

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 495

Introduced by Hilkemann, 4.

Read first time January 19, 2021

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to foster care; to amend section 43-4215,
- 2 Reissue Revised Statutes of Nebraska; to state findings and intent;
- 3 to require implementation of an increase in foster care
- 4 reimbursement rates; to eliminate obsolete provisions; to repeal the
- 5 original section; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-4215, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 43-4215 (1) On or before July 1, 2021 ~~2014~~, the Division of Children
4 and Family Services of the Department of Health and Human Services shall
5 implement the increase to the reimbursement rate as recommended by
6 recommendations ~~of~~ the Foster Care Reimbursement Rate Committee as
7 reported to the Legislature in the committee's report dated June 22,
8 2020, pursuant to section 43-4217 ~~43-4212~~ ~~as such section existed before~~
9 ~~June 5, 2013.~~

10 (2) The Legislature finds that:

11 (a) A stable payment to foster parents is important to ensure that
12 families are able to budget for needs while caring for foster children;

13 (b) The foster care system has begun to stabilize as a result of the
14 consistent support from the state;

15 (c) The report from the Foster Care Reimbursement Rate Committee
16 demonstrates increased costs of raising a child above the foster care
17 reimbursement rates as of July 1, 2020; and

18 (d) Costs have increased for child-placing agencies providing foster
19 care support services.

20 (3) In recognition of the essential contributions of foster parents
21 and foster care providers to foster children in Nebraska, it is the
22 intent of the Legislature to:

23 (a) Increase rates for foster parents and foster care providers
24 utilizing data from the report to the Legislature by the Foster Care
25 Reimbursement Rate Committee, dated June 22, 2020, pursuant to section
26 43-4217, to ensure that providers of these services can continue serving
27 children in Nebraska;

28 (b) Continue existing contractual arrangements for payment to ensure
29 the continued stabilization of the foster care system in Nebraska;

30 (c) Ensure that fair foster care reimbursement rates continue into
31 the future to stem attrition of foster parents and to recruit, support,

1 and maintain high-quality foster parents;

2 (d) Ensure that foster care reimbursement rates accurately reflect
3 the cost of raising a child in the care of the state;

4 (e) Ensure that contracted foster care service provider agencies do
5 not pay increased rates out of budgets determined in contracts with the
6 Department of Health and Human Services prior to any change in rates; and

7 (f) Maintain comparable foster care reimbursement rates to ensure
8 retention and recruitment of high-quality foster parents and to ensure
9 that the best interests of the children are served.

10 ~~(2)(a) On or before July 1, 2013, the Division of Children and~~
11 ~~Family Services of the Department of Health and Human Services shall~~
12 ~~develop a pilot project as provided in this subsection to implement the~~
13 ~~standardized level of care assessment tools recommended by the Foster~~
14 ~~Care Reimbursement Rate Committee as reported to the Legislature pursuant~~
15 ~~to section 43-4212 as such section existed before June 5, 2013.~~

16 ~~(b)(i) The pilot project shall comprise two groups: One in an urban~~
17 ~~area and one in a rural area. The size of each group shall be determined~~
18 ~~by the division to ensure an accurate estimate of the effectiveness and~~
19 ~~cost of implementing such tools statewide.~~

20 ~~(ii) The Nebraska Children's Commission shall review and provide a~~
21 ~~progress report on the pilot project by October 1, 2013, to the~~
22 ~~department and electronically to the Health and Human Services Committee~~
23 ~~of the Legislature; shall provide to the department and electronically to~~
24 ~~the committee by December 1, 2013, a report including recommendations and~~
25 ~~any legislation necessary, including appropriations, to adopt the~~
26 ~~recommendations, regarding the adaptation or continuation of the~~
27 ~~implementation of a statewide standardized level of care assessment; and~~
28 ~~shall provide to the department and electronically to the committee by~~
29 ~~February 1, 2014, a final report and final recommendations of the~~
30 ~~commission.~~

31 Sec. 2. Original section 43-4215, Reissue Revised Statutes of

1 Nebraska, is repealed.

2 Sec. 3. Since an emergency exists, this act takes effect when
3 passed and approved according to law.