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Health and Human Services Committee
April 04, 2013

[BRIEFING]

The Committee on Health and Human Services met at 12:30 p.m. on Thursday, April 4, 2013, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on briefing on the proposed closure of shelters for foster children across Nebraska. Senators present: Kathy Campbell, Chairperson; Bob Krist, Vice Chairperson; Sue Crawford; Mike Gloor; Sara Howard; and Dan Watermeier. Senators absent: Tanya Cook.

SENATOR CAMPBELL: All right. Just for everybody's drill: Senator Cook is at an Education meeting; Senator Gloor will be late. I don't know about the rest of our troops. There's Senator Krist. All right. For the record, would you like us all to identify ourselves for the record? Okay. All right. We want to thank the department for coming over on this briefing for us on shelters, emergency shelters for kids. We'll make sure the transcriber knows what we're talking about here. Because we've had a number of questions and Mr. Pristow and I have had an opportunity to kind of talk about this, but I think both of us felt it would be helpful if we had a chance to talk to the committee members and kind of exchange information about what was happening on this issue. So much appreciate the director being here and Vicki and certainly Kerry also joining us. So with that, the clerk has requested that you identify yourself and spell your name.

THOMAS PRISTOW: Sure. Senator Campbell, thank you for having me here today, members of the committee. I'm Thomas Pristow, T-h-o-m-a-s P-r-i-s-t-o-w, Director of Children and Family Services for DHHS.

SENATOR CAMPBELL: Okay. And since we're in a briefing, I'll feel comfortable to call you Thomas and we're not in a formal hearing situation. Do you want to start out and tell us a little bit about where you think this issue is?

THOMAS PRISTOW: Sure. I'd be glad to. Let me...it's been an evolution over the past

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nine months or so that we've been working with the 11 shelters across the state of Nebraska. Let me start out by saying that the information that may be out there that's saying I want to eradicate shelters is false. I'm not out to eradicate anything. What we are doing is evolving them to a better...best practice service model, family service model, than what we've had before. And there's...this is not something that I just started two months ago or so. Back last spring we started the discussion about shelter care and the efficacy of shelter care for children and what is the best way to move children that are going to out-of-home care that may end up in these shelters in the fastest way possible to a family model home, foster care home. All the research, I mean, there's no debate that the research shows that family foster care is a much more desirable model than shelter care. However, having said that, the shelter care model...and what I do, what I've done is evolved that terminology to more triage and assessment model is where I want to go with this. And I'll get to the specifics that I've talked to all the 11 shelters about over the past three months. But we want to be able to move children that may not have a foster placement initially. They need a place to go. So we're not looking to get rid of shelter care or shelters or triage assessments at all. We are looking to limit their stay and have capacity grown so that they have places to go. That's it. And we've been doing...we've been working with the 11 shelters for the past...specifically for the past six months on developing their capacity. I've evolved in my stance about what I thought...where I initially wanted us to go to where I am today. When I first...first off, to let you know in full disclosure, Vermont and Virginia has...don't have shelter care. They have foster homes. So we've never had the option of not placing a child in a foster home and we would work and the social workers would stay until they had the right match and we would make that work. We had no shelter care capacity in either of the states I came from, so having a shelter care was kind of odd to me. I just didn't quite understand if we had a dynamic and robust foster care system why would we have a shelter care system. So when I first came here and I was talking with my senior team, I said I wanted to have three days and that's it. Three days in, max, out. They have to be out by three days. Over the past couple of months talking with Jim Blue and other shelter...Boys Town and other providers of shelter, I've changed my position and what

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we are going to be agreeing to is a 20-day stay, no more than 20 days. And in that time frame, we will be...the social worker that has the case will be working with the foster parents in the area to do the right match, to make sure that we have the right match. That's our responsibility so that the matching of the child to the foster parent is appropriate and on time and so we don't have the placement moves. I could go into a lot more detail about the foster parent model and what we're looking to do, but essentially that's the structure that I'm looking to do. The other thing I will say is that the five service area administrators, there's 11 shelters across the state. Each one of those shelters have been contacted and each one has a plan developed to make this move. I've also instructed the service area administrators to let me know that if the July date is too soon to make this change, then we will extend to August, September, October to make sure that we have the evolution correctly so that we don't unnecessarily...so we don't hurt the evolution of the shelter care to triage and assessment.

SENATOR CAMPBELL: Questions? Senator Krist.

SENATOR KRIST: As often happens, there's parallel or adjacent processes or movements going on. One of the movements going on which I think has a reasonable chance to succeed this year is LB561 where all of OJS, people, money, is taken out of the Department of Health and Human Services and placed in Probation. And Probation now runs the pilot programs expanded throughout the state and starts treating kids like kids with evidence-based treatment, and the same kind of thing you're talking about in terms of triage and moving kids to where they need to go to. Our Foster Care Review Committee is looking at expanding databases to be able to track kids.

THOMAS PRISTOW: You mean the Foster Care Review Office, Senator, is that...

SENATOR KRIST: The Foster Care Review Committee...

THOMAS PRISTOW: Committee, I'm sorry.

