intent for you all to have them so that we can
18 open up the discussion to see if needed some work
19 groups or whatever and then to hopefully have a vote
20 in September.

21 MR. CHAIRMAN: Are the changes to the
22 transitional living, these just sort of to clean up
23 the language?

24 MS. PRESTON: It doesn't clean the language up.
25 It would allow an agency that doesn't have an existing

1 license to have this type of program. As it's
2 currently written, if you don't have a residential
3 license, you cannot operate one of these programs.
4 You would first have to have a residential license.

5 MR. FLYNN: Most of the people have a license
6 would prefer to have children that they've had in
7 independent living and move them into that program.
8 But that is a part of the Family First Act, I believe,
9 is transitional living.

10 MS. PRESTON: Yes, it is. It's a big piece of
11 it.

12 MS. DOHERTY: Shirley, Becky is here if they have
13 any questions.

14 MS. PRESTON: Oh, okay. I didn't see her come
15 in.

16 MS. DOHERTY: Yeah, I texted her.

17 MS. PRESTON: Come on up, Becky.

18 MR. CHAIRMAN: So would you tell us about the
19 field trips, excursions, outings and why there's a
20 need for this.

21 MS. PRESTON: We had two very recent incidents,
22 one that was fatal, one near fatal. And as we began
23 looking into those incidents, we realized we don't
24 have regs to address certain situations. And I know
25 that a regulation can't be written for every

1 situation, but we felt like something needed to be in
2 place for these two situations. When an agency is
3 transporting a child in a volatile situation, and for
4 the field trips, for the supervision, adequate staff.

5 MR. CHAIRMAN: The fatality, how did that happen?

6 MS. PRESTON: There was a young woman, a private
7 placement, at a facility. She goes home on the
8 weekends to stay with her mom. It's sort of a -- not
9 a JVC type, but one of those instances. So she goes
10 home on the weekends. She was at her mother's home.
11 She went to a party. Of course, the police responded.
12 They called the shelter to come get the young woman.
13 The shelter responded with one staff. The young woman
14 was intoxicated. However, it resulted in she jumped
15 from the moving van and died as a result of those
16 injuries.

17 MR. CHAIRMAN: And there's stuff in here about
18 swimming also.

19 MS. PRESTON: That was a separate incident. It
20 was a child at a facility. Two staff took a group of
21 children swimming. The child -- one child near
22 drowned. She was in ICU for a number of days,
23 recovered thankfully. There were two staff present.
24 This particular child could not swim and was not
25 supervised while she was at the pool. There was no

1 lifeguard on duty. One staff left to go get lunch
2 leaving one staff there with a child that couldn't
3 swim, and she was in another area.

4 MS. DOHERTY: It was a teenager. They were older
5 kids.

6 MR. CHAIRMAN: A teenager.

7 MS. DOHERTY: That could not swim.

8 MS. PRESTON: Yeah, yeah, it was an older girl.

9 MR. CHAIRMAN: And you're wanting us to look at
10 these and think about them and maybe --

11 MS. PRESTON: Yes.

12 MR. CHAIRMAN: -- at the next meeting have some
13 further discussion.

14 MS. PRESTON: Yes.

15 MS. CHAVIS: Why is a child that can't swim taken
16 to a swimming pool?

17 MS. PRESTON: Our thoughts exactly.

18 MS. DOHERTY: Well, in fairness, she told them
19 she was all but an Olympic swimmer. But no one -- I
20 mean, as soon as I saw the video, I knew she couldn't
21 swim, you know, when she was just playing in the
22 water. I mean, we had the videos, and we were
23 watching them. I knew she couldn't swim.

24 MS. CHAVIS: Well, at that point, why didn't they
25 say you obviously can't swim --

1 MS. DOHERTY: Good question.

2 MS. CHAVIS: I mean, hello.

3 MS. DOHERTY: Well, but why would one leave to go
4 get lunch and just leave one person, not even on that
5 side of the building where they were swimming?
6 There's a lot of why.

