



December 31, 2022

Mr. Brandon Metzler  
Clerk of the Legislature  
State Capitol Room 2028  
Lincoln, NE 68509

Re: Developmental Disabilities Court-Ordered Custody Act Report

Dear Mr. Metzler,

Per Neb. Rev. Stat. §71-1134, the Division of Developmental Disabilities is submitting this communication as the Developmental Disabilities Court-Ordered Custody Act (DDCOCA) annual report for fiscal year 2021/2022.

When an individual has been adjudicated as a person in need of court-ordered custody and treatment under the DDCOCA, the Department of Health and Human Services is required to evaluate the individual and develop a plan for custody and treatment, in the least restrictive alternative. If the court approves the plan, such custody and treatment will continue until an annual review hearing before the same court, where the plan may be continued, revised or discontinued, depending on the circumstances.

During the 2021/2022 fiscal year, \$7,983,140 was spent to provide services to individuals affected by the Developmental Disabilities Court Ordered Custody Act from the Division of Developmental Disabilities. Attached is a summary of the cases as well as historical data on this Act since implementation in fiscal year 2014/2015.

Please let me know if you have any questions regarding this information.

Respectfully,

Tony Green, Director  
Division of Developmental Disabilities  
Department of Health and Human Services

**Developmental Disabilities Court Ordered Custody Act Report  
July 1, 2021 to June 30, 2022**

|    | County     | DDCOCA Begin Date | DDCOCA End Date | DD Eligible | Funding Source | Current Residence/Service Setting                     | 2021-2022 Fiscal Year Cost | Case Status                             |
|----|------------|-------------------|-----------------|-------------|----------------|---|----------------------------|---|
| 1  | Lancaster  | 8/29/2009         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 212,056.97              | Plan implemented and monitored by court |
| 2  | Douglas    | 4/5/2010          |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 217,675.55              | Plan implemented and monitored by court |
| 3  | Lancaster  | 3/24/2011         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 96,869.32               | Plan implemented and monitored by court |
| 4  | Lancaster  | 5/2/2011          |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 203,026.62              | Plan implemented and monitored by court |
| 5  | Douglas    | 5/12/2011         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 204,467.15              | Plan implemented and monitored by court |
| 6  | Lancaster  | 12/7/2011         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 247,696.16              | Plan implemented and monitored by court |
| 7  | Lancaster  | 5/29/2014         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 238,342.95              | Plan implemented and monitored by court |
| 8  | Saunders   | 5/29/2014         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 201,784.85              | Plan implemented and monitored by court |
| 9  | Madison    | 6/9/2014          |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 213,168.62              | Plan implemented and monitored by court |
| 10 | Gage       | 4/14/2015         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 242,909.55              | Plan implemented and monitored by court |
| 11 | Otoe       | 1/12/2016         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 188,836.02              | Plan implemented and monitored by court |
| 12 | Sarpy      | 6/13/2016         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 202,904.46              | Plan implemented and monitored by court |
| 13 | Phelps     | 7/19/2016         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 212,236.66              | Plan implemented and monitored by court |
| 14 | Madison    | 11/21/2016        |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 203,285.37              | Plan implemented and monitored by court |
| 15 | Douglas    | 3/2/2017          |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 203,089.13              | Plan implemented and monitored by court |
| 16 | Cheyenne   | 6/28/2017         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 198,211.76              | Plan implemented and monitored by court |
| 17 | Sarpy      | 3/27/2018         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 168,603.24              | Plan implemented and monitored by court |
| 18 | Sarpy      | 7/18/2018         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 122,325.74              | Plan implemented and monitored by court |
| 19 | Sarpy      | 11/7/2018         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 422,180.06              | Plan implemented and monitored by court |
| 20 | Washington | 2/14/2019         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 208,928.31              | Plan implemented and monitored by court |
| 21 | Colfax     | 5/23/2019         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 246,303.72              | Plan implemented and monitored by court |
| 22 | Otoe       | 5/29/2019         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 227,257.91              | Plan implemented and monitored by court |
| 23 | Madison    | 7/29/2019         |                 | Yes         | HCBS Waiver    | BSDC/Group Home w/ DD Community Based Provider        | \$ 405,006.67              | Plan implemented and monitored by court |
| 24 | Cass       | 8/5/2019          |                 | Yes         | -              | Dismissed   | \$ N/A                     | -                                       |
| 25 | Sarpy      | 8/12/2019         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 193,311.81              | Plan implemented and monitored by court |
| 26 | Saunders   | 9/17/2019         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 163,117.78              | Plan implemented and monitored by court |
| 27 | Johnson    | 10/7/2019         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 235,105.93              | Plan implemented and monitored by court |