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SENATOR KRIST: ...that runs the Foster Care Review Office, the new office, is looking to expand their database collection capability to be able to interface with N-FOCUS and then develop tracking mechanisms for the kids as they move in and out of the system and keep people, keep kids out of foster care as much as possible and also keep them out of detention as much as possible. And the theory here is that the reduction of cost in...sorry it's a real long explanation here but...

SENATOR CAMPBELL: No, you're fine.

SENATOR KRIST: ...that the reduction of cost at YRTC Kearney and Geneva are going to be reprogrammed into correct treatment for these kids where they are. Have you been interfaced with that kind of a movement? I mean, if you're on a July 1 track to change the shelter program as we know it, which I'm not questioning, I mean, it seems to be logical, and that system needs to have temporary placement in all of these...every one of these counties that we got, every one of these shelters is critically needed for temporary placement to do what we want to avoid is what we saw in Scottsbluff--a kid in an oversized orange jumpsuit rolled up in a detention center...

THOMAS PRISTOW: Correct.

SENATOR KRIST: ...as opposed to being in a temporary shelter. So is there any congruency? Is there any parallel movement between what you're doing and what LB561 and that movement might do and maybe that's a better question for Kerry. But sorry for the long, long...

THOMAS PRISTOW: Oh, no, you're good, Senator. Actually there is conversation between Corey and I and we've discussed this. Probation has their own contracts, can have their own contracts with these shelters across the state.

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SENATOR KRIST: The same shelters.

THOMAS PRISTOW: Same shelters. So because I may minimize or evolve them to where I want them to be, Probation can continue to have as many beds as they want to contract with them and to do the services they want to do according to what their protocol is. That's...I have no issue with that. That's...and I would work with Probation however that would work out. I have no issue with that. It's two separate contracts and Corey and I have already talked about that as a process that is going to stay.

SENATOR KRIST: Good. Well, that's excellent news because it seems to me that that's part of the puzzle, that's part of the mosaic.

THOMAS PRISTOW: Yes, sir.

SENATOR KRIST: So that's good. Good job. Thank you.

SENATOR CAMPBELL: Other questions? Senator Gloor.

SENATOR GLOOR: Thank you, Senator Campbell. Since you've got some experience in a system where there haven't been shelters and now you seem to be a convert, was that reluctantly because the system is already in place and it's too difficult to change or have you been converted because maybe that intermediary step is an appropriate (inaudible).

THOMAS PRISTOW: I would say I find some added value in the concept of a triage and assessment center and that over the next two or three years as we evolve the foster care system because parallel to this process is recruitment, retention, curriculum, and payment to foster parents. There's a whole nother track that needs to get fixed. It's extraordinarily broken. And as we build capacity and the foster parent protocols and as we derive consistent processes across the state of Nebraska, the use of shelter or

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triage and assessment will be influx. I don't think...I'll go back to my original statement, I think there is some added value for that. I'm not sure exactly what it's going to look like three years from now. My biggest concern is to bridge the triage and assessment protocols with the movement of fixing our foster care system because it is not well. And as we do that, I'm not quite sure how it's going to sugar out.

SENATOR GLOOR: But if it went extraordinarily well, as I'm sure...

THOMAS PRISTOW: I'd keep it.

SENATOR GLOOR: You'd still keep it.

THOMAS PRISTOW: Right. I mean, it's got to have value. It's got to have added value. The kids can't...it can't be further traumatizing the kid, the children coming into play. It may be a very...the theory right now we're going on, my senior team and I are going on, is that these triage and assessments are going to be for older kids, 14, 15, 16. That may work out to be good because they are a little bit harder to manage. They take stronger wraparound services for foster care placement than what the younger kids do. So that may be an appropriate intermediary step before we move it into foster care. I mean, I'm not sure yet. The jury is still out. I need to get into the system and monkey around with it a little bit and fix it and see how that plays out. But the thing is we want to reduce placements, placement moves, and we want to make sure that the children young or old that's in these systems get treatment, evidence-based treatment, and not just languish in a system that's warehousing them. That's reprehensible to me. And that's my responsibility to make sure that that happens regardless. I mean, as we move through the contracting protocols with results-based accountability that I'm putting into place, all that's going to kind of mesh together.

SENATOR GLOOR: Okay.

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SENATOR CAMPBELL: Senator Crawford, did you have a question?

SENATOR CRAWFORD: Huh.

SENATOR CAMPBELL: Okay. Senator Krist, we'll come back, and then Senator Howard, you have a question? Okay.

SENATOR HOWARD: Oh, I was here first?

SENATOR CAMPBELL: Yes.

SENATOR KRIST: Ladies first.

SENATOR HOWARD: Okay. So I just wanted to clarify. These 11 shelters are emergency placements, correct?

THOMAS PRISTOW: Yes, yes.

SENATOR HOWARD: Okay. And so when a child is removed from the home, they're placed in an emergency placement setting which could be a shelter or it could be a licensed foster care home.

THOMAS PRISTOW: Yes.

SENATOR HOWARD: So it's foster placement. And so this is...these placements are what make them IV-E eligible.

