

Testimony
House Bill 1095 – Department of Human Services
Senate Human Services Committee
Senator Judy Lee-Chair
March 8, 2011

Chairman Lee, members of the Senate Human Services Committee, I am Dean Sturn, Foster Care Administrator for the Children and Family Services Division of the Department of Human Services. I am here today to provide you an overview and explanation relating to the approval process of foster care facilities as provided in House Bill 1095. The Department supports passage of this bill.

In North Dakota, all facilities providing foster care must either be "licensed" or "approved" by the Department of Human Services in order to qualify for reimbursement for services under the Social Security Act, Title IV-E funding.

However, North Dakota Century Code is not clear on the authority of DHS to grant "approval" status to facilities providing foster care services owned by and located on federally recognized Indian reservations in North Dakota. North Dakota Century Code mentions approval for foster family homes, but it does not currently define "approval" nor is it included in 50-11-03.2. The department has current IV-E agreements with all the tribes and the agreements address provision of foster care services.

If passed, House Bill 1095 would allow a facility providing foster care services owned by and located on a federally recognized Indian reservation in North Dakota to apply for "approval".

House Bill 1095 will help to clarify this issue and impacts the use of public funds for the purchase of foster care services in these settings. Passage of this bill and the accompanying authority will provide additional flexibility for culturally appropriate and proximate foster care placements for Native American youth.

This concludes my testimony. I would be happy to answer any questions.