

**ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017**  
**COMMITTEE STATEMENT**  
**LB298**

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**Hearing Date:** Thursday February 23, 2017  
**Committee On:** Health and Human Services  
**Introducer:** Baker  
**One Liner:** Change provisions relating to the Nebraska Strengthening Families Act and a task force

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**  
Senator Roy Baker  
Beth Baxter  
Payne Ackerman  
Tom McBride  
Juliet Summers

**Representing:**  
Introducer  
Nebraska Children's Commission  
Self  
Self  
Voices for Children

**Opponents:**  
Larry Storer

**Representing:**  
Self

**Neutral:**  
Jeanne Brandner

**Representing:**  
Administrative Office of the Courts & Probation

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**Summary of purpose and/or changes:**

LB 298 renames the Normalcy Taskforce to the "Nebraska Strengthening Families Act Committee" under the Nebraska Children's Commission and adds a representative of a juvenile facility to the committee. LB 298 applies provisions of the Nebraska Strengthening Families Act to children placed in juvenile facilities and requires Department of Health and Human Services and the Office of Probation to develop a written normalcy plan and annual normalcy report. Requires the Department of Health and Human Services to adopt and promulgate rules and regulations regarding training for foster parents on recognizing human trafficking. Mandates the Department of Health and Human Services and Office of Probation Administration to establish a procedure for the public dissemination of a picture of and information about a child missing from a foster or out-of-home-placement subject to state and federal confidentiality laws.

**SECTION BY SECTION:**

Section (1): Amends Section 43-2,108 to confirm Sections 3, 5 and 6 of LB 298 will not limit dissemination of a picture or information of a missing child from foster or out-of-home placement. Information is subject to state and federal confidentiality laws. This information shall not include reference that the child is in the care, custody or control of Department of Health and Human Services or Office of Probation Administration.

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Section (2): Amends Section 43-4218 to change the Normalcy Task Force to the Nebraska Strengthening Families Act Committee on July 1, 2017 and update dates. Adds a representative of a juvenile facility to the Nebraska Strengthening Families Act Committee. The Nebraska Strengthening Families Act Committee shall monitor and make recommendations regarding Nebraska's implementation of the Federal Preventing Sex Trafficking and Strengthening Families Act. Updates member designation and terms.

Section (3): Amends Section 43-4701 to add additional section.

Section (4): Amends Section 43-4702 to add additional intent language regarding prenatal rights and importance of race, culture and identity for children in out-of-home care.

Section (5): Amends Section 43-4703 to add juvenile facility to definition of "care giver". Strikes reference to Section 71-1926 for definition of "residential child-caring agency" as part of definition of "child-care institution". Defines "foster care", "juvenile facility", and "office".

Section (6): Amends Section 43-4704 to add "access to reasonable opportunities" for children in foster families, home or child-care institutions to children to participate in activities. Adds juvenile facilities to mandate access to children for activities.

Section (7): Amends Section 43-4706 to add Office of Probation and juvenile facility. Mandates the Department of Health and Human Services and Office of Probation Administration, as a condition of contract with a child care institution or juvenile facility, to provide foster care, a written normalcy plan of how Department of Health and Human Services or the Office of Probation will ensure all children have access to age or developmentally appropriate activities. The normalcy plan will be filed with Department of Health and Human Services or the Office of Probation. A normalcy report regarding implementation of plan will be filed with the Department or State annually by June 30. Provide requirements for normalcy plan. Provides requirements for normalcy report. Provides access to normalcy plans and reports upon request by September 1 each year. Provide youth rehabilitation and treatment centers meet requirements and provide plans and reports annually to Office of Juvenile Services by June 30. Mandates the Department of Health and Human Services and Office of Probation Administration adopt and promulgate rules and regulations before October 15, 2017.

Section (8): Amends Section 43-4707 to mandate the Department adopt and promulgate rules and regulations regarding training for foster parents on recognizing human trafficking.

Section (9): Amends Section 43-4709 to add Office of Probation Administration.

Section (10): Amends Section 43-4710 to add Office of Probation Administration.

Section (11): Amends Section 43-4711 to add Office of Probation Administration and juvenile facility.

Section (12): Amends Section 43-4712 to add Office of Probation Administration.

Section (13): Amends Section 43-4713 to add juvenile facility. All youth rehabilitation and treatment centers shall publicly post notice of information.

Section (14): Amends Section 43-2,108 to mandate Department of Health and Human Services and the Office of Probation establish a procedure for dissemination of a picture or any information about missing child from foster or out-of-home placement. Information is subject to state and federal confidentiality laws. This information shall not include reference that the child is in care, custody or control of Department of Health and Human Services or Office of Probation Administration.

Section (15): Update dates.

Section (16): Repeal Sections 43-2,108, 43-4218, 43-4701, 43-4702, 43-4703, 43-4704, 43-4706, 43-4707, 43-4709, 43-4710, 43-4711, 43-4712, 43-4713 and 43-4714.

Section (17): Emergency Clause.

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**Explanation of amendments:**

AM 537 accomplishes the following:

Section (1): Adds dissemination by the Office of Probation Administration shall be authorized by an order of a judge or court.

Section (5): Strikes juvenile facility from definition of caregiver. Removes stricken language in child-care institution for residential child caring agency. Strikes definition of foster care. Strikes definition of juvenile facility. Change office definition to probation.

Section (6): Removes juvenile facility.

Section (7): Removes juvenile facility and office references. Shifts burden of normalcy plan to child-care institution. Strikes reference to juvenile facility. Strikes interim-program school from normalcy plan requirement. Adds Office of Probation to adopt and promulgate rules and regulations.

Section (9): Strike reference to Office of Probation and reports filed pursuant to Section 43-297.01.

Section (10): Adds language regarding providing information to third parties.

Strikes original Sections 10, 11, 12, 13.

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Merv Riepe, Chairperson