

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 81

Introduced by Cook, 13.

Read first time January 08, 2015

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to social services; to amend section 68-1206,
2 Revised Statutes Cumulative Supplement, 2014; to change provisions
3 relating to eligibility for assistance; and to repeal the original
4 section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-1206, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 68-1206 (1) The Department of Health and Human Services shall
4 administer the program of social services in this state. The department
5 may contract with other social agencies for the purchase of social
6 services at rates not to exceed those prevailing in the state or the cost
7 at which the department could provide those services. The statutory
8 maximum payments for the separate program of aid to dependent children
9 shall apply only to public assistance grants and shall not apply to
10 payments for social services. As part of the provision of social services
11 authorized by section 68-1202, the department shall participate in the
12 federal child care assistance program under 42 U.S.C. 618, as such
13 section existed on January 1, 2013, and provide child care assistance to
14 families with incomes up to one hundred twenty-five percent of the
15 federal poverty level for FY2013-14 and one hundred thirty percent of the
16 federal poverty level for FY2014-15 and each fiscal year thereafter.

17 (2) As part of the provision of social services authorized by this
18 section and section 68-1202, the department shall participate in the
19 federal Child Care Subsidy program. In determining ongoing eligibility
20 for this program, ten percent of a household's gross earned income shall
21 be disregarded after twelve continuous months on the program and at each
22 subsequent redetermination. At redetermination of eligibility, if a
23 family's income exceeds one hundred forty percent of the federal poverty
24 level, the family shall continue to receive transitional child care
25 assistance for up to twenty-four consecutive months or until the family
26 income exceeds one hundred eighty-five percent of the federal poverty
27 level. If a family's income falls to one hundred forty percent of the
28 federal poverty level or below, the twenty-four-month time limit in this
29 subsection shall cease to apply until the family becomes eligible for
30 transitional child care assistance. The amount of such child care
31 assistance shall be based on a cost-shared plan between the recipient

1 family and the state and shall be based on a sliding-scale methodology. A
2 recipient family may be required to contribute a percentage of such
3 family's gross income for child care that is no more than the cost-
4 sharing rates in the transitional child care assistance program as of
5 January 1, 2015, for those no longer eligible for cash assistance as
6 provided in section 68-1724. Initial program eligibility standards shall
7 not be impacted by the provisions of this subsection.

8 (3) In determining the rate or rates to be paid by the department
9 for child care as defined in section 43-2605, the department shall adopt
10 a fixed-rate schedule for the state or a fixed-rate schedule for an area
11 of the state applicable to each child care program category of provider
12 as defined in section 71-1910 which may claim reimbursement for services
13 provided by the federal Child Care Subsidy program, except that the
14 department shall not pay a rate higher than that charged by an individual
15 provider to that provider's private clients. The schedule may provide
16 separate rates for care for infants, for children with special needs,
17 including disabilities or technological dependence, or for other
18 individual categories of children. The schedule may also provide tiered
19 rates based upon a quality scale rating of step three or higher under the
20 Step Up to Quality Child Care Act. The schedule shall be effective on
21 October 1 of every year and shall be revised annually by the department.

22 Sec. 2. Original section 68-1206, Revised Statutes Cumulative
23 Supplement, 2014, is repealed.