

AMENDMENTS TO LB219

(Amendments to E & R amendments, ER166)

Introduced by Bolz, 29.

1 1. Strike section 3 and insert the following new sections:

2 Sec. 3. Section 68-1212, Revised Statutes Supplement, 2019, is
3 amended to read:

4 68-1212 (1) Except as provided in subsection (2) of this section,
5 for all cases in which a court has awarded a juvenile to the care of the
6 Department of Health and Human Services according to subsection (1) of
7 section 43-285 and for any noncourt and voluntary cases, the case manager
8 shall be an employee of the department. Such case manager shall be
9 responsible for and shall directly oversee: Case planning; service
10 authorization; investigation of compliance; monitoring and evaluation of
11 the care and services provided to children and families; and
12 decisionmaking regarding the determination of visitation and the care,
13 placement, medical services, psychiatric services, training, and
14 expenditures on behalf of each juvenile under subsection (1) of section
15 43-285. Such case manager shall be responsible for decisionmaking and
16 direct preparation regarding the proposed plan for the care, placement,
17 services, and permanency of the juvenile filed with the court required
18 under subsection (2) of section 43-285. The health and safety of the
19 juvenile shall be the paramount concern in the proposed plan in
20 accordance with such subsection.

21 (2) The department may contract with a lead agency for a case
22 management lead agency model pilot project in the department's eastern
23 service area as designated pursuant to section 81-3116. The department
24 shall include in the pilot project the appropriate conditions,
25 performance outcomes, and oversight for the lead agency, including, but
26 not be limited to:

1 (a) The reporting and survey requirements of lead agencies described
2 in sections 43-4406 and 43-4407;

3 (b) Departmental monitoring and functional capacities of lead
4 agencies described in section 43-4408;

5 (c) The key areas of evaluation specified in subsection (3) of
6 section 43-4409;

7 (d) Compliance and coordination with the strategic child welfare
8 priorities determined by the Nebraska Children's Commission as provided
9 in section 43-4204; and

10 (e) Assurance of financial accountability and reporting by the lead
11 agency.

12 (3) A lead agency contracted to provide community-based care for
13 children and families shall:

14 (a) Have a board of directors of which at least fifty-one percent of
15 the membership is comprised of Nebraska residents who are not employed by
16 the lead agency or by a subcontractor of the lead agency;

17 (b) Demonstrate readiness shown by the completion of ~~Complete~~ a
18 readiness assessment ~~as~~ developed by the Department of Health and Human
19 Services to determine the lead agency's viability. The ~~readiness~~
20 assessment shall evaluate organizational, operational, and programmatic
21 capabilities and performance, including readiness review ~~review~~ of: The ~~strength~~
22 ~~of~~ the board of directors; compliance and oversight; financial risk
23 management; financial liquidity and performance; infrastructure
24 maintenance; funding sources, including state, federal, and external
25 private funding; and operations, including reporting, staffing,
26 evaluation, training, supervision, contract monitoring, and program
27 performance tracking capabilities;

28 (c) Have the ability to provide directly or by contract through a
29 local network of providers the services required of a lead agency. A lead
30 agency shall not directly provide more than thirty-five percent of direct
31 services required under the contract; and

1 (d) Provide accountability for meeting the outcomes and performance
2 standards related to child welfare services established by Nebraska child
3 welfare policy and the federal government.

4 (4) Each condition of subsection (3) of this section shall be met
5 prior to the assumption of service provision by such lead agency under
6 this section. Nothing in this section shall prohibit the department from
7 phasing the transition of case management services to such lead agency
8 over a period of time.

9 (5) The Director of Children and Family Services of the Division of
10 Children and Family Services of the Department of Health and Human
11 Services shall notify the Health and Human Services Committee of the
12 Legislature when the readiness assessment required under subdivision (3)
13 (b) of this section is complete and provide assurance that the lead
14 agency has demonstrated full readiness, prior to the assumption of
15 service provision by such lead agency.

16 Sec. 4. Original section 43-4704, Revised Statutes Cumulative
17 Supplement, 2018, and sections 43-1311.03 and 68-1212, Revised Statutes
18 Supplement, 2019, are repealed.