7 MR. ALTOM: Was this at a pool?

8 MS. DOHERTY: It was at a town place that people
9 -- anybody can go to.

10 MS. CHAVIS: Like a rec center.

11 MS. DOHERTY: Yeah, indoors. It was indoors.

12 MR. ALTOM: They didn't have lifeguards?

13 MS. DOHERTY: Huh-uh, no lifeguards.

14 MS. CHAVIS: And the sign was posted there.

15 MS. DOHERTY: Clearly no lifeguards.

16 MS. CHAVIS: No lifeguards.

17 MS. DOHERTY: There's like one giant pool for
18 younger kids, but it's big. It's huge. It's not like
19 a kiddie pool. And then the next side is a big pool
20 for the older kids. And all -- the staff were all on
21 the other end sitting in chairs anyway, so no one
22 would have seen what was going on.

23 MS. CHAVIS: Can any of those people swim?

24 MS. DOHERTY: Actually, one could not, which is
25 interesting. One of the staff members couldn't. And

1 it was a kid that pulled her up from the bottom,
2 another one of the kids.

3 MR. CHAIRMAN: The non-swimmer being supervised
4 by a non-swimmer.

5 MS. DOHERTY: Yes. And the other one going for
6 lunch.

7 MS. CHAVIS: And no one liked my swimming pool
8 regulations. It took you a minute.

9 MS. DOHERTY: It did, but I did once I thought
10 about it.

11 MR. ALTOM: The one thing that kind of -- I'm
12 worried about is from reading over these is, you know,
13 the instance where you're -- I think it says in here,
14 "The agency shall ascertain the nature of any need or
15 problem of a child which might cause difficulties
16 during transportation." The kids that we serve,
17 especially for DCFS, I mean, that's -- it could be
18 okay one minute, and the next minute it's not okay.
19 And so how do you know, you know, that's -- and my
20 concern is if this gets too limiting, you can't afford
21 to have that type of monitoring for what, you know,
22 contracts pay and stuff. And so that's one of the
23 issues that I see is if it gets so restrictive, it's
24 going to be very hard for, you know, you want kids to
25 have a somewhat normal life to, you know, to be more

1 transitioned into society and stuff. If it gets so
2 restricted to where kids can't -- you can't take them
3 anywhere because you're afraid they're going to jump
4 out of the van, you know, -- I just don't understand
5 the -- I get the fact that that can happen, and it has
6 happened. It's happened to us as a provider. But,
7 you know, it's one of those things where most
8 providers know when a kid is that way and they do
9 that, but I don't know that we would, you know, -- the
10 next thing would be is Licensing going to look where
11 you documented that you considered that? I mean,
12 that's -- I'm kind of wondering if this is a knee jerk
13 reaction to a couple of incidents as compared to, you
14 know, backing up and saying, you know, -- I get the
15 fact that you need policies and procedures. I don't
16 have a problem with that but, you know, the adding
17 additional staff to transport and stuff when, you
18 know, -- I just don't know.

19 MR. WHATLEY: I agree with Andy. I think we
20 need to look very carefully at it. I would point out,
21 also, a question I had like on No. 4, "The agency
22 shall provide the parent/guardian a description of the
23 activities the child will be engaging or participating
24 in", and then No. 5, "The parent/guardian shall sign
25 a consent form to describe the activity the child will

1 be engaging or participating in."

2 MS. CHAVIS: What if they're in DHS custody?

3 MR. WHATLEY: I mean, I can't imagine from our
4 agency getting a parent permission for all of the
5 activity. I mean, it would absolutely impossible.
6 You couldn't do it. For one reason, we may not know
7 where these parent are. It may be impossible to get
8 in touch with them. My concern is like Andy's.
9 Obviously, there needs to policies. There's got to be
10 something that's written and just needs to be
11 addressed, but I think we need to be very, very
12 careful about how restrictive we can make this where
13 there's such an overkill with this, that we're doing
14 so much paperwork that we can't do what we really need
15 to paying attention to doing as far as caring for the
16 kids in our care.

