

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 29

Introduced by Cavanaugh, M., 6.

WHEREAS, Saint Francis Ministries was awarded a five-year, 197 million dollar child welfare contract to serve abused and neglected children in the eastern service area of Douglas and Sarpy Counties by the Department of Health and Human Services; and

WHEREAS, under that contract Saint Francis Ministries has responsibility for approximately 2,500 children who are wards of the State of Nebraska or are in Nebraska families who are in need of services to keep their children safe and healthy; and

WHEREAS, Saint Francis Ministries has been accused in the State of Kansas of gross mismanagement of funds and the State of Kansas has charged the former Chief Executive Officer of Saint Francis Ministries, Robert Smith, with using company credit cards for inappropriate expenditures including personal travel, personal expenses, travel expenses of a friend, expenses for a business in El Salvador owned by his wife, and \$80,000 in tickets to the Chicago Cubs and hiding it from the Board of Directors; and

WHEREAS, Saint Francis Ministries has estimated a 27 million dollar operating loss for the first year of the contract and may be at risk of bankruptcy; and

WHEREAS, an evaluation from January through September of 2020 released by the Department of Health and Human Services indicated that more than half of Saint Francis Ministries caseworkers had caseloads above the limits set by state law and the contract requires them to meet those statutory limits, and Saint Francis Ministries has failed to provide timely documentation on placements and case plans and has failed to do proper background checks for workers; and

WHEREAS, Saint Francis Ministries and the Department of Health and Human Services failed to give in person updates on the contract and care of the children involved to the Health and Human Services Committee of the Legislature at the December 16, 2020, interim hearing.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the Eastern Service Area Child Welfare Contract Special Investigative and Oversight Committee of the Legislature. The committee shall consist of nine members of the Legislature appointed by the executive board. Members shall include three members of the Health and Human Services Committee of the Legislature with at least one member representing the eastern service area, one member of the Appropriations Committee of the Legislature, one member of the Education Committee of the Legislature, three members of the Judiciary Committee of the Legislature with at least one member representing the eastern service area, and one at-large member of the Legislature. The committee shall elect a chairperson and vice-chairperson from the membership of the committee. The executive board may provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff, including the Inspector General of Nebraska Child Welfare. The executive board may authorize the committee to hire outside legal counsel, consultants, and investigators as required by the committee. The committee may hold hearings and issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony.

2. The Eastern Service Area Child Welfare Contract Special Investigative and Oversight Committee of the Legislature is hereby authorized to study the quality of care and related staffing issues of the contractor and the contractor's interactions with families and children, foster families, Nebraska courts, and with the Department of Health and Human Services. The committee

shall investigate placement and quality of care received by the children of the eastern service area through the contract services agreement with Saint Francis Ministries. The committee shall also study the Department of Health and Human Services and the Department of Administrative Services with respect to the award, implementation, and oversight of the contract. The committee shall utilize existing studies, reports, and legislation developed to address the current conditions. The committee shall not be limited to such studies, reports, or legislation.

3. The committee shall issue a report with its findings and recommendations to the Legislature no later than December 1, 2022.