THOMAS PRISTOW: Yes, yes.

SENATOR HOWARD: Okay. So as we look at...

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THOMAS PRISTOW: Well, because they're out of home. Out of home automatically...

SENATOR HOWARD: Because it's an out-of-home placement.

THOMAS PRISTOW: ...and they're in my...they're in custody of the ward of the state that automatically makes them IV-E eligible.

SENATOR HOWARD: But if we put them in an unlicensed foster care setting, would they be IV-E eligible at that point?

THOMAS PRISTOW: No. No they would not.

SENATOR HOWARD: Right. So they have to be in a IV-E eligible placement...

THOMAS PRISTOW: Correct.

SENATOR HOWARD: And these shelters are IV-E eligible...

THOMAS PRISTOW: Yes.

SENATOR HOWARD: ...or a licensed foster home setting. And so I just...I actually had multiple questions. Sorry. You talk about a triage and assessment model and a best practice family service model. Can you explain what those models look like?

THOMAS PRISTOW: We are working with the shelters so that we have mental health supports in them. That's not completed yet, but we...

SENATOR HOWARD: Are you working with the regions on that?

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THOMAS PRISTOW: Yes.

SENATOR HOWARD: Okay.

THOMAS PRISTOW: I'm working with Scot Adams in behavioral health and the behavioral health regions.

SENATOR HOWARD: Okay.

THOMAS PRISTOW: So it's important if we have some sort of...if we have a youth in there that we're not quite sure exactly what the issues are, we need to have some assessment protocol so we don't make a mistake in matching in the foster care placement protocol process. And what was the second part of your question, ma'am?

SENATOR HOWARD: Well, I just was curious because you've used a triage and assessment model and a best practice family service model interchangeably.

THOMAS PRISTOW: Well, right. We have no best practice model across the state of Nebraska in child welfare right now. That's one of the problems. One of the things that we are going to be adopting as we move forward with our foster care reform is developing a best practice model on evidence base so that we have a theory base behind everything that we do. We are developing that now. Deputy Director Maca and her senior team are...it's on her time line to get that into play. We have so much on our plate right now just righting the ship that I can't take everything on. But that is a huge deal and it's part of Nebraska's evolution to a best practice state.

SENATOR HOWARD: So actually the question was you've talked about a family service model and a triage and assessment model, and I was wondering what the difference was.

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THOMAS PRISTOW: What I meant to say was a foster family placement model...

SENATOR HOWARD: Foster family placement model. Okay.

THOMAS PRISTOW: ...so that it's a...it's like a family...you know, it's a family model, not a shelter set up for...

SENATOR HOWARD: Okay. So it's not a placement with the entire family. It's not...that's not what you're talking about.

THOMAS PRISTOW: Correct.

SENATOR HOWARD: Okay. Thank you.

SENATOR CAMPBELL: Oh, all right. She's letting you in here.

SENATOR KRIST: I don't know how to start this except to say that again related to JDAI, juvenile justice, and all of the other components of dealing with kids from beginning to end, we end up with the identification of the child who for safety reasons immediately has to be taken out of the home. That child may have had an altercation with the law, so the city prosecutor or county prosecutor may be involved with it. They may be sent to a detention facility if there's one available. They may be sent to an emergency placement which is, what, shelter. They may be sent immediately to a home that's a licensed foster facility...foster care home. In any event, what we've just done is qualified them for IV-E given the fact that they're out of placement. Now the ideal situation is that within three days--I like your three-day model--we're putting them someplace. They either have an ankle bracelet and they're back at home if there's that kind of a problem, they're back with a grandmother if they can be placed someplace else, or they're back at home with...

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THOMAS PRISTOW: Supports.

SENATOR KRIST: ...supervision, a probation officer, whatever the issues are. But the assessment, and I want to get to the triage part of it for just a second, the triage part, the assessment is what we're running into in terms of an incredible redundancy in oversight in the juvenile justice system and probation system right now. If I submit a child who is in that situation and I send them to existing system right now, they're going to get a battery of tests. And it's going to take X amount of time and they're going to be stuck in some situations, in the statistics that we see in Douglas County, 30-plus days. In other situations, particularly in Probation and the pilot project we're seeing signs that this child needs to have this assessment contracted with, I'm going to use Boys Town as an example, that needs to be done. Now they're back either in the home or in a placement within four or five days...

THOMAS PRISTOW: Right.

SENATOR KRIST: ...judge ordered maybe or not. It just, it seems to me that we are tracking now hopefully a conversation and the door is open. The triage part of this, as you described it at the beginning, also includes the psychological assessment, the emotional assessment, the kind of assessments that we need to get, but one size does not fit all. So to get those treatments, we're not saying I need the battery of tests right off the bat.

THOMAS PRISTOW: Correct.

SENATOR KRIST: We're saying that we need this done, and then we need to keep them in a safe environment until we can move them into another environment. So, again, sorry for the large set up here, but as we get to a point where we're doing the same thing with kids and then we're tracking out, I think because some of us have been familiar with all of the things that have happened in the last few years, we're going to

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have to take to the floor some kind of discussion about LB561 and about this program and about another program. I would love to see an organizational chart or a flow that says here's Bobby Krist. Bobby can go this direction and he's a really bad boy. Bobby can go this direction and he needs to be triaged and he needs these kind of services. If-then, if-then, if-then.