17 MS. DUNAGAN: And I agree, and Shirley can chime
18 in and speak here. But I know one of the ones I felt
19 the strongest about was the swimming. And to your
20 point, whoever, I think we've got someone that can't
21 swim taking someone that can't swim and then by the
22 way, they weren't even supervising them. So --
23 without a lifeguard. So I do believe that there needs
24 to be normal child activity, but any of us, I think
25 whether it be our own children, our own grandchildren

1 or someone that they're in our supervision, would have
2 handled that differently. And, you know, we've just
3 had some swimming issues over the years. And so
4 actually, I'm the one that initiated the swimming
5 meetings with Shirley, and several of us met. And
6 we'd already dealt with swimming with the foster home
7 licensing so, you know, I do believe -- and the agency
8 put a good interim corrective action plan in place.
9 And I mean, you even go to summer camp. I mean, my
10 kids went to summer camp and they had to prove they
11 could swim or they had to wear a life vest at summer
12 camp.

13 MR. CHAIRMAN: So that was one of my questions.
14 How is the agency going to test each child's swimming
15 ability, throw them in the water? I mean, I don't
16 know.

17 MR. DOHERTY: Well, actually, I took swimming
18 lessons all my life and then taught it. One of the
19 first things you had to do is show you could swim
20 across the pool and back in like the shallow end where
21 you could stand up. You had to demonstrate some kind
22 of a skill before you could go to certain parts of the
23 pool. So it's pretty simple to prove you can at least
24 to swim to stay above the water. This kid couldn't.

25 MS. DUNAGAN: And my son and daughter-in-law and

1 grandson just recently moved to Colorado. And we went
2 out there, my grandson, and if -- and they -- even a
3 rec center, just exactly where this happened, although
4 they have lifeguards at this Colorado rec center, if -
5 - they had to pass a swimming test, which was just
6 what Sandy said, swim across -- which he can swim like
7 a fish, but -- and if they can't, the parent has to be
8 in the pool with them. So, I mean, I do think that
9 this happened at other places. And, again, both of my
10 kids had to prove they could swim at church camp or
11 you wore a life vest. It wasn't that they said, "Oh,
12 you can't swim." You had to wear a live vest before
13 you got in the pool.

14 MR. CHAIRMAN: So under transportation, No. 4,
15 "Transports of children that may be potentially
16 suicidal, aggressive, a flight risk, or a danger," I
17 just don't like the word "may" because any kid may be
18 suicidal, aggressive, a flight risk or a danger to
19 himself or others. You know, I would like to see that
20 -- I mean, that's just any kid right there, you know.
21 Kids in foster care or in a residential treatment
22 program, then every one of those kids may be like
23 this, so I just don't like "may".

24 MS. PRESTON: Duly noted.

25 MS. CHAVIS: How about something like you can't

1 take a kid to a swimming pool where there aren't any
2 lifeguards.

3 MS. DOHERTY: And I hate to do that or are we
4 going to rule out lakes and rivers and everything
5 else?

6 MS. CHAVIS: Yeah.

7 MS. DOHERTY: Well, then you've got your normal
8 activities in Arkansas gone.

9 MS. CHAVIS: How many kids get taken to rivers
10 to swim?

11 MS. DOHERTY: Lots and lakes in Arkansas, lots.

12 MR. CHAIRMAN: Foster kids. Like the families

13 MS. DOHERTY: That's what we do in Arkansas.

14 MS. CHAVIS: Look, I was born and raised in
15 Arkansas and my family went swimming every summer.
16 What I'm saying, my parents were there watching me
17 swim. They weren't sitting over --

18 MS. DOHERTY: We would expect staff to be there
19 watching them swim, too.

20 MS. CHAVIS: Well, sure. But I'm just saying,
21 even if a child -- even if these children had been
22 taken to a rec center pool and no one was watching
23 them, and everybody went to pick up lunch while those
24 kids were swimming, if there had been a lifeguard --

25 MS. DOHERTY: I mean, I hear what you're saying,

1 but the lakes and rivers and stuff don't have
2 lifeguards.

3 MS. DUNAGAN: And some rec centers don't have
4 them.

5 MS. DOHERTY: And we're limited in smaller towns.

6 MS. DUNAGAN: I mean, I think we're wanting some
7 protection, but we're not wanting to make it so
8 restrictive that the children can't have normal
9 activities.

