

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 853**

Introduced by McGill, 26.

Read first time January 13, 2014

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to juveniles; to amend section 43-284.02, Reissue  
2 Revised Statutes of Nebraska, and sections 43-247,  
3 43-905, 43-1311.03, 43-4501, 43-4502, 43-4503, 43-4504,  
4 43-4505, 43-4506, 43-4507, 43-4508, 43-4509, 43-4510,  
5 43-4513, and 43-4514, Revised Statutes Supplement, 2013;  
6 to change and rename the Young Adult Voluntary Services  
7 and Support Act; to harmonize provisions; and to repeal  
8 the original sections.  
9 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 43-247, Revised Statutes Supplement,  
2 2013, is amended to read:

3           43-247 Except as provided in section 43-247.02, the  
4 juvenile court shall have exclusive original jurisdiction as to any  
5 juvenile defined in subdivision (1) of this section who is under the  
6 age of sixteen, as to any juvenile defined in subdivision (3) of this  
7 section, and as to the parties and proceedings provided in  
8 subdivisions (5), (6), and (7) of this section. As used in this  
9 section, all references to the juvenile's age shall be the age at the  
10 time the act which occasioned the juvenile court action occurred. The  
11 juvenile court shall have concurrent original jurisdiction with the  
12 district court as to any juvenile defined in subdivision (2) of this  
13 section. The juvenile court shall have concurrent original  
14 jurisdiction with the district court and county court as to any  
15 juvenile defined in subdivision (1) of this section who is age  
16 sixteen or seventeen, any juvenile defined in subdivision (4) of this  
17 section, and any proceeding under subdivision (6) or (10) of this  
18 section. The juvenile court shall have concurrent original  
19 jurisdiction with the county court as to any proceeding under  
20 subdivision (8) or (9) of this section. Notwithstanding any  
21 disposition entered by the juvenile court under the Nebraska Juvenile  
22 Code, the juvenile court's jurisdiction over any individual adjudged  
23 to be within the provisions of this section shall continue until the  
24 individual reaches the age of majority or the court otherwise  
25 discharges the individual from its jurisdiction.

1           The juvenile court in each county as herein provided  
2 shall have jurisdiction of:

3           (1) Any juvenile who has committed an act other than a  
4 traffic offense which would constitute a misdemeanor or an infraction  
5 under the laws of this state, or violation of a city or village  
6 ordinance;

7           (2) Any juvenile who has committed an act which would  
8 constitute a felony under the laws of this state;

9           (3) Any juvenile (a) who is homeless or destitute, or  
10 without proper support through no fault of his or her parent,  
11 guardian, or custodian; who is abandoned by his or her parent,  
12 guardian, or custodian; who lacks proper parental care by reason of  
13 the fault or habits of his or her parent, guardian, or custodian;  
14 whose parent, guardian, or custodian neglects or refuses to provide  
15 proper or necessary subsistence, education, or other care necessary  
16 for the health, morals, or well-being of such juvenile; whose parent,  
17 guardian, or custodian is unable to provide or neglects or refuses to  
18 provide special care made necessary by the mental condition of the  
19 juvenile; or who is in a situation or engages in an occupation,  
20 including prostitution, dangerous to life or limb or injurious to the  
21 health or morals of such juvenile, (b) who, by reason of being  
22 wayward or habitually disobedient, is uncontrolled by his or her  
23 parent, guardian, or custodian; who deports himself or herself so as  
24 to injure or endanger seriously the morals or health of himself,  
25 herself, or others; or who is habitually truant from home or school,

1 or (c) who is mentally ill and dangerous as defined in section  
2 71-908;

3 (4) Any juvenile who has committed an act which would  
4 constitute a traffic offense as defined in section 43-245;

5 (5) The parent, guardian, or custodian of any juvenile  
6 described in this section;

7 (6) The proceedings for termination of parental rights;

8 (7) Any juvenile who has been voluntarily relinquished,  
9 pursuant to section 43-106.01, to the Department of Health and Human  
10 Services or any child placement agency licensed by the Department of  
11 Health and Human Services;

12 (8) Any juvenile who was a ward of the juvenile court at  
13 the inception of his or her guardianship and whose guardianship has  
14 been disrupted or terminated;

15 (9) The adoption or guardianship proceedings for a child  
16 over which the juvenile court already has jurisdiction under another  
17 provision of the Nebraska Juvenile Code; ~~and~~

18 (10) The paternity or custody determination for a child  
19 over which the juvenile court already has jurisdiction; and -

20 (11) The proceedings under the Young Adult Bridge to  
21 Independence Act.

