

INTERIM JOINT COMMITTEE ON FAMILIES AND CHILDREN

Minutes of the 1st Meeting of the 2025 Interim

June 25, 2025

Call to Order and Roll Call

The first meeting of the Interim Joint Committee on Families and Children was held on June 25, 2025, at 1:00 PM in Room 149 of the Capitol Annex. Representative Samara Heavrin, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Danny Carroll, Co-Chair; Representative Samara Heavrin, Co-Chair; Senators Matthew Deneen, Shelley Funke Frommeyer, Keturah Herron, Amanda Mays Bledsoe, Stephen Meredith, Robby Mills, and Gex Williams; and Representatives Emily Callaway, Mike Clines, Stephanie Dietz, Steven Doan, Robert Duvall, Daniel Elliott, Kim Holloway, Kimberly Poore Moser, Steve Riley, Rachel Roarx, Sarah Stalker, and Nick Wilson.

Guests: Brian Roy, Vice President for Development, The Center for Courageous Kids; Emily Cosby, Communications and Marketing Manager, The Center for Courageous Kids; Jessica Wayne, Director, Division of Guardianship, Department for Community Based Services, Cabinet for Health and Family Services; Cliff Bryant, Assistant Director, Division of Protection and Permanency, Department for Community Based Services, Cabinet for Health and Family Services; Benjamin Harrison, Chairman, External Child Fatality and Near Fatality Review Panel; Steve Shannon, Executive Director, Kentucky Association of Regional Programs; Elisha Mahoney, Executive Staff Advisor and Acting Director, External Child Fatality and Near Fatality Review Panel, Justice and Public Safety Cabinet; Wesley Duke, Executive Director, Office of Legal Services, Office of the Secretary, Cabinet for Health and Family Services; Sarah Bryant, Service Region Clinical Associate, Department for Community Based Services, Cabinet for Health and Family Services; and Melanie Taylor, Division Director, Department for Community Based Services, Cabinet for Health and Family Services.

LRC Staff: Ben Payne, Logan Bush, and DJ Burns.

Discussion of The Center for Courageous Kids

Emily Cosby, Communications and Marketing Manager, The Center for Courageous Kids, gave a presentation on the Center for Courageous Kids including background

information, specialized camp programs, and a testimony of a camper and their families experience. Brian Roy, Vice President for Development, The Center for Courageous Kids, discussed pillars of support including financial support, medical volunteers from universities and medical institutions, and future projects for expansion that need funding. He discussed future campus construction projects and requested financial assistance from the General Assembly in the amount of \$3,250,000.

In response to Senator Carroll, Ms. Cosby stated one of the biggest challenges the center faces is bringing awareness of the program to the public. She stated the center is inspected by the local health department to ensure facility standards are met.

In response to Representative Moser, Ms. Cosby stated during the summer season 128 kids can be served per session and during the family retreat season between 30 to 34 families can be served depending on family sizes. If they receive funding for the expansion projects, she stated the center will be able to house more medical staff and can expand the total number of campers/families per session.

Discussion of Adult Protective Services and State Guardianship Programs

Jessica Wayne, Director, Division of Guardianship, Department for Community Based Services (DCBS), Cabinet for Health and Family Services (CHFS), discussed state guardianship including types of guardianship, what state guardianship does, and caseload averages. Cliff Bryant, Assistant Director, Division of Protection and Permanency, DCBS, CHFS, discussed adult protective services (APS) including pathways to services, services offered, and APS initiatives.

In response to Representative Callaway, Mr. Bryant stated a case is substantiated if a preponderance of evidence is found to support a claim with support of the Inspector General's office. He stated APS investigates individual claims but not facilities, which is the responsibility of the Attorney General's or Inspector General's office. Decisional capacity of an individual is assessed with every visit and is the basis to decide if legal action is warranted for guardianship by the state.

In response to Senator Mills, Ms. Wayne stated once an individual is under a guardianship, access to their money to pay providers is a lengthy process which can take six months for Veterans Affairs benefits and even longer for insurance and annuities because those require a separate court order. She stated payments to providers are delayed due to these issues.