10 MR. ALTOM: Yeah, I like the policies and
11 procedures. I think this needs to be something that
12 organizations think about and they address it, what
13 sets the expectations for their, you know, for their
14 caregivers when they engage in activities like this.
15 I like that. And I can tell you from running an
16 organization, there's not anything I would want out
17 there that would put us with exposure, but I don't
18 think we should be so prescriptive to say, oh, and if
19 you take them on an outing -- well, number one, we
20 don't have a definition of an outing. It could be to
21 a church. It could be to a ball game, and you've got
22 to add another staff person. I can't afford to do
23 that. And so that's my concern, is that if we get to
24 limiting and it's got to be this way, when I think,
25 you know, common sense is are you addressing the

1 safety of the kids when they're swimming? Are you
2 addressing the monitoring on outings? You know, do
3 you have a requirement that they maintain ratio?
4 Things like that I'm cool with, but I don't like it
5 whenever you start telling an organization how they
6 have to do it. I think that's limiting a little bit.
7 I think you ought to tell the organization you have to
8 address it.

9 MS. PRESTON: And I think from our view, if we
10 just say you have to have a policy that is very
11 subjective to whoever is reviewing that particular
12 incident. I mean, it'll be like Sandy and Julie. One
13 thinks one thing; one thinks the other, and basically
14 say what has to be in that policy, you know, and
15 then --

16 MR. ALTOM: But I think if you would define it in
17 general terms like you need to, you know, the child's
18 ability -- you assess the child's ability. You
19 assess, you know, what safety procedures or
20 opportunities are on site and what do you need to do
21 in the event that it's not there. You know, those
22 type things where you have the requirement that that's
23 being addressed and looked at and they're planned for,
24 that makes more sense because the, you know, it may be
25 that we say we're going to add a person when you do

1 these type activities, but it may not be something
2 that we necessarily say every time we're going to do
3 something. And we're -- I was talking to you before
4 the meeting. You know, we take all of our kids to
5 church camp. We add extra staff for that church camp
6 activity because they're there 24/7 and staff need a
7 relief, and we know we don't need to be out of ratio.
8 So, you know, in opportunities like that, we'd have a
9 policy that addresses that. I just think that that's
10 just -- that's my opinion.

11 MS. DUNAGAN: Was there any questions about the
12 Supervised Youth Transition Program?

13 MR. ALTOM: I think it makes sense.

14 MS. PRESTON: Sandy did ask for some
15 clarification, so I'll let you put it out there and
16 see if --

17 MR. DOHERTY: Will there was one piece that I
18 was talking to Becky about before we came down here,
19 and I was asking when a child that's over 18, you
20 know, 18 or older -- let me see where it is. Just a
21 second. It says -- here it is. It's under 802
22 Eligibility Requirements 1B. "The youth is at least
23 18 years of age and is being transferred from a
24 licensed or exempt program into the transitional
25 living program," and my question was does that include

1 an apartment, because that's not a transitional
2 program and that's not a licensed program, but we can
3 foresee that being a child we would put in this
4 program. And so -- then Shirley explained, well, it's
5 any foster kid. So then I said, "Then why do you need
6 any words then if it's just -- it can be any foster
7 kid 18 and 21 can go into this program. Because she
8 felt like DCFS is a program.

9 MS. PRESTON: Yes, DCFS is a licensed program.

10 MR. DOHERTY: And I said, "Well, then why do you
11 have to say they have to come from one of these two,"
12 because right off I thought apartment is a program.
13 So that was just something that was not clear to me
14 when I read it. And certainly a youth coming from an
15 apartment could very well be an 18 ½, 19 year-old that
16 we've had in an apartment, not in like where they have
17 to have a person living with them, just in a regular
18 apartment but it's not working. They need more
19 structure, and we would want to move them into this
20 program.

21 MS. DUNAGAN: And I know Charles mentioned this,
22 but it's been part of our family first preservation
23 services Act, which we also think that's right for
24 children and our youth. We need more structure and
25 more independent living programs for our 18 and up

1 there, but if we do want to draw down any of the 4E
2 funding on those programs, it has to have -- it has to
3 be licensed. So we appreciate Shirley and team
4 working with us on this.