THOMAS PRISTOW: Right.

SENATOR KRIST: Because when you honestly understand and I think I'm just dangerous enough that I think I'm understanding this across the board, when you honestly understand that you track the life of this child and you collect the data and at any given time you can say I know where he's at, I know how long he's been there, I know what treatments he's had. There will be no redundancies. Here's the infraction. Now it's a misdemeanor. Now we have...you know, once you can do that, you've solved the problem. And then all we have to do is fund it. And I think that the funding part of it seems to be on the up-front side so important to us, yet what we really need to do is figure out how to treat little Bobby Krist.

THOMAS PRISTOW: I would...look, my comment on that, Senator, would be we track the child now by program and not by kid. So we evaluate them depending on where they go versus who they are. And that's what you're talking about is the kid, the family, and the child doesn't see Probation, OJS, CFS, DD; they see the state. We should be smart enough and nimble enough that we don't further traumatize children and youth with batteries of tests that they don't need so that they...that the test can be used and not...for example, there's...I think there's a bill out there now that talks about there's a \$1,500 assessment that we do. And we do the test in January. The kid comes back and the judge orders it again in March. Well, that's a waste of money. And so we're working on this, but I'm right there with you.

SENATOR KRIST: But I want to reverse that. I hope what you meant was we're tracking

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the kid in terms of what they get, not...

THOMAS PRISTOW: Right. Exactly.

SENATOR KRIST: ...not where they are...okay.

THOMAS PRISTOW: That...did it come out the wrong way?

SENATOR KRIST: Yeah, I think you said it in reverse. That's okay.

THOMAS PRISTOW: Oh, no, that's what I...I meant that we're tracking the youth and we're evaluating the youth and not just relying on every time it goes to a program we've reset.

SENATOR KRIST: Yeah. Good. Thank you very much.

THOMAS PRISTOW: I apologize for my misstatement.

SENATOR CAMPBELL: But it also really depends on what door, I mean, from the sense of if they're coming in through an OJS or, you know, the juvenile...there's been some in which they're in a juvenile court, then the juvenile judge will say I want the whole evaluation. And that has been a delay, a great delay. I mean...

SENATOR KRIST: And that's a subject...

SENATOR CAMPBELL: ...you talk about a month. Man, when I was on the county board, a month would have been zip. I mean, holy Toledo. We were looking at six and nine months in which a child sat waiting.

SENATOR KRIST: And that's the subject of that other...

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SENATOR CAMPBELL: And that's a long, long, long time ago and we've gotten a lot better. But in this triage if it's a child welfare.

THOMAS PRISTOW: Right, and what I'm talking about in this...in the triage and assessment here, assessing for safety and then assessing for like the big issues, suicide, well-being. I mean, there's standardized free tests out there that can be assessed on in getting a picture of the child if we have none so that we can make...the issue is how do we match. How do make the match for the child and the foster parent? We have to have some metric to go by. And right now it's...

SENATOR CAMPBELL: I think that's good.

THOMAS PRISTOW: ...it's not as...it's not where it should be.

SENATOR CAMPBELL: I'm going to...

SENATOR KRIST: To your point though, there is a...the other bill that's out there is dealing with the judges, the judges part.

SENATOR CAMPBELL: Right, no I get that. I get that. But I just didn't want that the expectation on the child welfare is that it's going to have the same type of assessment that it might be.

THOMAS PRISTOW: No. No, no, no, no, no. Not at all.

SENATOR CAMPBELL: I just want to be clear about that. I'm going to jump in here because I want to...I'm assuming that we have worked out the problem that had been identified for us out of Norfolk, which was, you know, she wasn't getting any referrals for a period of time in the shelter. So I'm assuming now the communication has gone out to

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the 11, and that shelter in Norfolk clearly understands what's going to happen to them.

THOMAS PRISTOW: Yeah, and in fact, Senator, that shelter provider had been previously meeting with a service area administrator and had received the information, so there must have been some confusion in the message. When I first heard that she wasn't getting any referrals I thought great, then we're doing the placements correctly. We're not going to put the kid in a shelter just...if we have a placement that's appropriate, we do that assessment, they're going to go right to the placement. They're not...so if we don't use the shelter, that's fine with me. And my job isn't to push them through the shelter. My job is to find the best match. And if we need between one and...look, and the reason, Senator, I gave 20 days instead of 3 is the incredible push back I got from the 11 shelters on this. I mean, they...I mean, it became an unwinnable process for me. So I went to 20 as a compromise. But we shouldn't be using 20. We should be able to do this within four or five days easily. Again, as we get better at it, as we update our protocols and our assessments, we get the right teams in there, we should be able to do this very quickly and do it correctly and get the kids where they need. Again, I want to go back to the learned lessons from other states who have done this. I mean, it is about getting the right assessment and getting the mental health piece attached to the process. That's so important.

