



Hundredth Legislature - First Session - 2007
Committee Statement
LB 461

Hearing Date: February 2, 2007
Committee On: Health and Human Services

Introducer(s): (Dubas)
Title: Provide rights for foster parents

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

7	Yes	Senator(s): Johnson, Erdman, Hansen, Howard, Gay, Pankonin, Stuthman
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Dubas
Amy Harrington
Kathy Bigsby Moore
Cynthia Nicole Woodbury
James F. Schreiner
Al Riskowski
Camelia Rogers
Darrel Lechner, Jr.

Representing:

Introducer
Self
Voices for Children in Nebraska
Nebraska Foster Youth Council
Nebraska Foster Youth Council
Nebraska Family Council
Self
Self

Opponents:

Representing:

Neutral:

Todd Reckling

Representing:

Health and Human Services System

Summary of purpose and/or changes:

LB 461 relates to foster parents and children placed in foster care by the Department of Health and Human Services (department). The bill requires that the department extend specifically prescribed rights to foster parents with whom it directly or indirectly contracts to provide foster care services.

The bill requires the department to encourage the development of a working relationship between foster family and the child's family. The foster family is required to cooperate with the department and act appropriately to develop a positive relationship with the child's family. The department and the foster family are required to act in the best interest of the child in developing and encouraging a working relationship with the child's family.

The bill requires the department to permit respite periods during which the foster family is free from the placement of foster children in their home.

Explanation of amendments, if any:

The committee amendment (AM 651) replaces the bill as introduced, but retains many of the provisions of the original bill. The amendment provides legislative intent relating to foster parents and children placed in foster care directly by the department or through an agency which contracts with the department to place children in foster care, and removes language creating prescribed rights for foster parents.

The amendment requires the department to establish and implement policies and procedures and permits the department to adopt and promulgate rules and regulations consistent with the Legislature's intent.

The amendment clarifies that the provisions of the bill do not create a private right of action.

Senator Joel Johnson, Chairperson