5 MR. CHAIRMAN: And would this exempt someone from
6 a private placement in a similar setting for an 18-
7 year-old? Is that part of the intent in saying
8 they're coming from a program instead of us just
9 admitting a 19-year-old that lives in town that's not
10 in --

11 MS. PRESTON: That's where the attorneys would
12 need to weigh in because you can't admit a 19-year-
13 old. You can only admit an 18-year-old.

14 MR. FLYNN: Yeah.

15 MS. PRESTON: I mean, under 18 unless it is a
16 DCFS child who still meets the definition of child
17 according to our regs. So a private placement could
18 not enter these unless they did transition directly
19 from that program. If they were at the Ranch for you,
20 then they could go on over into one of your other
21 programs.

22 MR. DOHERTY: Before they turn 18.

23 MS. PRESTON: Yes.

24 MS. DUNAGAN: That wouldn't affect us. I mean,
25 because we're obviously not trying to -- that'd be

1 with the program. We're just worried about out
2 children that, you know, getting them some more
3 structured independent living programs plus being able
4 to pull down federal dollars to support that, to
5 support the effort.

6 MR. FLYNN: Last September we all met with you
7 and Meg and everybody that have these programs, and
8 everyone had that same concern, so it kind of just
9 really left you without many people to meet this need.
10 So --

11 MS. PRESTON: Yeah, you couldn't admit a child or
12 a youth off of the street, you know, but you could
13 move them from one of your programs over to another or
14 from your program over to David's if he had a
15 transitional living program. But the way it is now,
16 they can only stay within that program that they
17 entered before they were 18 years old. So if they
18 enter your program prior to age 18, they've got to
19 stay in your program. They can't go over to anybody
20 else's.

21 MS. DUNAGAN: And if there aren't any more
22 questions for me, I've got to run back upstairs to
23 another meeting.

24 MR. WHATLEY: I want to go back to the field
25 trips and the outings again, on back on No. 4 and No.

1 5. It's very concerning to me that we would have to
2 have a consent form and give a description of the
3 activity and have the parent or the guardian sign that
4 form.

5 MS. PRESTON: And when we wrote these, David, I
6 mean, we adopted as we always do, we looked at what
7 other states are doing, what other programs are doing
8 and, you know, and what we, at times, you know, do in
9 our licensed programs. And we did start out very
10 strong with them. I mean, you know, so there could be
11 discussion. And, you know, we certainly welcome you
12 all, you know, making comments on any of them before
13 we --

14 MR. WHATLEY: Well, let me just say something.
15 You can imagine 40 kids in my care and then I'm going
16 out and getting a description of an activity that we
17 do at least four or five times a month and getting
18 consent forms signed by the person that was making
19 placement of that child is just not reasonable. I
20 mean, there's no --

21 MS. PRESTON: Well, I think you could have a very
22 broad consent form, you know, for --

23 MR. FLYNN: We probably do that on application,
24 giving us permission --

25 MR. WHATLEY: We do on application forms.

1 MS. PRESTON: Yeah.

2 MR. WHATLEY: But this looks to me like it's like
3 for every activity.

4 MR. FLYNN: Well, let's just say somebody offers
5 to do something we've never done before. We have to
6 get permission then, if it's not our normal historical
7 activity or --

8 MS. PRESTON: Yeah.

9 MS. DOHERTY: Hang gliding, zip lining.

10 MS. PRESTON: I mean, you know, if I'm a parent
11 and I place my child there, I expect they're going to
12 church camp and, you know, and they're going to
13 activities in the community. But I don't expect
14 you're going to take them out there parasailing or,
15 you know, those things out of the ordinary.

16 MR. ALTOM: Yeah, I know Arkansas is, you know,
17 there's still places in Arkansas where you can't get a
18 cell signal. And No. 9 is one of those where I don't
19 know how we're going achieve that if we're going to go
20 to Blanchard Springs caverns because that is an area
21 that you don't have cell phone use, at least we didn't
22 two weekends ago.