SENATOR CAMPBELL: But in the Norfolk situation as she trailed it through, it also was a situation where it was at 10:00 at night, one of the examples and she certainly could have taken care of that person.

THOMAS PRISTOW: Right.

SENATOR CAMPBELL: I mean, I think that's why the shelters become important is that 10:00, that 2:00 a.m. in the morning, or you just don't quite know what's the best foster home. And I agree with you that this is not an issue in isolation because it's got to fit with whether we've got the qualified foster parent and their training. So I totally get that.

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Is North Platte one of the 11? Did they do theirs? Vicki, do you know? Yeah, we'll probably have to bring up a chair for you. But in North Platte we had this whole problem where when Boys and Girls left, the shelter closed and the community kept working and working and trying to coalesce and get somebody to open a shelter. They got a person, and then it was like we're going to not have shelters. And so part of the question was whether they precede that whole issue. And I just want to make sure that the North Platte issue has been worked through because Senator Hansen had talked with me about this a while ago. I mean, not current, but I didn't know whether they ever opened it or not.

VICKI MACA: No. We have the Gering but we do not have...I do not show that there is currently a North Platte shelter.

SENATOR CAMPBELL: Okay. Did you ever hear about any of that, Vicki? That would have even preceded probably Thomas' time. I mean, there was...when Boys and Girls left, there was a shelter that was abandoned. And so the community tried and tried, and then they finally got somebody. That person must have backed out, backed away.

VICKI MACA: They must have because they're not...

SENATOR CAMPBELL: I wonder if that's just sitting idle there?

VICKI MACA: I don't know. I'll find out.

SENATOR CAMPBELL: Well, I can...we can ask Senator Hansen, too, because he'll know. But are the 11 fairly spread across the state was the other question?

THOMAS PRISTOW: Right.

MICHELLE CHAFFEE: Vicki, can you spell your name for the transcribers?

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SENATOR CAMPBELL: Oh, sorry.

VICKI MACA: Yes. V-i-c-k-i M-a-c-a.

SENATOR CAMPBELL: Thank you, Vicki.

THOMAS PRISTOW: Grand Island, Lincoln, Omaha, Gering, Omaha, Fremont, Macy, Norfolk, and Winnebago.

SENATOR CAMPBELL: So we're really...we probably don't have a big gap anywhere, do we?

THOMAS PRISTOW: I doubt that.

SENATOR CAMPBELL: I mean, we'd have the same gap up in the Panhandle that we'd have with a lot, but...because the closest there would be Gering, right? Because I think Senator Krist is probably right. Some of the situations as the OJS people, they will probably try to utilize some of these shelters.

THOMAS PRISTOW: But the analogy I would...yes, what I would...what we did where I came from, we didn't have shelters but we had two or three homes that served as emergency placements for all kids that we weren't sure where to go. These were well-trained foster parents we paid a high daily rate to for a number of days. It's...our replacement of a shelter. It was the same concept. We had to have a place to stage them so we could get a better assessment, and so we just used foster homes instead of using, you know, a full-blown shelter piece.

SENATOR CAMPBELL: Yeah. Senator Krist.

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SENATOR KRIST: And that's the feedback. I mean, when you talk to law enforcement officers that are out there and they have removed a child from a home for whatever reason for safety reasons and they drive halfway across the state and drop them off and then go back to where they're supposed to go to, and sometimes that's an all-night drive. And the next morning the judge says what did you do with that kid? Well, I took him to the shelter. Go get him. Okay. Now he's on the way back to going back to the other side. So the counties now are saying in relationship to LB561 and to these same issues, wait a minute, they're closing the shelters. I don't have any shelter.

THOMAS PRISTOW: To answer that, a number of months ago last--Vicki help--we had a...last September I had a meeting and I instructed all my service area administrators to start recruiting a handful of foster homes themselves so that we...because I couldn't count on provider foster homes to meet what I wanted them to meet, to meet the outcomes I wanted because of just what you're talking about. They would refuse to take kids. And I'm like, really, you're refusing to take kids? I'm paying you millions of dollars. So that's a whole different issue for me. So each service area was instructed...each service area administrator was instructed to go out and recruit a handful of homes. I got huge push back on that. You're trying to take foster care back. You're trying to...no, I'm trying to meet the needs of these kids. You're not doing that. That's a contractual issue that I'll deal with you later on, but I need these kids to be handled now. So we're doing that just so that we don't have a sheriff driving 100 miles to a shelter and having to come back.

SENATOR KRIST: Right. All right. Thank you.

SENATOR CAMPBELL: And I think it might be helpful, and I know we talked about this, too, in terms of is this is now the policy for all of us to etch in our mind that it's a 20-day stay at the most and this will go into effect July 1 for the 11 shelters. Am I articulating that?

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THOMAS PRISTOW: Correct. Yes. Yes, Senator.

SENATOR CAMPBELL: And, you know, at this point, Thomas, I don't know and how my other colleagues on the committee feel, but I think almost a communication maybe to the 49 saying this is what we have settled on, this is what it looks like, this is what it's meant to do, to the senators might not be helpful because I would bet that there are some that are still getting calls from saying we don't have shelters, do we have shelters, we don't have shelters. And I don't know about the court system. I can't speak because I know you're communicating with them, but it's also part where the judges may not know.

