

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 25

Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

WHEREAS, the One Hundredth Sixth Legislature, Second Session, passed Laws 2020, LB1144, creating the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature in response to deteriorating conditions at the Youth Rehabilitation and Treatment Center-Geneva and in response to the Department of Health and Human Services proposed business plan to reorganize the youth rehabilitation and treatment center model; and

WHEREAS, on March 13, 2020, Governor Pete Ricketts issued an emergency declaration in order to address the COVID-19 pandemic in Nebraska. As a result, the Legislature was recessed for a prolonged period from March 13, 2020, until July 20, 2020, and Legislative Bill 1144 was not signed into law until August 11, 2020, giving the Youth Rehabilitation and Treatment Center Special Oversight Committee only a brief window of time to carry out its duties as set forth in Laws 2020, LB1144; and

WHEREAS, the Youth Rehabilitation and Treatment Center Special Oversight Committee toured the youth rehabilitation and treatment center facilities, received briefings from officials and stakeholders, and held a public hearing to study the quality of care and related issues at the youth rehabilitation and treatment centers; and

WHEREAS, the Youth Rehabilitation and Treatment Center Special Oversight Committee issued a report with its findings and recommendations to the Legislature on December 15, 2020, which included a recommendation to reappoint members to the committee and extend the committee until December 31, 2021; and

WHEREAS, the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature terminated on December 31, 2020; and

WHEREAS, continued legislative input and oversight over the youth

rehabilitation and treatment centers is needed as the Department of Health and Human Services develops and implements the five-year operations plan as required by section 43-427; and

WHEREAS, the safety, quality of life, and right to a safe treatment environment for youth in the youth rehabilitation and treatment centers continues to be of the utmost concern to the Legislature.

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

1. That the Executive Board of the Legislative Council shall appoint a special committee of the Legislature to be known as the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature. The committee shall consist of no more than nine members of the Legislature appointed by the Executive Board. Members shall include the chairperson of the Health and Human Services Committee of the Legislature, two other members of the Health and Human Services Committee of the Legislature, one member of the Appropriations Committee of the Legislature, one member of the Education Committee of the Legislature, the chairperson of the Judiciary Committee of the Legislature, and one member of the Legislature from each legislative district in which a youth rehabilitation and treatment center is located. The Youth Rehabilitation and Treatment Center Special Oversight Committee shall elect a chairperson and vice-chairperson from the membership of the committee. The Executive Board may provide the committee with legal counsel, a committee clerk, and other staff as required by the committee from existing legislative staff. The committee may hold hearings and request and receive progress reports from the Department of Health and Human Services regarding the youth rehabilitation and treatment centers. The committee may issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony.

2. The Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature may study the quality of care and related issues at the youth rehabilitation and treatment centers. The committee shall provide

oversight of the administration and operations, including funding, capacity, and staffing practices at the youth rehabilitation and treatment centers. The committee shall provide oversight for planning at the youth rehabilitation and treatment centers. The committee shall utilize existing studies, reports, and legislation developed to address the conditions existing at the youth rehabilitation and treatment centers. The committee shall not be limited to such studies, reports, or legislation. The committee shall issue a report with its findings and recommendations to the Legislature on or before December 15, 2021.

3. The Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature shall terminate on December 31, 2021.