

Bullock supports shifting regulation of programs for troubled teens in Montana to DPHHA

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Gov. Steve Bullock said Thursday he supports shifting regulation of private residential treatment programs for troubled teens to the Montana Department of Public Health and Human Services.

The programs are now overseen by a state board whose majority comes from the programs it regulates.

In the last 12 years, a Missoulian investigation found, the board imposed no significant sanctions despite at least 58 complaints about the programs, some of which charge desperate parents more than \$100,000 a year.

A draft bill requested by Rep. Zac Perry, D-Hungry Horse, and posted online Tuesday would terminate the Private Alternative Adolescent Residential or Outdoor Program board. Three of its five members run one of the 16 programs for troubled teens licensed in Montana.

Bullock was in Missoula Thursday to address a Chamber of Commerce event. Speaking with the Missoulian afterwards, he replied "I would" when asked if he would support moving oversight of these programs to the Department of Public Health and Human Services, the state agency whose mission includes keeping children safe.

He said the Missoulian's series, called "Troubled Kids, Troubled System," had created "some real discussion this legislative session about the possibilities of improvement. We're not only keeping a close eye on those, but we'll be supporting many of those, as well."

The proposal would migrate regulation for all of the private, largely for-profit programs, which are clustered in western Montana, to DPHHS, and require the department to honor

the rules established by the PAARP board until the department can develop and implement its own rules.

The Missoulian's year-long investigation found that in some cases, unlicensed and untrained staff are caring for children and teens with serious emotional and physical problems, students are often isolated from their parents for months at a time and, in one case, a program allegedly failed to protect teenage girls from alleged grooming and sexual assault by an employee.

Rick Johnson, a member of the PAARP board and the founder of Summit Preparatory School, said in an interview Thursday he would support shifting oversight and licensing to the Department of Public Health and Human Services.

"The PAARP board, they have done good things, but it still belongs with DPHHS," he said in a phone interview. "They license group homes and foster homes, too. That's where the licensing belongs, and it's always belonged."

The PAARP Board is now under the state Department of Labor and Industry, which has no similar oversight for educational or mental health treatment programs.

Johnson said Labor and Industry "has done as good a job as it can do, but it really doesn't belong in that department."

PAARP Board chairman John Santa, founder of Montana Academy, previously told the Missoulian a relocation to DPHHS would be "advantageous."

In a December interview, Sen. Jennifer Fielder, R-Thompson Falls, told the Missoulian the state should intervene when these programs operate in violation of the law. But she said DPHHS should not take over regulation because it had recently suffered budget cuts and had difficulty keeping up with its existing statutory duties.

Legislators also are considering additional changes to the state's private teen treatment industry, including making it a crime for therapists or employees at the programs to have sex with residents.

Rep. Denley Loge, R-St. Regis, introduced the bill in response to allegations of sexual assault at a program in Thompson Falls, where an employee is accused of grooming girls toward sexual relationships. Sanders County prosecutors declined to prosecute the employee, Chaffin Pullan, because the girls were older than 16, the age of consent.

Loge's bill, HB 282, has passed the House and is awaiting a hearing date in the Senate Judiciary Committee.

Another bill aims to close a regulatory exemption for programs affiliated with a church or other religious institution.

A bill to close the loophole for religious programs has been proposed in every legislative session since 2009, although its never made it out of committee.

On Thursday, the governor said he was pleased to see a broader discussion surrounding the private industry happening in the statehouse.

"First, I'm glad that the discussion is being had and I'm glad that even many of the providers are saying that we could be doing more," Bullock said. "So I think that this legislative session we will see some changes, which is good."