

Good afternoon chairman Ruby and Human Service committee members,

My name is Bailie Graner and I am one of the creators of house bill 1268. I have been doing foster care since 2019 and have had 21 children whom we have cared for and we have 5 total children in our home now. The heart behind bill 1268 is that if an illegal substance is the contributing factor to the abuse/neglect of a child, then the parent or guardian should have a clean drug test from that substance prior to an unsupervised visit. This law includes foster care, kinship, and guardianship.

Currently, this is not the case. Right now in our safety framework, which is the model the state uses in child welfare, the parents/guardians are still able to use illegal substances even if it contributed to the abuse and neglect. The parent is able to write a safety plan. In this plan, they will say where the kids will go when they use drugs. There no way to hold the parents accountable to the plan, it does not account for withdrawals and crashes and the lifestyle around drug use. With this bill, we are saying if an illegal substance contributed to the neglect or abuse, then it makes sense that the parent be clean of that substance when they are going to have an unsupervised visit to help protect the child, and better set up the parent for success.

Without this law in place we are experiencing re-entry into the foster care system after a reunification when sobriety has not been obtained. This is extremely traumatizing to children when they go back and forth in and out of the system. I have a son whose twice failed reunifications can speak to this. We cannot keep traumatizing children. We want healthy parents so that reunification sticks and they able to raise their kids.

Please note that there is already funding for drug testing allotted into the budget. Right now the drug testing is in the same budget portion as transportation. The reason I bring this up is because yes we do have appropriations however we already have financials put towards it.

This bill allows each zone to do the testing as each one deems appropriate in according to their location and resources. They can use a third party, like prebble located here in Bismarck, or the zone themselves can administer the drug testing like they had before. A parent could also sign a release of information for a drug test they recently completed. Examples of these are; sober living facility, job interview, or a healthcare facility and that drug test can fulfill this law. Because of these factors drug testing can range from \$0-\$375 depending on the type of test. The most common test used from prebble here in Bismarck is \$85.

We did not put on a quantity of tests within the bill because we want to leave that desecration up to the caseworker. If a drug test is failed, then a regular supervised visit happens and there is no withholding of the kids or punishment. Once a random drug test is clean, then the unsupervised visitation occurs. This can be a helpful tool for caseworkers to get a quick snapshot into where the individual is at in their recovery process.

We also do not have a time constraint on this bill because we don't want to burden our social workers. We want to instead we want to empower them. What sounds friendlier to you? "I want you to take this drug test because I believe you are under the influence"? or "This is a state law and we need you to take this drug test as a next step to reunification?" What I mean by that is now instead of the social worker requiring a drug test, they can now say that they are required to. It takes the social worker out of the bad guy role.

Some drug testing is already occurring. However, there are inconsistencies around the state amongst the case workers. We have other states that are specifically drug testing in child welfare. I have printed off for you the National Center on Substance Abuse and Child Welfare that talks about budget, policies and so on.

This bill was carefully designed by myself, other foster parents, law enforcement, a previous zone employee, and recovered addicts. We have also had meetings with Three rivers human service zone and the state prior to writing this bill. The bottom line is the kids safety. If drugs were a part of their hurt, then why can the drug use continue with reunification? As a writer of this bill I am encouraging you to ask me any questions and scenarios and I will gladly address all of them.

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