23 MR. FLYNN: Go to Ponca to see the (Inaudible).

24 MR. ALTOM: Yeah, go up to Ponca.

25 MR. FLYNN: Yeah, you don't have cell phone

1 coverage in Ponca.

2 MR. ALTOM: You don't have cell phone coverage.

3 MR. FLYNN: No. 9, is says, "Instant". Yeah,
4 Sandy, we've had -- years ago we'd had a problem
5 living in Colorado with a --

6 MS. DOHERTY: Oh, yeah, we couldn't backpack in
7 the Rockies for a month every year.

8 MR. FLYNN: Satellite -- everybody needs
9 satellite phones now.

10 MS. PRESTON: Well, I think the intent there
11 was --

12 MR. FLYNN: Yeah, intent.

13 MS. PRESTON: -- I mean, that it be available. I
14 mean, you know, --

15 MR. ALTOM: Within reason.

16 MS. PRESTON: -- we didn't take into
17 consideration about the signal. I mean, we don't
18 expect that --

19 MR. FLYNN: Something besides instant. Maybe
20 different wording than instant, yeah..

21 MS. PRESTON: Yeah.

22 MR. ALTOM: I mean, I don't have a problem with
23 requiring a cell phone. I just think that you've got
24 to be realistic that, you know, --

25 MS. PRESTON: It may not work.

1 MR. ALTOM: -- you may have to drive a ways to
2 get a signal.

3 MR. FLYNN: Or you may have to walk a little ways
4 if you're backpacking.

5 MS. DOHERTY: I think the whole thing we were so
6 surprised that this facility had nothing in place. It
7 was like we just take them to the swimming pool and
8 then we kind of hang out. We were just shocked there
9 was nothing to say you got to have swimmers with you.
10 You've got to know -- I mean, there was nothing. And
11 so it was just a shock that the facility itself didn't
12 have some kind of already guideline when we take a kid
13 swimming here. You know, you've got to have swimmers
14 with you and X number of adults and know the kids --
15 you know, something. They had nothing.

16 MS. PRESTON: And as Andy said, you know, you
17 have policies and procedures to address all of those
18 things. Charles does. Andy does.

19 MS. DOHERTY: But not everybody does.

20 MS. PRESTON: But not everybody does.

21 MR. FLYNN: Well, you can require that they have
22 policies and procedures. These are some suggestions,
23 and then as Licensing, you can review those and see if
24 they're thorough enough.

25 MS. PRESTON: Yes.

1 MS. PRESTON: So my suggestion is that we just
2 all take these back with us. Everybody make their
3 comments, suggestions. You know, if we need to have a
4 committee, you know, to discuss them further prior to
5 the next Board meeting to kind of consolidate them
6 some.

7 MS. DUNAGAN: Would there be any way to take the
8 youth transition one out of that because I don't think
9 this is controversial, is it? And we need to go out
10 with a contract pretty soon.

11 MS. PRESTON: Yes, the transitional living, we
12 were hoping for a vote on it today.

13 MS. DUNAGAN: Or even the next meeting. I mean,
14 September meeting is fine.

15 MR. CHAIRMAN: Since this is the first time I've
16 seen that, I'd rather we do that the next meeting.

17 MS. DUNAGAN: September, yeah. September, but
18 when we start about a committee, I'm thinking
19 February, March.

20 MS. PRESTON: Oh, no, no, no.

21 MS. DUNAGAN: September, that would be great if
22 we could do that in September.

23 MR. CHAIRMAN: Okay. Let's plan on that.

24 MR. ALTOM: I know you have to get back, but I do
25 have one other question.

1 MS. DUNAGAN: Okay.

2 MR. ALTOM: About Families First.

3 MS. DUNAGAN: Okay.

4 MR. ALTOM: What's the State's position on IMD's
5 versus the qualified residential treatment programs?
6 The CMS's opinion that just came out that they're
7 counting beds regardless if they're cottage settings
8 or if they're all under one roof for providers.

