

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 825**

Final Reading

Introduced by Dubas, 34; Cook, 13; Krist, 10; Lathrop, 12; McGill,  
26; Nordquist, 7; Sullivan, 41; Conrad, 46; Council,  
11.

Read first time January 05, 2012

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to social services; to define terms; to provide  
2 requirements for staffing, services, and contracts for  
3 public assistance programs administered by the Department  
4 of Health and Human Services; and to provide reporting  
5 requirements.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. For purposes of sections 1 to 6 of this act:

2           (1) Client means an applicant for one or more economic  
3 assistance programs or his or her legal representative;

4           (2) Community-based organization means:

5           (a) An area agency on aging established pursuant to the  
6 Nebraska Community Aging Services Act;

7           (b) A Nebraska-based community action agency designated  
8 under the federal Economic Opportunity Act of 1964, 42 U.S.C. 2701 et  
9 seq.;

10          (c) A Nebraska-based center for independent living  
11 established under the federal Rehabilitation Act of 1973, 29 U.S.C.  
12 701 et seq., as such act existed on January 1, 2012;

13          (d) A Nebraska-based rural health clinic established  
14 under the federal Rural Health Clinics Act of 1983, 42 U.S.C. 201 et  
15 seq., as such act existed on January 1, 2012;

16          (e) A Nebraska-based federally qualified health center  
17 and rural health clinic as such terms are defined in the federal  
18 Social Security Act, 42 U.S.C. 1395x(aa), as such section existed on  
19 January 1, 2012; and

20          (f) Any other organization that demonstrates to the  
21 Department of Health and Human Services that it can comply with the  
22 requirements of subsection (2) of section 5 of this act;

23          (3) Economic assistance programs includes aid to  
24 dependent children; aid to the aged, blind, and disabled;  
25 Supplemental Nutrition Assistance Program; medicaid; child care;

1 emergency assistance; energy assistance; social services block  
2 grants; and other similar programs administered by the department;  
3 and

4 (4) Existing local office means all office locations for  
5 economic assistance programs of the Department of Health and Human  
6 Services that existed on January 1, 2012.

7 Sec. 2. (1) The Department of Health and Human Services  
8 shall staff multiple, integrated access points for economic  
9 assistance programs administered by the department in order to assure  
10 that Nebraskans who rely on such programs will be able to utilize  
11 them effectively.

12 (2) The department shall staff existing local offices  
13 that provide access to economic assistance programs throughout the  
14 state with caseworkers to provide in-person services to department  
15 clients. The department shall provide sufficient numbers and hours of  
16 staff to perform the activities described in this section and section  
17 3 of this act.

18 (3) The department shall determine appropriate numbers  
19 and hours of staff for each existing local office based on a review  
20 of the need in each service area. In determining the appropriate  
21 numbers and hours of staff, the department shall, at a minimum,  
22 consider: (a) The need for staff to travel to community-based  
23 organizations as provided in section 5 of this act; (b) the volume of  
24 economic assistance cases in the counties served by the existing  
25 local office; (c) the number of community-based organizations in the

1 counties served by the existing local office; (d) the volume of call-  
2 center calls originating in the counties served by the existing local  
3 office; and (e) the requirements of sections 1 to 5 of this act.

4 (4) Caseworkers at existing local offices shall perform  
5 the following activities by appointment and on a drop-in basis:

6 (a) Help clients complete assistance and renewal  
7 applications;

8 (b) Screen clients for program eligibility;

9 (c) Interview clients for assistance eligibility and  
10 assistance renewal eligibility;

11 (d) Determine program eligibility of the client; and

12 (e) Answer client questions in person.

13 (5) Department call centers for economic assistance  
14 programs shall take appointments for face-to-face help for clients  
15 regarding or relating to such assistance upon request of the client.

16 (6) Each existing local office shall be equipped with a  
17 reasonable number of computers, telephones, and scanning equipment  
18 for client use.

19 Sec. 3. (1) The Department of Health and Human Services  
20 shall provide high-quality services for clients who apply for or  
21 receive benefits under public benefit programs administered by the  
22 department.

23 (2) The department shall utilize department caseworkers  
24 who are located in call centers, dedicated caseworkers, and  
25 specialized department employees or units who will provide in-person

1 assistance to specific clients.

