

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 732

FINAL READING

Introduced by Riepe, 12.

Read first time January 03, 2018

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Nebraska Children's Commission; to
- 2 amend sections 43-4203, 43-4207, and 43-4513, Reissue Revised
- 3 Statutes of Nebraska, and section 43-4218, Revised Statutes
- 4 Supplement, 2017; to change reporting dates for the commission and
- 5 committees appointed by the commission; and to repeal the original
- 6 sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-4203, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 43-4203 (1) The Nebraska Children's Commission shall work with
4 administrators from each of the service areas designated pursuant to
5 section 81-3116, the teams created pursuant to section 28-728, local
6 foster care review boards, child advocacy centers, the teams created
7 pursuant to the Supreme Court's Through the Eyes of the Child Initiative,
8 community stakeholders, and advocates for child welfare programs and
9 services to establish networks in each of such service areas. Such
10 networks shall permit collaboration to strengthen the continuum of
11 services available to child welfare agencies and to provide resources for
12 children and juveniles outside the child protection system. Each service
13 area shall develop its own unique strategies to be included in the
14 statewide strategic plan. The Department of Health and Human Services
15 shall assist in identifying the needs of each service area.

16 (2)(a) The commission shall create a committee to examine state
17 policy regarding the prescription of psychotropic drugs for children who
18 are wards of the state and the administration of such drugs to such
19 children. Such committee shall review the policy and procedures for
20 prescribing and administering such drugs and make recommendations to the
21 commission for changes in such policy and procedures.

22 (b) The commission shall create a committee to examine the Office of
23 Juvenile Services and the Juvenile Services Division of the Office of
24 Probation Administration. Such committee shall review the role and
25 effectiveness of out-of-home placements utilized in the juvenile justice
26 system, including the youth rehabilitation and treatment centers, and
27 make recommendations to the commission on the juvenile justice continuum
28 of care, including what populations should be served in out-of-home
29 placements and what treatment services should be provided at the centers
30 in order to appropriately serve those populations. Such committee shall
31 also review how mental and behavioral health services are provided to

1 juveniles in residential placements and the need for such services
2 throughout Nebraska and make recommendations to the commission relating
3 to those systems of care in the juvenile justice system. The committee
4 shall collaborate with the University of Nebraska at Omaha, Juvenile
5 Justice Institute, the University of Nebraska Medical Center, Center for
6 Health Policy, the behavioral health regions as established in section
7 71-807, and state and national juvenile justice experts to develop
8 recommendations. The recommendations shall include a plan to implement a
9 continuum of care in the juvenile justice system to meet the needs of
10 Nebraska families, including specific recommendations for the
11 rehabilitation and treatment model. The recommendations shall be
12 delivered to the commission and electronically to the Judiciary Committee
13 of the Legislature annually by September ~~December~~ 1.

14 (c) The commission may organize committees as it deems necessary.
15 Members of the committees may be members of the commission or may be
16 appointed, with the approval of the majority of the commission, from
17 individuals with knowledge of the committee's subject matter,
18 professional expertise to assist the committee in completing its assigned
19 responsibilities, and the ability to collaborate within the committee and
20 with the commission to carry out the powers and duties of the commission.
21 No member of any committee created pursuant to this section shall have
22 any private financial interest, profit, or benefit from any work of such
23 committee.

24 (d) The Title IV-E Demonstration Project Committee created pursuant
25 to section 43-4208 and the Foster Care Reimbursement Rate Committee
26 appointed pursuant to section 43-4216 ~~created pursuant to section 43-4212~~
27 are under the jurisdiction of the commission.

28 (3) The commission shall work with the office of the State Court
29 Administrator, as appropriate, and entities which coordinate facilitated
30 conferencing as described in section 43-247.03. Facilitated conferencing
31 shall be included in statewide strategic plan discussions by the

1 commission. Facilitated conferencing shall continue to be utilized and
2 maximized, as determined by the court of jurisdiction, during the
3 development of the statewide strategic plan. Funding and contracting with
4 mediation centers approved by the Office of Dispute Resolution to provide
5 facilitated conferencing shall continue to be provided by the office of
6 the State Court Administrator at an amount of no less than the General
7 Fund transfer under subsection (1) of section 43-247.04.

8 (4) The commission shall gather information and communicate with
9 juvenile justice specialists of the Office of Probation Administration
10 and county officials with respect to any county-operated practice model
11 participating in the Crossover Youth Program of the Center for Juvenile
12 Justice Reform at Georgetown University.

13 (5) The commission shall coordinate and gather information about the
14 progress and outcomes of the Nebraska Juvenile Service Delivery Project
15 established pursuant to section 43-4101.

16 (6) The commission shall develop a system-of-care plan beginning
17 with prevention services through treatment services for the child welfare
18 system based on relevant data and evidence-based practices to meet the
19 specific needs of each area of the state. Such system-of-care plan shall
20 include services that are goal-driven and outcome-based and shall
21 evaluate the feasibility of utilizing performance-based contracting for
22 specific child welfare services, including the feasibility of additional
23 contractual requirements for service providers requiring services to all
24 children without an option to deny service.

25 (7) The commission shall analyze case management workforce issues
26 and make recommendations to the Health and Human Services Committee of
27 the Legislature regarding:

28 (a) Salary comparisons with other states and the current pay
29 structure based on job descriptions;

30 (b) Utilization of incentives for persons who work in the area of
31 child welfare;

1 (c) Evidence-based training requirements for persons who work in the
2 area of child welfare and their supervisors; and

3 (d) Collaboration with the University of Nebraska to increase and
4 sustain such workforce.

