



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee  
**FROM:** Senior Legislative Research Analyst - Ryan Bush  
**DATE:** September 25, 2013  
**SUBJECT:** Department of Health and Welfare - Child and Family Services

IDAPA 16.06.01 - Rules Pertaining To Child & Family Services (Fee Rule) (Docket No. 16-0601-1302)

The Department of Health and Welfare submits notice of proposed rulemaking at IDAPA 16.06.01 - Rules Pertaining To Child & Family Services (Fee Rule). The Department states that this rulemaking establishes a process for individuals to request confidential information that is on the Child Protection Central Registry only if the request is accompanied by signed written consent from the individual whose name is being checked. This rule also imposes a twenty dollar fee for such requests. This rulemaking also changes the means of sending notices of pending proceedings under the Indian Child Welfare Act (ICWA) from certified mail to registered mail to coincide with federal regulations

The Department states that negotiated rulemaking was not conducted because it was not feasible and because this rule change aligns the rules with public records requirements and current practice. Pursuant to Section 67-5223, Idaho Code, the Department submitted a statement of economic impact (cost/benefit analysis) with this rule change. The Department expects to collect \$42,000 that will cover costs associated with operating expenses but anticipates no impact to the general fund.

The proposed rule appears to be within the statutory authority granted to the Department in Sections 56-202(b) and 56-204A, Idaho Code.

cc: Department of Health and Welfare - Child and Family Services  
Tamara Prisock  
Miren Unsworth