

## LEGISLATIVE BILL 825

Approved by the Governor April 11, 2012

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

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

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

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

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

(2) Community-based organization means:

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

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

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

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

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

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

(3) Economic assistance programs includes aid to dependent children; aid to the aged, blind, and disabled; Supplemental Nutrition Assistance Program; medicaid; child care; emergency assistance; energy assistance; social services block grants; and other similar programs administered by the department; and

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

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

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

(3) The department shall determine appropriate numbers and hours of staff for each existing local office based on a review of the need in each service area. In determining the appropriate numbers and hours of staff, the department shall, at a minimum, consider: (a) The need for staff to travel to community-based organizations as provided in section 5 of this act; (b) the volume of economic assistance cases in the counties served by the existing local office; (c) the number of community-based organizations in the counties served by the existing local office; (d) the volume of call-center calls originating in the counties served by the existing local office; and (e) the requirements of sections 1 to 5 of this act.

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

(a) Help clients complete assistance and renewal applications;

(b) Screen clients for program eligibility;

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

(d) Determine program eligibility of the client; and

(e) Answer client questions in person.

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

(6) Each existing local office shall be equipped with a reasonable

number of computers, telephones, and scanning equipment for client use.

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

(2) The department shall utilize department caseworkers who are located in call centers, dedicated caseworkers, and specialized department employees or units who will provide in-person assistance to specific clients.

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

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

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

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

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

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

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

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

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

(a) Principles and practices of public administration;

(b) Procedure and policy development; and

(c) Federal and state laws, rules, regulations, and procedures pertaining to health and human services programs.

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

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

(b) Assist clients with assistance applications and renewals;

(c) Receive assistance applications and renewals;

(d) Answer questions in person;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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