|    | County      | DDCOCA Begin Date | DDCOCA End Date | DD Eligible | Funding Source | Current Residence/Service Setting                     | 2021-2022 Fiscal Year Cost | Case Status                             |
|----|-------------|-------------------|-----------------|-------------|----------------|---|----------------------------|---|
| 28 | Platte      | 4/21/2020         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 148,314.97              | Plan implemented and monitored by court |
| 29 | Douglas     | 6/11/2020         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 184,579.85              | Plan implemented and monitored by court |
| 30 | Saunders    | 8/20/2020         |                 | Yes         | HCBS Waiver    | County Corrections                                    | \$ N/A                     | Plan implemented and monitored by court |
| 31 | Butler      | 9/8/2020          |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 99,975.36               | Plan implemented and monitored by court |
| 32 | Scottsbluff | 9/11/2020         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 245,988.11              | Plan implemented and monitored by court |
| 33 | Douglas     | 11/10/2020        |                 | No          | DDAID          | Group Home w/ DD Community Based Provider             | \$ 179,036.79              | Plan implemented and monitored by court |
| 34 | Colfax      | 12/15/2020        |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 93,863.80               | Plan implemented and monitored by court |
| 35 | Lancaster   | 1/7/2021          |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 190,924.20              | Plan implemented and monitored by court |
| 36 | Douglas     | 1/13/2021         |                 | No          | DDAID          | Shared Living Provider w/ DD Community Based Provider | \$ 299,162.38              | Plan implemented and monitored by court |
| 37 | Douglas     | 5/4/2021          |                 | No          | DDAID          | Group Home w/ DD Community Based Provider             | \$ 61,265.65               | Plan implemented and monitored by court |
| 38 | Madison     | 7/28/2021         |                 | No          | DDAID          | Shared Living Provider w/ DD Community Based Provider | \$ 180,558.48              | Plan implemented and monitored by court |
| 39 | Lancaster   | 10/28/2021        |                 | Yes         | HCBS Waiver    | County Correctcons                                    | \$ N/A                     | Plan implemented and monitored by court |
| 40 | Sarpy       | 11/5/2021         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 423,709.44              | Plan implemented and monitored by court |
| 41 | Cass        | 3/07/2022         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 127,136.80              | Plan implemented and monitored by court |
| 42 | Madison     | 4/21/2022         |                 | Yes         | HCBS Waiver    | Beatrice State Developmental Center                   | \$ N/A                     | Plan implemented and monitored by court |
| 43 | Sarpy       | 5/17/2022         |                 | Yes         | HCBS Waiver    | Group Home w/ DD Community Based Provider             | \$ 46,660.60               | Plan implemented and monitored by court |
| 44 | Douglas     | 5/24/2022         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 13,462.88               | Plan implemented and monitored by court |
| 45 | Douglas     | 7/08/2022         |                 | Yes         | HCBS Waiver    | Beatrice State Developmental Center                   | \$ N/A                     | Plan implemented and monitored by court |
| 46 | Sarpy       | 7/19/2022         |                 | Yes         | HCBS Waiver    | Shared Living Provider w/ DD Community Based Provider | \$ 9,798.43                | Plan implemented and monitored by court |

## Historical Data DDCOCA Participant Cost Report

| Fiscal Year | New Cases | Closed Cases | Total Served | EOY Carryover | Total Expense | Cost per Participant |
|-------------|-----------|--------------|--------------|---------------|---------------|----------------------|
| 2014/15     |           |              | 13           | 13            | \$ 1,605,487  | \$ 123,499           |
| 2015/16     | 3         | 0            | 16           | 16            | \$ 1,974,495  | \$ 123,406           |
| 2016/17     | 5         | 2            | 21           | 19            | \$ 2,277,701  | \$ 108,462           |
| 2017/18     | 5         | 3            | 24           | 21            | \$ 3,836,720  | \$ 159,863           |
| 2018/19     | 4         | 0            | 25           | 25            | \$ 5,497,334  | \$ 219,893           |
| 2019/20     | 8         | 2            | 33           | 31            | \$ 7,701,890  | \$ 233,391           |
| 2020/21     | 8         | 1            | 39           | 38            | \$ 8,337,020  | \$ 208,273           |
| 2021/22     | 8         | 1            | 45           | 37            | \$ 7,983,140  | \$ 194,711           |