9 MS. DUNAGAN: And we just got that information as
10 well, and we were asking for some opinions on that.
11 So --

12 MR. ALTOM: I can send you an email if you'd be
13 interested.

14 MS. DUNAGAN: That would be great.

15 MR. ALTOM: It has some -- it's from an
16 association we're trying to get Congress to address
17 the two issues, but it is an issue because the way
18 that's coming down, it's going to affect -- you know,
19 initially I thought, well, we don't have a 16-bed
20 facility that's doing that, but they're counting
21 provider and then the number of beds, and that would
22 hurt. That'd hurt providers.

23 MS. DUNAGAN: Yeah, we're aware and --

24 MR. ALTOM: I'll forward you the email.

25 MS. DUNAGAN: Okay. Please do. And we'll get

1 back to you on that because that came up, and I didn't
2 know if any of our providers had gotten any
3 information on that or not, but it came up to us just
4 -- it just ended up coming up about a week ago.
5 Mischa's out this week, but we had some internal
6 discussions about it, and I didn't think QRTP, I mean,
7 because we pay your beds on contract.

8 MR. ALTOM: Right.

9 MS. DUNAGAN: And just because the child might
10 have therapy, just like any other child might have
11 therapy that's billed to Medicaid, you know, but I'm
12 not the expert. But that's the way I saw it. So, but
13 we are waiting for some guidance on that. So do you
14 see it the same way I see it?

15 MR. ALTOM: I see it the same way you see it.

16 MS. DUNAGAN: Okay.

17 MR. ALTOM: But CMS doesn't, and that's my worry.

18 MS. DUNAGAN: Okay. Becky and Andy doesn't
19 matter, huh? Okay. Yeah, I'll make a note of that,
20 Andy.

21 MR. ALTOM: This has a press kit in it about how
22 to address it with Congressmen and stuff so it might
23 help.

24 MS. DUNAGAN: Okay. Yeah. And we actually had
25 the internal discussion and we used your same program

1 as an example because I was like, well, just because
2 they have X beds, they're all over the state.

3 MR. ALTOM: Right.

4 MS. DUNAGAN: You know, so if you would send me
5 that, that would be great --

6 MR. ALTOM: I will.

7 MS. DUNAGAN: -- and we will get back to you on
8 that.

9 MR. ALTOM: We are sending letters now to
10 Congressmen and stuff --

11 MS. DUNAGAN: Okay. Great.

12 MR. ALTOM: -- but I'll send you what I've got.

13 MS. DUNAGAN: Okay. Great. Thanks, Andy. Any
14 other questions before I head upstairs?

15 MR. CHAIRMAN: No. We're done.

16 MS. DUNAGAN: Okay. Thank you.

17 MR. FLYNN: Thanks, Becky.

18 MS. PRESTON: We do have one other item. A
19 couple months ago, you all approved the Benton County
20 Alternative Placement, and you gave some specific
21 language that you wanted on the license for those
22 special provisions, and you had asked that we present
23 the license to you for approval before we presented to
24 them, so we have the license with that language. I
25 only have one. I'm sorry. It says, "The special

1 provisions of the license, admission is limited to
2 voluntary placement by a parent, guardian, legal
3 custodian, or person acting in loco parentis. Parent
4 and child must be included in the development of the
5 case plan." And that's what the Board had agreed upon
6 as the special provisions of the license. We've never
7 put special provisions on a license. They have been
8 provided a license number and all the information.
9 They just haven't received the certificate.

10 MR. CHAIRMAN: I'm good with it.

11 MR. FLYNN: Yeah.

12 MS. DOHERTY: As I recall, they were, too. They
13 were --

14 MS. PRESTON: Yes.

15 MS. DOHERTY: -- willing to go with what
16 (Inaudible).

17 MR. CHAIRMAN: So is there any other "other
18 business"?

19 MS. PRESTON: No other business.

20 MR. CHAIRMAN: So our next meeting is September
21 26, 2019.

22 MS. PRESTON: I believe it's a Thursday.

23 MR. CHAIRMAN: And we're adjourned.

24 THEREUPON, the Child Welfare Agency Review Board
25 meeting was concluded at on July 24, 2019.