22 Notwithstanding the provisions of the Nebraska Juvenile  
23 Code, the determination of jurisdiction over any Indian child as  
24 defined in section 43-1503 shall be subject to the Nebraska Indian  
25 Child Welfare Act; and the district court shall have exclusive

1 jurisdiction in proceedings brought pursuant to section 71-510.

2           Sec. 2. Section 43-284.02, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           43-284.02 The Department of Health and Human Services may  
5 make payments as needed on behalf of a child who has been a ward of  
6 the department after the appointment of a guardian for the child.  
7 Such payments to the guardian may include maintenance costs, medical  
8 and surgical expenses, and other costs incidental to the care of the  
9 child. All such payments shall terminate on or before the child's  
10 nineteenth birthday, unless the child is eligible for extended  
11 guardianship assistance from the department pursuant to sections  
12 43-4511 and 43-4514. The child under guardianship shall be a child  
13 for whom the guardianship would not be possible without the financial  
14 aid provided under this section.

15           The Department of Health and Human Services shall adopt  
16 and promulgate rules and regulations for the administration of this  
17 section.

18           Sec. 3. Section 43-905, Revised Statutes Supplement,  
19 2013, is amended to read:

20           43-905 (1) The Department of Health and Human Services  
21 shall be the legal guardian of all children committed to it. The  
22 department shall afford temporary care and shall use special  
23 diligence to provide suitable homes for such children. The department  
24 shall make reasonable efforts to accomplish joint-sibling placement  
25 or sibling visitation or ongoing interaction between siblings as

1 provided in section 43-1311.02. The department is authorized to place  
2 such children in suitable families for adoption, foster care, or  
3 guardianship or, in the discretion of the department, on a written  
4 contract.

5 (2) The contract shall provide (a) for the children's  
6 education in the public schools or otherwise, (b) for teaching them  
7 some useful occupation, and (c) for kind and proper treatment as  
8 members of the family in which they are placed.

9 (3) Whenever any child who has been committed to the  
10 department becomes self-supporting, the department shall declare that  
11 fact and the guardianship of the department shall cease. Thereafter  
12 the child shall be entitled to his or her own earnings. Guardianship  
13 of and services by the department shall never extend beyond the age  
14 of majority, except that (a) services by the department to a child  
15 shall continue until the child reaches the age of twenty-one if ~~the~~  
16 ~~child is a student regularly attending a school, college, or~~  
17 ~~university or regularly attending a course of vocational or technical~~  
18 ~~training designed to prepare such child for gainful employment or the~~  
19 ~~child receives extended services and support~~ is in the bridge to  
20 independence program as provided in the Young Adult Voluntary  
21 ~~Services and Support~~ Bridge to Independence Act and (b) beginning  
22 January 1, 2014, coverage for health care and related services under  
23 medical assistance in accordance with section 68-911 may be extended  
24 as provided under the federal Patient Protection and Affordable Care  
25 Act, 42 U.S.C. 1396a(a)(10)(A)(i)(IX), as such act and section

1 existed on January 1, 2013, for medicaid coverage for individuals  
2 under twenty-six years of age as allowed pursuant to such act.

3 (4) Whenever the parents of any ward, whose parental  
4 rights have not been terminated, have become able to support and  
5 educate their child, the department shall restore the child to his or  
6 her parents if the home of such parents would be a suitable home. The  
7 guardianship of the department shall then cease.

8 (5) Whenever permanent free homes for the children cannot  
9 be obtained, the department shall have the authority to provide and  
10 pay for the maintenance of the children in private families, in  
11 foster care, in guardianship, in boarding homes, or in institutions  
12 for care of children.

