

Health and Social Services Ombudsman: Overview of Senate Bill 1380

[Senate Bill 1380](#) creates an independent and autonomous “Health and Social Services Ombudsman” with oversight specific to child welfare. The ombudsman will have statutory authority to receive, examine, and resolve complaints regarding cases involving:

- 1. Children in foster care**
- 2. Children residing in Idaho residential treatment facilities**

The ombudsman established in Senate Bill 1380 will function as a child welfare watchdog responsible for protecting the rights of Idaho’s most vulnerable children.

► **Idaho needs an ombudsman for child welfare:**

Idaho’s child welfare system is fractured and complex. It contains blind spots, with too many children falling through the cracks and experiencing rights violations,¹ including abuse and neglect while in care. Last year in Idaho, 2,600 children were served in foster care and 120 children resided in residential treatment facilities.

Idaho is one of just seven states with no agency identified to fill an ombudsman role for child welfare.² With no grievance process to assess and address rights violations and/or maltreatment in care complaints, children are left in high-risk situations without a voice, without an advocate for their safety and well-being, and without a process for redress.

The Appointed Ombudsman Will Be:	
Independent	Free from outside control or influence
Impartial	Review complaints in an objective and fair manner
Confidential	Will not release any complaint information
Credible	Creates a credible review process of complaints
Safe	Protects complainants from retaliatory actions

► **The ombudsman’s duties defined in Senate Bill 1380 include:**

- Inform children and their guardians of their state and federal legal rights;
- Implement a process to receive, examine, and resolve complaints of rights violations;
- Educate the public on the role of the ombudsman; and
- Provide reports on trends, chronic problems, system failures, and policy recommendations to the governor, Idaho Legislature, Department of Health & Welfare, and the courts.

► **Senate Bill 1380 grants the ombudsman the ability to complete all duties autonomously:**

The ombudsman will be granted access to all information and records available to state agencies, pursue subpoenas for additional documents, and hold fact finding hearings to collect relevant testimony. After examining a complaint, the ombudsman will prepare a final report, and if a rights violation or maltreatment is substantiated, the final report will be given to law enforcement. Anyone who interferes with or impedes the ombudsman’s duties or retaliates against someone who files a complaint will be guilty of a misdemeanor.

¹ The “Idaho Youth in Care Bill of Rights” were established in 2020 and can be found in [this article](#).

² Idaho Office of Performance Evaluations, “[Child Protection Ombuds: A 50 State Review](#),” January 2024.