

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB330

Hearing Date: Wednesday February 20, 2019
Committee On: Executive Board
Introducer: Bolz
One Liner: Change the administration, duties, membership, purpose, and reports of the Nebraska Children's Commission

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

Vote Results:
Aye: 9 Senators Bolz, Chambers, Hilgers, Hughes, Kolterman, Lowe, McCollister, Scheer, Vargas
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents: Senator Bolz Christine Jones Annette Dubas	Representing: District 29 Nebraska Children's Commission Nebraska Association of Behavioral Health Organizations
Opponents: Matthew Wallen	Representing: Department of Health and Human Services
Neutral:	Representing:

Summary of purpose and/or changes:
LB330 (2019)

Change administration, duties, etc., of the Nebraska Children's Commission

(Senators Bolz)

Date of Hearing: February 20, 2019

Section-by-section summary of the Bill:

Section 1. Current law regarding the findings from LR37 (2011) report regarding problems in the child welfare system are amended to clarify that services to children and families are included. In addition, language is added to provide for research and policy development within the child welfare system and the juvenile justice system.

Section 2. The duties of the Nebraska Children's Commission are amended so that the focus is on monitoring and evaluating the child welfare and juvenile justice systems.

The membership of the commission is changed to include the following voting members: The chair of the Health & Human Services Committee, the chair of the Judiciary Committee, the

chair of the Appropriations Committee (or their designees), and two additional legislators. This changes the structural makeup of the committee so that legislators are the voting members. The commission would also include several nonvoting members who would serve in an advisory capacity based on their expertise in child welfare-related services.

The bill strikes the current language regarding governor appointments to the commission.

The staff for the commission is moved to the Office of the Public Counsel, instead of the Foster Care Review Office. A policy analyst would be hired, with the assistance and approval of the voting members of the commission.

Section 3. Any committee or subcommittee is required to include representation from all three branches of government, with the executive and judicial branch representatives to be nonvoting, ex officio members. Most of this section restates current statutory language to reflect the duties of the newly established commission, rather than Nebraska Children's Commission.

The commission is authorized to create subcommittees as it deems necessary

Section 4. The commission would determine three to five child welfare priorities for research or policy development by considering the findings and recommendations set forth in the annual reports of the Foster Care Review Board, the IG of Child Welfare, and the federal Child and Family Services Reviews outcomes.

Current statutory language regarding contracting with private nonprofit entities as lead agencies is stricken.

Section 5. Adds language requiring the Office of Probation Administration to cooperate with the commission. (Current statute refers only to the Department of Health & Human Services.)

Section 6. Requires an annual report defining the strategic child welfare priorities and progress, summarizing reports from each committee and subcommittee, and making recommendations. The commission shall present a summary of its report in an annual public hearing before the Health & Human Services Committee.

Section 7. Effective July 1, 2019, all duties and functions of the Foster Care Review Office related to the Nebraska Children's Commission would be transferred to the Office of Public Counsel.

Section 8. Currently, the Nebraska Children's Commission appoints a Foster Care Reimbursement Rate Committee. LB330 repeals the provisions regarding the current committee and replaces it with a committee whose appointments are made pursuant to section 3(1).

Section 9. Coordinates provisions regarding the Foster Care Reimbursement Rate Committee.

Section 10. Currently, the Nebraska Children's Commission appoints a Bridge to Independence Advisory Committee. LB330 repeals the provisions regarding the current committee and replaces it with a committee whose appointments are made pursuant to section 3(1).

Section 11. Coordinating section.

Section 12. Strikes reference to the Normalcy Task Force, which in 2017 became the Nebraska Strengthening Families Act Committee. Appointments to this committee are to be made pursuant to section 3(1).

Section 13. Adds language requiring a lead agency to include in its pilot project compliance and coordination with child welfare priorities created by the commission.

This section also provides for a lead agency contracted to provide community-based care for children and families to meet several specific requirements.

Section 14. Operative date July 1, 2019.

Section 15. Repeals original sections.

Section 16. Outright repealed sections.

Section 17. Emergency clause.

Explanation of amendments:

The committee amendment, AM979, makes the following changes to the original bill:

The voting members of the Children's Commission would be appointed by the Governor.

Legislative members would be nonvoting, ex officio members.

For administrative purposes, the commission would continue to be located in the Foster Care Review Office. Language in the original bill to move the commission to the Ombudsman's Office is removed.

The Nebraska Health Care Cash Fund is specifically identified as the source of funding for the operations of the commission.

The committee amendment eliminates the sunset date.

The membership of the Foster Care Reimbursement Rate Committee, the Bridge to Independence Advisory Committee and the Strengthening Families Act Committee would remain as in current law.

The commission is charged with developing priorities, rather than a strategic plan.

Mike Hilgers, Chairperson