SENATOR KRIST: And I would include in that, I as going to say, Corey, to get it out to the judiciary, to get it out to the judges. Good deal of education that needs to happen with the judges today because of where we're evolving to. And I would also add in there that as you described your points around the state, I think North Platte becomes a critical point because that's a big stretch between Gering and Grand Island, so.

THOMAS PRISTOW: Right. And the service area administrators had...are tasked with identifying those stretches so that they can recruit those homes for those type of emergency placements.

SENATOR CAMPBELL: Is that...I'm sorry.

SENATOR GLOOR: McCook...I was just going to say (inaudible).

SENATOR CAMPBELL: Isn't that judicial district 11 and 12?

SENATOR KRIST: Eleventh is part of North Platte, should be part of that pilot project out there. So that would be a good way to...

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THOMAS PRISTOW: Okay.

SENATOR KRIST: ...buddy up with that one because...and they're the ones actually, they're the ones that are making the statement. Where do we send these kids if we don't send...we send them to a detention facility. We don't want to send them...and then the obvious is, okay, we'll send them to Geneva. Well, guess who pays for Geneva or YRTC? The state. And then the county just...

SENATOR CAMPBELL: I'll ask Senator Hansen when we go upstairs what's happening to that community trying to reopen that because that may be a situation where I have got some misinformation.

THOMAS PRISTOW: I haven't gotten any requests for contract.

SENATOR KRIST: Well, if it's not on your list...

SENATOR CAMPBELL: Yeah.

SENATOR KRIST: ...maybe it should be one that you focus on.

SENATOR CAMPBELL: Okay. We'll get back to you after I talk to Senator Hansen. Senator Crawford.

SENATOR CRAWFORD: Thank you. So you mentioned...do I understand that you are also in these areas trying to contract some of these homes to be this transition place as well? Is that what you're saying?

THOMAS PRISTOW: A place so that if a law enforcement officer has no other option, they don't have to drive hundreds of miles, right. And the service area administrators were tasked months ago to develop their own home...our own state homes that we...for

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foster parents, yes.

SENATOR CRAWFORD: And how's that going in terms of coverage and numbers?

THOMAS PRISTOW: I'd have to let my deputy director answer that. I'm not quite sure where we are with that.

VICKI MACA: Yeah there's...we have...

SENATOR CAMPBELL: If she could have her come forward, Diane, because you can't pick her up. We need to get a chair for Vicki. Just don't dump over that drink.

VICKI MACA: That soda. That Diet Mountain Dew. That's right.

SENATOR CAMPBELL: That's a joke.

VICKI MACA: All the service areas with the exception of the western service area because right now western has always done their own foster care. They don't...we don't contract out with an agency to recruit and train foster care. So...and then NFC does that in the eastern. So it's really central, northern, and southeast, those three service areas that have been recruiting foster care. And recruitment is tough. What we have spent many, many meetings talking about is even our recruitment brochures and fliers, they all reflect pictures of little kids. Those are not the foster care families that we have a need for. The foster care families that we need today are those foster care families where there are two parents that can manage a challenging adolescent. We need foster care families also who have no other children in their home who can focus their resources on this one child. And so our recruitment had to change significantly in how we talked about and marketed our need for foster care. So that's taken us some time. We have...all of those three service areas have a done a lot of marketing and recruiting, but you can recruit at a fair-like setting and get 500 names, and then by the time it shakes

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down you have 3 that are interested and 2 that don't want to get licensed. So it's a tough challenge but it's possible. We know that it's possible. We've looked at some of what other states have done. So right now we have eight homes between those three service areas that are approved, in approved status. And I couldn't tell you exactly. We have a small number, I think it's two or three that are willing to move into licensed status. So small number, and also we don't want to compete. We have interested folks who call the 1-800 number on our flier, NFAPA answers that, the Nebraska family foster care association answers those calls. And we've asked NFAPA, give the family both our name and NFC or our name "and" so that the family can have a choice and they can call both and make an informed decision and see what the best fit for them is. So we don't want to compete but we also need some capacity.

SENATOR CAMPBELL: And at some point we are going to have to move, and Thomas and I have talked about this, to therapeutic foster homes.

THOMAS PRISTOW: Right. Well, that's a...

SENATOR CAMPBELL: That's a whole...I mean, I realize that's a...and....

THOMAS PRISTOW: We pay \$146 a day for shelter care and I could spend two-thirds of that and have a great wraparound for these kids. That's the part that makes me crazy with the system that we have. It is just...it's not aligned correctly at all and our foster care system is our next big agenda item this coming spring.

SENATOR CAMPBELL: But therapeutic foster homes have been used in other states. It sounds great, but you're going to get these people and basically you're paying somebody, some of the models I've seen, you're paying either the husband or the wife...

THOMAS PRISTOW: Right.

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SENATOR CAMPBELL: ...or whoever to stay at home.

THOMAS PRISTOW: Yep, \$110 a day, \$115 a day, \$120...

