

## **Data needs from Subcommittee**

**12.20.2021**

### **LCC research:**

Comparison of background study processes in other states—process for POE and set asides  
Preponderance of the evidence standard—

- Specific numbers of cases:
  1. Under this standard
  2. Where PoE was found
  3. Reversed on reconsideration
  4. Taken to fair hearing appeal
  5. Overturned at fair hearing
  6. Number of people at fair hearings represented by attorneys/advocates
- What other states use this standard?
- Are there other states that are of value to prioritize researching/narrow the field of research?

### **DHS quantitative data needs:**

Specific numbers of cases—from Chair Geffen-data request—get additional data on specifics-Will is going to follow up

- Disaggregated data
  1. Race
  2. Gender
  3. Provider/program type
  4. Disqualification crime or conduct) number of disqualifications
  5. Education attainment level
  6. DHS staff person/team associated with disqualification for past 5 years
- Permanent disqualifications (by race, gender), for past 5 years
- Child foster care program
- Disqualifications disaggregated data (by race, gender, familial relationship/family association)
- Data regarding new statute comparison of pre 2021 statute and post 2021 statute for comparative purpose

### **DHS process/qualitative data:**

DHS Continuous improvement project data

- What motivates denial of set-aside requests? (Recency, risk factors?)
- What degree of personal judgment is involved in set-aside decision?
- Example/lived experience of appeal consideration process
- Timeline of process. How long does it take?
- Percentage disqualified who could appeal and don't
- Is there a grievance process/organization at DHS?
- Inter-rater reliability—is there distinguishable variances between different employees within the DHS system
- Does DHS have data/statistical analysis of risk of harm supporting statutory disqualification periods? What data existed when statute was enacted?
- Federal requirements

### **Public qualitative data:**

Lived experiences—impact statements

- Lived experience of someone subject to preponderance of evidence standard
  1. T. Williamson offers her case
- MDH-run programs