5 Sec. 2. Section 43-4207, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 43-4207 The Nebraska Children's Commission shall provide a written
8 report to the Governor and an electronic report to the Health and Human
9 Services Committee of the Legislature of its activities during the
10 previous year on or before December 1, 2015. If the commission is
11 continued by the Legislature as provided in section 43-4202, the
12 commission shall provide such report on or before September ~~December~~ 1 of
13 each year the commission is continued.

14 Sec. 3. Section 43-4218, Revised Statutes Supplement, 2017, is
15 amended to read:

16 43-4218 (1)(a) The Normalcy Task Force is created. On July 1, 2017,
17 the Normalcy Task Force shall become the Nebraska Strengthening Families
18 Act Committee.

19 (b)(i) Beginning July 1, 2016, until July 1, 2017, the Normalcy Task
20 Force shall monitor and make recommendations regarding the implementation
21 in Nebraska of the federal Preventing Sex Trafficking and Strengthening
22 Families Act, Public Law 113-183, as such act existed on January 1, 2016.

23 (ii) On and after July 1, 2017, the Nebraska Strengthening Families
24 Act Committee shall monitor and make recommendations regarding the
25 implementation in Nebraska of the federal Preventing Sex Trafficking and
26 Strengthening Families Act, Public Law 113-183, as such act existed on
27 January 1, 2017, and the Nebraska Strengthening Families Act.

28 (2) Until July 1, 2017, the members of the task force, and on and
29 after July 1, 2017, the members of the committee shall include, but not
30 be limited to, (a) representatives from the legislative, executive, and
31 judicial branches of government. The representatives from the legislative

1 and judicial branches shall be nonvoting, ex officio members, (b) no
2 fewer than three young adults currently or previously in foster care
3 which may be filled on a rotating basis by members of Project Everlast or
4 a similar youth support or advocacy group, (c) a representative from the
5 juvenile probation system, (d) the executive director of the Foster Care
6 Review Office, (e) one or more representatives from a child welfare
7 advocacy organization, (f) one or more representatives from a child
8 welfare service agency, (g) one or more representatives from an agency
9 providing independent living services, (h) one or more representatives of
10 a child-care institution as defined in section 43-4703, (i) one or more
11 current or former foster parents, (j) one or more parents who have
12 experience in the foster care system, (k) one or more professionals who
13 have relevant practical experience such as a caseworker, and (l) one or
14 more guardians ad litem who practice in juvenile court.

15 (3) On or before July 1, 2016, the Nebraska Children's Commission
16 shall appoint the members of the task force. On July 1, 2017, the members
17 of the task force shall become members of the committee, shall serve the
18 amount of time remaining on their initial terms of office, and are
19 eligible for reappointment by the Nebraska Children's Commission. Members
20 shall be appointed for terms of two years. The commission shall appoint a
21 chairperson or chairpersons of the committee and may fill vacancies on
22 the committee as such vacancies occur.

23 (4) The committee shall provide a written report with
24 recommendations regarding the initial and ongoing implementation of the
25 federal Preventing Sex Trafficking and Strengthening Families Act, as
26 such act existed on January 1, 2017, and the Nebraska Strengthening
27 Families Act and related efforts to improve normalcy for children in
28 foster care and related populations to the Nebraska Children's
29 Commission, the Health and Human Services Committee of the Legislature,
30 the Department of Health and Human Services, and the Governor by
31 September 1 ~~December 15~~ of each year. The report to the Health and Human

1 Services Committee of the Legislature shall be submitted electronically.

2 Sec. 4. Section 43-4513, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 43-4513 (1) On or before July 1, 2013, the Nebraska Children's
5 Commission shall appoint a Bridge to Independence Advisory Committee to
6 make recommendations to the department and the Nebraska Children's
7 Commission regarding the bridge to independence program, extended
8 guardianship assistance described in section 43-4511, and extended
9 adoption assistance described in section 43-4512. The Bridge to
10 Independence Advisory Committee shall meet on a biannual basis to advise
11 the department and the Nebraska Children's Commission regarding ongoing
12 implementation of the bridge to independence program, extended
13 guardianship assistance described in section 43-4511, and extended
14 adoption assistance described in section 43-4512 and shall provide a
15 written report regarding ongoing implementation, including participation
16 in the bridge to independence program, extended guardianship assistance
17 described in section 43-4511, and extended adoption assistance described
18 in section 43-4512 and early discharge rates and reasons obtained from
19 the department, to the Nebraska Children's Commission, the Health and
20 Human Services Committee of the Legislature, the department, and the
21 Governor by September 1 ~~December 15th~~ of each year. By December 15, 2015,
22 the committee shall develop specific recommendations for expanding to or
23 improving outcomes for similar groups of at-risk young adults. The report
24 to the Health and Human Services Committee of the Legislature shall be
25 submitted electronically.

26 (2) The members of the Bridge to Independence Advisory Committee
27 shall include, but not be limited to, (a) representatives from all three
28 branches of government, and the representatives from the legislative and
29 judicial branches of government shall be nonvoting, ex officio members,
30 (b) no less than three young adults currently or previously in foster
31 care, which may be filled on a rotating basis by members of Project

1 Everlast or a similar youth support or advocacy group, (c) one or more
2 representatives from a child welfare advocacy organization, (d) one or
3 more representatives from a child welfare service agency, and (e) one or
4 more representatives from an agency providing independent living
5 services.

6 (3) Members of the committee shall be appointed for terms of two
7 years. The Nebraska Children's Commission shall appoint the chairperson
8 of the committee and may fill vacancies on the committee as they occur.

9 Sec. 5. Original sections 43-4203, 43-4207, and 43-4513, Reissue
10 Revised Statutes of Nebraska, and section 43-4218, Revised Statutes
11 Supplement, 2017, are repealed.