2 (3) Upon the request of the client, dedicated caseworkers  
3 shall, at a minimum, be utilized for persons with chronic physical or  
4 mental disorders and the elderly that require the provision of  
5 medical and personal care services on a recurring or continuing  
6 basis.

7 (4) Specialized department employees or units shall, at a  
8 minimum, be utilized for complex cases, including medicaid waiver  
9 cases, medicaid spousal impoverishment cases, disability cases, and  
10 other similar cases upon request of the client.

11 (5) The dedicated caseworkers and specialized department  
12 employees or units shall be placed in the existing local offices and  
13 shall be accessible to department caseworkers in call centers.

14 Sec. 4. (1) Community support specialists within the  
15 Department of Health and Human Services shall:

16 (a) Act as a liaison between the department and  
17 community-based organizations;

18 (b) Facilitate client assistance by community-based  
19 organizations;

20 (c) Train community-based organizations in how to help  
21 clients access economic assistance programs through the department  
22 web site; and

23 (d) Respond to client problems with the application  
24 process known as Access Nebraska or its successor.

25 (2) The department shall determine the appropriate

1 numbers and hours of community support specialists but shall, at a  
2 minimum, employ eight community support specialists to perform the  
3 requirements of subsection (1) of this section. The community support  
4 specialists shall receive annual training in:

5 (a) Principles and practices of public administration;  
6 (b) Procedure and policy development; and  
7 (c) Federal and state laws, rules, regulations, and  
8 procedures pertaining to health and human services programs.

9 Sec. 5. (1) The Department of Health and Human Services  
10 shall enter into contracts with community-based organizations which  
11 allow the department to keep caseworkers present at the community-  
12 based organization at the times specified in the contract. A contract  
13 under this section shall specify sufficient times to allow  
14 caseworkers to:

15 (a) Screen and conduct interviews for assistance  
16 eligibility and assistance renewal;

17 (b) Assist clients with assistance applications and  
18 renewals;

19 (c) Receive assistance applications and renewals;

20 (d) Answer questions in person;

21 (e) Train and provide technical assistance to staff of  
22 community-based organizations; and

23 (f) Conduct face-to-face interviews with clients by  
24 appointment and on a drop-in basis.

25 (2) In addition to the requirements specified in

1 subsection (1) of this section, each such contract shall allow the  
2 community-based organization to:

3 (a) Provide quality, accurate information relating to  
4 economic assistance programs that are targeted at populations known  
5 to have low participation rates in or difficulty accessing such  
6 assistance programs;

7 (b) Provide quality outreach to clients in the target  
8 populations who utilize economic assistance programs;

9 (c) Assist clients in scheduling appointments with  
10 caseworkers at a community-based organization facility or local  
11 office that provides access to economic assistance programs,  
12 whichever the client prefers;

13 (d) Assist with organization of information required for  
14 economic assistance application or renewal; and

15 (e) Negotiate fair compensation for services provided to  
16 applicants for economic assistance benefits as described in this  
17 section.

18 (3) The department shall maintain a sufficient number of  
19 contracts to provide access to assistance for all Nebraska citizens  
20 in establishing and maintaining eligibility for economic assistance  
21 programs. In determining the number of contracts with community-based  
22 organizations, the department shall, at a minimum, consider:

23 (a) The geographic distance applicants would be required  
24 to travel to meet with a caseworker in person and how to minimize  
25 that distance;

1           (b) The volume of economic assistance cases in the  
2 service area and how to adequately serve those cases;

3           (c) The number of clients in an area who have difficulty  
4 in verbal and written communication due to hearing or vision  
5 impairment, language barriers, or literacy challenges and how to  
6 accommodate their needs;

7           (d) The community-based organization's ability to serve  
8 the need; and

9           (e) The number of existing local offices in the service  
10 area.

11           Sec. 6. The Department of Health and Human Services shall  
12 fulfill the requirements of sections 1 to 5 of this act by September  
13 1, 2012. The department shall train community-based organizations by  
14 September 1, 2012. The department shall report back to the Health and  
15 Human Services Committee of the Legislature by September 15, 2012,  
16 regarding the implementation of sections 1 to 5 of this act,  
17 including, but not limited to, the reasons for the department's  
18 determinations of the appropriate number of staff and hours pursuant  
19 to section 2 of this act and the number of community-based  
20 organization contracts pursuant to section 5 of this act.