In response to Representative Roarx, Mr. Bryant stated American Rescue Plan Act (ARPA) funds are currently being used to fund APS services along with Elder Justice Act Grant

funds, although the ARPA funds end this September. He stated some of the services offered through these funds are pest control for individuals, rideshare or taxis for transportation to medical appointments, and in one case purchasing a used vehicle because taxis were found to be too expensive and not cost effective.

In response to Representative Dietz, Ms. Wayne stated the Division of Guardianship does not have a role in appointing counsel for individuals for the guardianship process, whether it is a guardian ad litem or another person appointed to look out for the individual's best interest. Mr. Bryant stated APS' involvement with guardian ad litem is only if a court appoints one and APS does not have reports on the total number used.

In response to Senator Carroll, Ms. Wayne stated the individual Senator Carroll was speaking of was a court appointed guardian and she could not speak to how the individual was represented. She noted guardians are required to file an annual report with the court outlining the individual's personal well-being and a biannual financial report, which the court reviews. Ultimately the court is responsible for oversight of guardians.

In response to Representative Duvall, Ms. Wayne stated the National Guardianship Association recommends caseloads of 20 per guardian. The Division of Guardianship has progressively reduced caseloads with the goal of 45 cases per guardian. In order to get to 20 cases, she stated their staff would need to be doubled.

In response to Senator Funke Frommeyer, Ms. Wayne stated individuals under state guardianship do not receive kinship care because they are over the age of 18.

In response to Representative Heavrin, Mr. Bryant stated 41 percent of APS cases are self-neglect and their goal is to help prevent this by marketing the services offered by APS before it progresses to the point of guardianship being needed.

Discussion of Annual Report of the External Child Fatality and Near Fatality Review Panel

Benjamin Harrison, Chairman, External Child Fatality and Near Fatality Review Panel, gave a presentation on the 2024 Child Fatality and Near Fatality External Review Panel Report.

In response to Representative Roarx, Steve Shannon, Executive Director, Kentucky Association of Regional Programs, stated the breakdown of educational issues is not named as a cause, but rather another way to identify the population and define who is being affected within schools. In his opinion, most gun related fatalities or near fatalities

are due to a cavalier attitude to securing and storing a firearm. Mr. Harrison stated the panel has not compared data from other states with different gun laws and how that corresponds to child fatalities and near fatalities, but would investigate.

In response to Senator Mays Bledsoe, Mr. Harrison stated suicide and education datapoints are broken down by age and he would provide that information to the committee.

In response to Representative Stalker, Mr. Harrison stated he would need to follow-up with the information.

In response to Representative Moser, Mr. Shannon stated the Kentucky Injury Prevention & Research Center (KIPRC) and the Department for Public Health have data on suicides, but he is unsure of the extent of how much of the data is shared between different organizations. He stated getting information out about services like 988 the suicide and crisis lifeline will help with the trend in child suicide. Mr. Harrison stated many panel cases show inconsistent practices among coroners.

In response to Representative Wilson, Mr. Shannon stated they cannot break down the types of substances ingested from the report by legal prescription, poor storage, or illegal possession.

Consideration of Referred Administrative Regulations

In response to Representative Heavrin related to 922 KAR 001:360, private child care placement, levels of care, and payment, Wesley Duke, Executive Director, Office of Legal Services, Office of the Secretary, CHFS, stated the purpose for this administrative regulation is to increase the rates for therapeutic foster care, which is greatly needed in Kentucky. This rate increase will grow the provider network. He stated he did not have the exact amount the increased rate would cost the state but would provide it after the meeting. He stated it is CHFS' position that the money was included in the budget.

In response to Senator Carroll, Sarah Bryant, Service Region Clinical Associate, DCBS, CHFS, stated the purpose of the proposed child care assistance program regulation, 922 KAR 002:020, is to open a way to investigate larger payments for fraud and improper payment. Mr. Duke stated the Inspector General's Office will still investigate smaller payments suspected of fraud or improper payments due to accounting errors.

Adjournment

There being no further business, the meeting was adjourned at 2:45 PM.