SENATOR CAMPBELL: Exactly. You're paying them a salary...

THOMAS PRISTOW: With supports, with mental health supports there.

SENATOR CAMPBELL: ...and a lot of training on the part of those therapeutic foster families because we do...we certainly do need that also.

THOMAS PRISTOW: And, Senator, I went to...in Vermont when I was a field director, I went to zero moves in my three counties in placements and I did that because I made a decision to not allow any foster parents to call and say, take this kid. You're not allowed to do that. And I would be the only one to approve movement of a child based on safety. And what we...so what we gave them, I had mental health in my office. I contracted with the mental health division. I had workers in my office that were mental health, trained, licensed, mental health workers, and we trained...it was only like a hand...like six homes that this happened with. So we trained the homes to say when you start having an issue and when it's just bubbling, zero, one, two, three, not a ten, call us. And the case manager and the mental health worker would go out and they'd stay there 2 hours or 22 hours until it got de-escalated. And no one moved. But we had to...you know, it cost, I had to spend money to get contracts in, mental health contractors in. But that...people, foster parents need support. Foster parents need to know that they're valued. And when they call, they're not kidding around. They need some help. And you train them to call early on, not when the kid is breaking out a window and getting a tire iron after somebody. You call when they're starting to have, you know, conflict. And you train the foster parents to identify that and it works. The stuff is not...you just need the resources to be able to manipulate that process to get it in there. And, I mean, that's our end goal. I mean, Vicki has a mental health background. So do I. Our goal is to be able to align

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these type of services so that we have a full range of responses for these kids and families.

VICKI MACA: The other challenge that we've had is how we approach foster care families. And this is not a reflection on the child placing agencies or the foster care agencies. But what happens is we put out a call, we send a packet to the agency. The agency then sends the packet out. And many of our kids do not...they don't look great on paper. And so often we hear back from the agency, no, we have no families. The next agency, no, we have no families. No, we have no families. So these kids will sit in a shelter for months and months. That is no way to approach a family about caring for a youth.

THOMAS PRISTOW: Right.

VICKI MACA: That is absolutely not the way to go about this, to allow a piece a paper with all the bad things that has ever happened to you or that you've said in your life reflect...

THOMAS PRISTOW: Who you are and what you're about.

VICKI MACA: ...who you are. These kids have lots of strengths and that isn't being communicated. And often if a parent could meet the child and see the child and spend a little bit of time, they'd say, I get you.

THOMAS PRISTOW: Let's try it.

VICKI MACA: I could work with you. But that doesn't happen.

SENATOR CAMPBELL: But in terms of, you know, it's a not a foster family is a foster family is a foster family. That's not true either...

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VICKI MACA: No, that's right.

SENATOR CAMPBELL: ...in the sense that being able to understand what their strengths are and matching them. I totally agree with you.

VICKI MACA: Yes, the suitability.

SENATOR CAMPBELL: Because if you don't match this correctly, I mean, it's like what we talked about. Before a period of time what we were seeing in all honestly was, okay, your number one contract and you just rotate the calls...

VICKI MACA: That's right.

SENATOR CAMPBELL: ...without any...

THOMAS PRISTOW: Yeah. We got ourself...

SENATOR CAMPBELL: And I think we've gone beyond that, but we found pretty quickly that that's where kids were having two and three and four placements because it wasn't a match.

VICKI MACA: That's right.

THOMAS PRISTOW: We put ourselves in this position. We allowed our contracts to run amuck and not be accountable to how we do business, and that's stopping. That has stopped. And we are doing it the right way now. And the push back you're hearing from your constituents is because we're challenging them to be accountable. We are not accepting behavior from them anymore the way it was. It is not okay for them to refuse kids. If I'm paying them a million dollars, they better find foster homes or why do I need

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them? If I have to go out and recruit foster homes, why do I pay a vendor a million dollars to go out and do it if they can't do it? I know I can do it. So it's a...but if I make that turn too quick, you know, then it's political...it gets all...it goes downhill fast. So I'm trying to make that turn smooth so I can bring people along and get where I need to be so these foster homes and foster families can get the supports they need.

SENATOR CAMPBELL: We have the latest, you know, what probably COMPASS, whatever you're watching, the...

THOMAS PRISTOW: COMPASS measures.

SENATOR CAMPBELL: Yes, I think. They've just come into the office and we'll try to get those out to the committee so you can kind of see. But that's looking at what's the percentage of kids who come back in the system, kids adopted, and whatever. And how we're moving along in that system so that you all can see that. But whatever we can communicate to the rest of our colleagues through an e-mail probably from you, Thomas, and certainly to the Judiciary to say, okay, once and for all, folks...

THOMAS PRISTOW: Here's what's happened.

SENATOR CAMPBELL: ...no other rumors, this is it.

THOMAS PRISTOW: Can set that up, sure. Absolutely, Senator.

SENATOR CAMPBELL: Because I think they're still getting phone calls. The other thing I want to make our colleagues aware of is that I met yesterday morning...was it just yesterday, (laughter) and it seems the days are long, it was two days ago, and Thomas is working on some quality results-based accountability. And what we discussed was bringing the person who's working on this contracted so that you can see where the department is going with that. It would be a very impressive real-time what we're trying

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to get to. So...