13 Sec. 4. Section 43-1311.03, Revised Statutes Supplement,  
14 2013, is amended to read:

15 43-1311.03 (1) When a child placed in foster care turns  
16 sixteen years of age or enters foster care and is at least sixteen  
17 years of age, a written independent living transition proposal shall  
18 be developed by the Department of Health and Human Services at the  
19 direction and involvement of the child to prepare for the transition  
20 from foster care to adulthood. The transition proposal shall be  
21 personalized based on the child's needs. The transition proposal  
22 shall include, but not be limited to, the following needs:

23 (a) Education;

24 (b) Employment services and other workforce support;

25 (c) Health and health care coverage, including the

1 child's potential eligibility for medicaid coverage under the federal  
2 Patient Protection and Affordable Care Act, 42 U.S.C. 1396a(a)(10)(A)  
3 (i)(IX), as such act and section existed on January 1, 2013;

4 (d) Financial assistance, including education on credit  
5 card financing, banking, and other services;

6 (e) Housing;

7 (f) Relationship development; and

8 (g) Adult services, if the needs assessment indicates  
9 that the child is reasonably likely to need or be eligible for  
10 services or other support from the adult services system.

11 (2) The transition proposal shall be developed and  
12 frequently reviewed by the department in collaboration with the  
13 child's transition team. The transition team shall be comprised of  
14 the child, the child's caseworker, the child's guardian ad litem,  
15 individuals selected by the child, and individuals who have knowledge  
16 of services available to the child.

17 (3) The transition proposal shall be considered a working  
18 document and shall be, at the least, updated for and reviewed at  
19 every permanency or review hearing by the court.

20 (4) The final transition proposal prior to the child's  
21 leaving foster care shall specifically identify how the need for  
22 housing will be addressed.

23 (5) If the child is interested in pursuing higher  
24 education, the transition proposal shall provide for the process in  
25 applying for any applicable state, federal, or private aid.

1           (6) A child adjudicated to be a juvenile described in  
2 subdivision (3)(a) of section 43-247 and who is in an out-of-home  
3 placement shall receive information regarding the Young Adult  
4 ~~Voluntary Services and Support~~ Bridge to Independence Act and the  
5 ~~extended services and support~~ bridge to independence program  
6 available under the act. The department shall create a clear and  
7 developmentally appropriate written notice discussing the rights of  
8 eligible young adults to ~~receive extended services and support.~~  
9 participate in the program. The notice shall include information  
10 about eligibility and requirements to ~~receive extended services and~~  
11 ~~support,~~ participate in the program, the extended services and  
12 support that young adults are eligible to receive under the program,  
13 and how young adults can ~~access the extended services and support.~~ be  
14 a part of the program. The notice shall also include information  
15 about the young adult's right to request a client-directed attorney  
16 to represent the young adult pursuant to section 43-4510 and the  
17 benefits and role of an attorney. The department shall disseminate  
18 this information to all children who were adjudicated to be a  
19 juvenile described in subdivision (3)(a) of section 43-247 and who  
20 are in an out-of-home placement at sixteen years of age and yearly  
21 thereafter until nineteen years of age, and not later than ninety  
22 days prior to the child's last court review before attaining nineteen  
23 years of age or being discharged from foster care to independent  
24 living. In addition to providing the written notice, not later than  
25 ninety days prior to the child's last court review before attaining

1 nineteen years of age or being discharged from foster care to  
2 independent living, a representative of the department shall explain  
3 the information contained in the notice to the child in person and  
4 the timeline necessary to avoid a lapse in services and support.

5 (7) On or before the date the child reaches nineteen  
6 years of age, the department shall provide the child with (a) a  
7 certified copy of the child's birth certificate and facilitate  
8 securing a federal social security card when the child is eligible  
9 for such card and (b) all documentation required for enrollment in  
10 medicaid coverage for former foster care children as available under  
11 the federal Patient Protection and Affordable Care Act, 42 U.S.C.  
12 1396a(a)(10)(A)(i)(IX), as such act and section existed on January 1,  
13 2013. All fees associated with securing the certified copy of the  
14 child's birth certificate shall be waived by the state.

