

AMENDMENTS TO LB 95

(Amendments to Standing Committee amendments, AM704)

Introduced by Janssen

1 1. Insert the following new sections:

2 Sec. 3. Section 71-1902, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 71-1902 Except as otherwise provided in this section,
5 no person shall furnish or offer to furnish foster care for
6 two or more children from different families without having
7 in full force and effect a written license issued by the
8 department upon such terms and conditions as may be prescribed
9 by general rules and regulations adopted and promulgated by the
10 department. The department may issue a time-limited, nonrenewable
11 provisional license to an applicant who is unable to comply
12 with all licensure requirements and standards, is making a good
13 faith effort to comply, and is capable of compliance within the
14 time period stated in the license. The department may issue a
15 time-limited, nonrenewable probationary license to a licensee who
16 agrees to establish compliance with rules and regulations that,
17 when violated, do not present an unreasonable risk to the health,
18 safety, or well-being of the foster children in the care of the
19 applicant. No license shall be issued pursuant to this section
20 unless the applicant has completed the required hours of training
21 in foster care as prescribed by the department.

22 All nonprovisional and nonprobationary licenses issued

1 under sections 71-1901 to 71-1906.01 shall expire two years from
2 the date of issuance and shall be subject to renewal under the
3 same terms and conditions as the original license, except that if
4 a licensee submits a completed renewal application thirty days or
5 more before the license's expiration date, the license shall remain
6 in effect until the department either renews the license or denies
7 the renewal application. No license issued pursuant to this section
8 shall be renewed unless the licensee has completed the required
9 hours of training in foster care in the preceding twelve months as
10 prescribed by the department. For the issuance or renewal of each
11 nonprovisional and nonprobationary license, the department shall
12 charge a fee of fifty dollars for a group home, fifty dollars for a
13 child-caring agency, and fifty dollars for a child-placing agency.
14 For the issuance of each provisional license and each probationary
15 license, the department shall charge a fee of twenty-five dollars
16 for a group home, twenty-five dollars for a child-caring agency,
17 and twenty-five dollars for a child-placing agency. A license may
18 be revoked for cause, after notice and hearing, in accordance with
19 rules and regulations adopted and promulgated by the department.

20 For purposes of this section:

21 (1) Foster family home means any home which provides
22 twenty-four-hour care to children who are not related to the foster
23 parent by blood or adoption;

24 (2) Group home means a home which is operated under the
25 auspices of an organization which is responsible for providing
26 social services, administration, direction, and control for the
27 home and which is designed to provide twenty-four-hour care for

1 children and youth in a residential setting;

2 (3) Child-caring agency means an organization which is
3 ~~incorporated~~ organized as a corporation or a limited liability
4 company for the purpose of providing care for children in buildings
5 maintained by the organization for that purpose; and

6 (4) Child-placing agency means an organization which is
7 authorized by its articles of incorporation and by its license to
8 place children in foster family homes.

9 Sec. 4. Original section 71-1902, Reissue Revised
10 Statutes of Nebraska, is repealed.