THOMAS PRISTOW: We'd be happy to do that. And in fact she's here today. I mean, but I know it's a short time. But we...she's going to be here over the next four or five months a lot and we'd be glad to schedule it if you think it'd be helpful.

SENATOR CAMPBELL: Yeah. So we'll bring her in because I think that's an important piece that we talked a lot about in LR37 that you need to hear about. Any other questions from the senators? This has been helpful. Oh, sorry, Senator Howard.

SENATOR HOWARD: You had mentioned earlier that you were working with the shelters to build capacity. Can you speak to how you're doing that?

THOMAS PRISTOW: Having them be creative. For example, we may not need them to take as many kids from our side. They may take more kids from the OJS side or Probation when that happens, but they could help train and recruit foster parents or they could help...

SENATOR HOWARD: So you're asking the shelters to train and recruit foster parents?

THOMAS PRISTOW: Well, that's an option. We would entertain that as a way to keep them...evolve them into our operations more so that we just don't stop doing business with them. And each area can look a little bit differently.

VICKI MACA: In our conversations with the shelters, we put together data about who the kids were they've been serving, how old they were, why they were there, how long they've been there. And we've really said...asked the service administrators to say take the data, take the facts, and say what do you think, shelter. Is this acceptable to you? And there was consensus across the state. No, these kids are staying far too long. So what's missing? Here's the ages. Here's the gender. Here's the need. If we had...if we

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could do whatever we wanted to do, what is missing? What's the service? And so that's where we started was just from a magic wand. What do we need?

THOMAS PRISTOW: And then allowing them to do that and not just being a one...saying that you can only do this. We're opening it up. We want them to be successful but they...but we have to move along the best practice process, not just contract for contract sake. It's not like that anymore.

SENATOR HOWARD: And then what is...who has our longest contract? Who's been our longest shelter care provider under contract?

THOMAS PRISTOW: Oh, I have no idea.

SENATOR HOWARD: How long have we been doing this?

VICKI MACA: Very, very long time.

SENATOR HOWARD: I know Boys Town has been doing it for a very long time.

SENATOR CAMPBELL: Cedars has had a shelter since 1947. They started as that.

VICKI MACA: I mean it's been a long time, yeah.

SENATOR HOWARD: I guess what I'm wondering is have we always had a lack of licensed foster care placements to ensure that these children are IV-E eligible?

THOMAS PRISTOW: I think when you have options that don't allow for a rich recruitment process, you won't get a rich recruitment process. If you have shelters always available, it's a little easier to move to that, to do that move than it is to hire the research...the social workers that go out and find the homes, train the homes, develop

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the homes. I mean, it just...looking...and I'm not...I had no idea what a shelter was when I came to this state. I mean, I really was clueless. I'm like, really? You put a kid in shelter? Why? I mean, it just didn't connect. Because in my experience, I just never had it. It was always we put the money in the front end to develop the staff to get the foster parents, to get the homes, and then we shared the homes. I shared homes with education. We had a mental health division that had foster homes for out of...we all shared locally the same homes and they were all licensed the same. So instead of having ten homes here, ten homes here, and ten homes here, in a...I had 30 homes...my social workers had 30 homes to choose from. I mean...sorry.

SENATOR CAMPBELL: Okay. We're nearing the bewitching hour here. Did we get all the major questions for you, Senator Howard?

SENATOR HOWARD: Yeah. Thank you. I had a lot.

THOMAS PRISTOW: I'm sorry. I get passionate about this.

SENATOR CAMPBELL: Okay. All right. Just for the committee, do not forget next Monday we will be back. It sounds like a commercial. We will be back next Monday with Thomas and other folks from the department and we'll be talking about ACCESSNebraska. So that's scheduled for Monday, April 8, 9:00.

SENATOR KRIST: The question that maybe you could get back to us with, don't worry about it now, we realize that we destroyed a lot of infrastructure with our privatization effort and what we did, particularly with out of state (inaudible) like Boys Town, the Boys Ranch, (inaudible). What portion have we actually recouped or rebuilt or recaptured or reestablished that we lost in that transition?

VICKI MACA: Out west?

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THOMAS PRISTOW: Well, that's all part of the IV-E waiver. I need money to rebuild out west and took part of the IV-E waiver application that we're negotiating right now with the feds, if that gets approved, then that will allow me to build capacity out west. I don't have the capacity right now to build.

VICKI MACA: It's still tough out there.

THOMAS PRISTOW: But it's my plan.

SENATOR KRIST: Okay. Yeah. (Inaudible) how that would play on (inaudible).

SENATOR CAMPBELL: I don't know that we've done much.

SENATOR KRIST: Okay.

VICKI MACA: No. It's still few and far between.

THOMAS PRISTOW: All right.

SENATOR CAMPBELL: Thank you very much for coming over.

THOMAS PRISTOW: Thank you, very much, Senators.

SENATOR CAMPBELL: Thanks, everybody. Have a good afternoon.