15 Sec. 5. Section 43-4501, Revised Statutes Supplement,  
16 2013, is amended to read:

17 43-4501 Sections 43-4501 to 43-4514 and section 13 of  
18 this act shall be known and may be cited as the Young Adult ~~Voluntary~~  
19 ~~Services and Support Bridge to Independence Act~~.

20 Sec. 6. Section 43-4502, Revised Statutes Supplement,  
21 2013, is amended to read:

22 43-4502 The purpose of the Young Adult ~~Voluntary Services~~  
23 ~~and Support Bridge to Independence Act~~ is to support former state  
24 wards in transitioning to adulthood, becoming self-sufficient, and  
25 creating permanent relationships. The ~~extended services bridge to~~

1 independence program shall at all times recognize and respect the  
2 autonomy of the young adult. Nothing in the Young Adult ~~Voluntary~~  
3 ~~Services and Support Bridge to Independence Act~~ shall be construed to  
4 abrogate any other rights that a person who has attained nineteen  
5 years of age may have as an adult under state law.

6 Sec. 7. Section 43-4503, Revised Statutes Supplement,  
7 2013, is amended to read:

8 43-4503 For purposes of the Young Adult ~~Voluntary~~  
9 ~~Services and Support Bridge to Independence Act~~:

10 (1) Bridge to independence program means the extended  
11 services and support available to a young adult under the Young Adult  
12 Bridge to Independence Act other than the state-extended guardianship  
13 assistance program described in subdivision (3)(b) of section  
14 43-4514;

15 ~~(1)–(2)~~ Child means an individual who has not attained  
16 twenty-one years of age;

17 ~~(2)–(3)~~ Department means the Department of Health and  
18 Human Services;

19 ~~(3) Extended services program means the extended services~~  
20 ~~and support available to a young adult under the Young Adult~~  
21 ~~Voluntary Services and Support Act other than the state extended~~  
22 ~~guardianship assistance program described in subdivision (3)(b) of~~  
23 ~~section 43-4514;~~

24 (4) Supervised independent living setting means an  
25 independent supervised setting, consistent with 42 U.S.C. 672(c).

1 Supervised independent living settings shall include, but not be  
2 limited to, single or shared apartments, houses, host homes, college  
3 dormitories, or other postsecondary educational or vocational  
4 housing;

5 (5) Voluntary services and support agreement means a  
6 voluntary placement agreement as defined in 42 U.S.C. 672(f) between  
7 the department and a young adult as his or her own guardian; and

8 (6) Young adult means an individual who has attained  
9 nineteen years of age but who has not attained twenty-one years of  
10 age.

11 Sec. 8. Section 43-4504, Revised Statutes Supplement,  
12 2013, is amended to read:

13 43-4504 The ~~extended services bridge to independence~~  
14 program is available, on a voluntary basis, to a young adult:

15 (1) Who has attained at least nineteen years of age;

16 (2) Who was adjudicated to be a juvenile described in  
17 subdivision (3)(a) of section 43-247 and, upon attaining nineteen  
18 years of age, was in an out-of-home placement or had been discharged  
19 to independent living; and

20 (3) Who is:

21 (a) Completing secondary education or an educational  
22 program leading to an equivalent credential;

23 (b) Enrolled in an institution which provides  
24 postsecondary or vocational education;

25 (c) Employed for at least eighty hours per month;

1           (d) Participating in a program or activity designed to  
2 promote employment or remove barriers to employment; or

3           (e) Incapable of doing any of the activities described in  
4 subdivisions (3)(a) through (d) of this section due to a medical  
5 condition, which incapacity is supported by regularly updated  
6 information in the case plan of the young adult.

