

1 SENATE JOINT RESOLUTION NO. 8

2 INTRODUCED BY C. CHRISTIAENS, MCCARTHY, WATERMAN

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA REQUESTING A LEGISLATIVE INTERIM STUDY OF THE PRIVATIZATION OF FOSTER CARE
6 AND ADOPTION SERVICES.

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8 WHEREAS, Montana has approximately 2,100 children in out-of-home placement served by a child
9 and protective services agency that is underfunded and understaffed and this has adverse affects on the
10 length of time that children stay in foster care;

11 WHEREAS, states such as Michigan, Texas, Kansas, and North Dakota have various examples of
12 privatization in foster care and adoption services that have resulted in increased permanent placements
13 in shorter periods of time at reduced costs; and

14 WHEREAS, although most of the provider placements in Montana are in the private sector, the
15 administration of foster care and adoption services is under government control; and

16 WHEREAS, research has found that outcome orientation, competition, rewards for good
17 performance, and outside monitoring and independent evaluation are factors that are most closely
18 associated with success in the privatization of foster care and adoption services; and

19 WHEREAS, privatization of additional foster care and adoption services should be studied to
20 determine whether Montana should pilot a privatization program in foster care and adoption services.

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22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
23 STATE OF MONTANA:

24 That the Legislative Council be requested to designate an appropriate interim committee, pursuant
25 to section 5-5-217, MCA, or direct sufficient staff resources to study the privatization of foster care and
26 adoption services.

27 BE IT FURTHER RESOLVED, that the study may consider but not be limited to a review of:

28 (1) what other states have done;

29 (2) which types of foster care and adoption services are already privatized and which may be
30 appropriate to privatize, including adoption, foster care, family preservation services, case management,

1 training, information management, administration, licensing, and regulation;

2 (3) the types of private or public organizations that would be allowed to conduct privatized foster
3 care and adoption services;

4 (4) performance standards, such as permanency placement rates, child safety, client satisfaction,
5 minimal placement and movement for children, and rate of sibling placement together;

6 (5) nonrecidivism by juvenile offenders who are foster children;

7 (6) contract standards and enforcement;

8 (7) payment and reimbursement issues, including incentives and adjustments for performance;

9 (8) impacts on the current state employees involved in foster care and adoption administration and
10 services;

11 (9) the extent to which changes in the state agency, based on findings regarding privatization,
12 may provide the same benefits as privatization; and

13 (10) other issues such as access to state databases and data transfer issues.

14 BE IT FURTHER RESOLVED, that input from representatives of the Montana State Foster/Adoptive
15 Parent Association, the Montana Chapter of the National Association of Social Workers, licensed
16 child-placing agencies, licensed adoption agencies, and mental health centers be sought in conducting the
17 study.

18 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
19 presented to and reviewed by an appropriate interim committee designated by the Legislative Council.

20 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
21 requirements, be concluded prior to September 15, 2002.

22 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
23 comments, or recommendations of the appropriate interim committee, be reported to the 58th Legislature.

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