

ONE HUNDRED FIFTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 288

Introduced by Bolz, 29.

WHEREAS, during fiscal year 2015-16, the office of Inspector General of Nebraska Child Welfare investigated twenty-two cases of system-involved children who died or were seriously injured. Further, according to the office's 2017 Annual Report, as a result of incident reports made to the office between July 1, 2016, and June 30, 2017, seven new death investigations and three serious injury investigations were opened, including one suicide of a youth placed on alternatives to detention and one death of a state ward in a licensed group home; and

WHEREAS, on December 27, 2017, the office issued a report related to sexual abuse of state wards, youth in adoptive or guardian homes, and youth in residential placement and found fifty substantiated cases of sexual abuse; and

WHEREAS, the Legislature believes that further study and oversight of the Department of Health and Human Services is necessary to correct inadequate department procedures and policies and to prevent additional death and abuse of children in the care of the department.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Nebraska Child Welfare Death and Abuse Special Oversight Committee of the Legislature is created. The committee shall consist of the chairperson of the State Child and Maternal Death Review Team or his or her designee, the executive director of the Foster Care Review Office or his or her designee, the Inspector General of Nebraska Child Welfare or his or her designee, the State Court Administrator or his or her designee, the chairperson of the Health and Human Services Committee of the Legislature or his or her designee, the chairperson of the Judiciary Committee or his or her designee,

and three members of the Legislature appointed by the Executive Board of the Legislative Council. The committee shall elect a chairperson and vice-chairperson from the membership of the committee.

2. That the Nebraska Child Welfare Death and Abuse Special Oversight Committee of the Legislature shall focus on children in the care of the Department of Health and Human Services which includes any child from birth to nineteen years of age for which the department has initiated a case report within the Division of Children and Family Services of the department related to founded or unfounded incidents of neglect, abuse, or both and any child from birth to nineteen years of age for which the department has initiated a case within the Office of Juvenile Services of the department. This shall include, but not be limited to, children in alternative response, in-home-care, out-of-home-care, and congregate-care settings.

3. That the Nebraska Child Welfare Death and Abuse Special Oversight Committee of the Legislature shall study the following with respect to the Department of Health and Human Services:

a. Child deaths and abuse incident reports made alleging harm to children in the care of the department and the actions taken in response to the allegations;

b. The policies and procedures in place to ensure that the backgrounds of staff, parents, foster parents, kinship placements, guardians, and other caregivers are sufficiently screened for any history of abuse;

c. The policies relating to the training of staff to assess and mitigate risks for abuse; and

d. The status of recommendations made by the office of Inspector General of Nebraska Child Welfare.

4. That the Nebraska Child Welfare Death and Abuse Special Oversight Committee of the Legislature shall issue a report electronically with its findings and recommendations to the Legislature by December 15, 2018.

5. That the Nebraska Child Welfare Death and Abuse Special Oversight Committee of the Legislature may continue its work until the beginning of the

One Hundred Sixth Legislature, First Session.