7           Sec. 9. Section 43-4505, Revised Statutes Supplement,  
8 2013, is amended to read:

9           43-4505 Extended services and support provided under the  
10 ~~extended services bridge to independence~~ program include, but are not  
11 limited to:

12           (1) Medical care under the medical assistance program;

13           (2) Housing, placement, and support in the form of  
14 continued foster care maintenance payments which shall remain at  
15 least at the rate set immediately prior to the young adult's exit  
16 from foster care. As decided by and with the young adult, young  
17 adults may reside in a foster family home, a supervised independent  
18 living setting, an institution, or a foster care facility. Placement  
19 in an institution or a foster care facility should occur only if  
20 necessary due to a young adult's developmental level or medical  
21 condition. A young adult who is residing in a foster care facility  
22 upon leaving foster care may choose to temporarily stay until he or  
23 she is able to transition to a more age-appropriate setting. For  
24 young adults residing in a supervised independent living setting:

25           (a) The department may send all or part of the foster

1 care maintenance payments directly to the young adult. This should be  
2 decided on a case-by-case basis by and with the young adult in a  
3 manner that respects the independence of the young adult; and

4 (b) Rules and restrictions regarding housing options  
5 should be respectful of the young adult's autonomy and developmental  
6 maturity. Specifically, safety assessments of the living arrangements  
7 shall be age-appropriate and consistent with federal guidance on a  
8 supervised setting in which the individual lives independently. A  
9 clean background check shall not be required for an individual  
10 residing in the same residence as the young adult; and

11 (3) Case management services that are young-adult driven.  
12 Case management shall be a continuation of the independent living  
13 transition proposal in section 43-1311.03, including a written  
14 description of additional resources that will help the young adult in  
15 creating permanent relationships and preparing for the transition to  
16 adulthood and independent living. Case management shall include the  
17 development of a case plan, developed jointly by the department and  
18 the young adult, that includes a description of the identified  
19 housing situation or living arrangement, ~~and~~ the resources to assist  
20 the young adult in the transition from the ~~extended services bridge~~  
21 to independence program to adulthood, and the needs listed in  
22 subsection (1) of section 43-1311.03. The case plan shall incorporate  
23 the independent living transition proposal in section 43-1311.03.  
24 Case management shall also include, but not be limited to,  
25 documentation that assistance has been offered and provided that

1 would help the young adult meet his or her individual goals, if such  
2 assistance is appropriate and if the young adult is eligible and  
3 consents to receive such assistance. This shall include, but not be  
4 limited to, assisting the young adult to:

5 (a) Obtain employment or other financial support;

6 (b) Obtain a government-issued identification card;

7 (c) Open and maintain a bank account;

8 (d) Obtain appropriate community resources, including  
9 health, mental health, developmental disability, and other disability  
10 services and support;

11 (e) When appropriate, satisfy any juvenile justice system  
12 requirements and assist with sealing the young adult's juvenile court  
13 record if the young adult is eligible under section 43-2,108.01;

14 (f) Complete secondary education;

15 (g) Apply for admission and aid for postsecondary  
16 education or vocational courses;

17 (h) Obtain the necessary state court findings and then  
18 apply for special immigrant juvenile status as defined in 8 U.S.C.  
19 1101(a)(27)(J) or apply for other immigration relief that the young  
20 adult may be eligible for;

21 (i) Create a health care power of attorney as required by  
22 the federal Patient Protection and Affordable Care Act, Public Law  
23 111-148;

24 (j) Obtain a copy of health and education records of the  
25 young adult;

1                   (k) Apply for any public benefits or benefits that he or  
2 she may be eligible for or may be due through his or her parents or  
3 relatives, including, but not limited to, aid to dependent children,  
4 supplemental security income, social security disability insurance,  
5 social security survivors benefits, the Special Supplemental  
6 Nutrition Program for Women, Infants, and Children, the Supplemental  
7 Nutrition Assistance Program, and low-income home energy assistance  
8 programs;

9                   (l) Maintain relationships with individuals who are  
10 important to the young adult, including searching for individuals  
11 with whom the young adult has lost contact;

12                   (m) Access information about maternal and paternal  
13 relatives, including any siblings;

14                   (n) Access young adult empowerment opportunities, such as  
15 Project Everlast and peer support groups; and

16                   (o) Access pregnancy and parenting resources and  
17 services.

18                   Sec. 10. Section 43-4506, Revised Statutes Supplement,  
19 2013, is amended to read:

20                   43-4506 (1) If a young adult chooses to participate in  
21 the ~~extended services~~ bridge to independence program and is eligible  
22 under section 43-4504, the young adult and the department shall sign,  
23 and the young adult shall be provided a copy of, a voluntary services  
24 and support agreement that includes, at a minimum, information  
25 regarding all of the following:

1           (a) The requirement that the young adult continue to be  
2 eligible under section 43-4504 for the duration of the voluntary  
3 services and support agreement and any other expectations of the  
4 young adult;

5           (b) The services and support the young adult shall  
6 receive through the ~~extended services~~ bridge to independence program;

7           (c) The voluntary nature of the young adult's  
8 participation and the young adult's right to terminate the voluntary  
9 services and support agreement at any time; and

10           (d) Conditions that may result in the termination of the  
11 voluntary services and support agreement and the young adult's early  
12 discharge from the ~~extended services~~ bridge to independence program  
13 as described in section 43-4507.

14           (2) As soon as the young adult and the department sign  
15 the voluntary services and support agreement and the department  
16 determines that the young adult is eligible for the bridge to  
17 independence program under section 43-4504, but not longer than  
18 forty-five days after signing the agreement, the department shall  
19 provide services and support to the young adult in accordance with  
20 the voluntary services and support agreement.

21           (3) A young adult participating in the ~~extended services~~  
22 bridge to independence program shall be assigned a ~~support worker~~ an  
23 independence coordinator to provide case management services for the  
24 young adult. ~~Support workers~~ Independence coordinators and their  
25 supervisors shall be specialized in primarily providing services for

1 young adults in the ~~extended services~~ bridge to independence program  
2 or shall, at minimum, have specialized training in providing  
3 transition services and support to young adults.

4 (4) The department shall provide continued efforts at  
5 achieving permanency and creating permanent connections for a young  
6 adult participating in the ~~extended services~~ bridge to independence  
7 program.

8 (5) The department shall fulfill all case plan  
9 obligations consistent with 42 U.S.C. 675(1).

10 (6) As soon as possible after the young adult is  
11 determined eligible for the bridge to independence program under  
12 section 43-4504 and signs the voluntary services and support  
13 agreement, the department shall conduct a redetermination of income  
14 eligibility for purposes of Title IV-E of the federal Social Security  
15 Act, 42 U.S.C. 672.

16 Sec. 11. Section 43-4507, Revised Statutes Supplement,  
17 2013, is amended to read:

18 43-4507 (1) A young adult may choose to terminate the  
19 voluntary services and support agreement and stop receiving services  
20 and support under the ~~extended services~~ bridge to independence  
21 program at any time. If a young adult chooses to terminate the  
22 voluntary services and support agreement, the department shall  
23 provide the young adult with a clear and developmentally appropriate  
24 written notice informing the young adult of the potential negative  
25 effects of terminating the voluntary services and support agreement

1 early, the option to reenter the ~~extended services~~ bridge to  
2 independence program at any time before attaining twenty-one years of  
3 age, ~~and~~ the procedures for reentering the ~~extended services~~ bridge  
4 to independence program, and information about and contact  
5 information for community resources that may benefit the young adult,  
6 specifically including information regarding state programs  
7 established pursuant to 42 U.S.C. 677.

8 (2) If the department determines that the young adult is  
9 no longer eligible for the bridge to independence program under  
10 section 43-4504, the department may terminate the voluntary services  
11 and support agreement and stop providing services and support to the  
12 young adult. Academic breaks in postsecondary education attendance,  
13 such as semester and seasonal breaks, and other transitions between  
14 eligibility requirements under section 43-4504, including education  
15 and employment transitions of no longer than thirty days, shall not  
16 be a basis for termination. Even if a young adult's voluntary  
17 services and support agreement has been previously terminated by  
18 either the department or the young adult, the young adult may come  
19 back into the ~~extended services~~ bridge to independence program by  
20 entering into another voluntary services and support agreement at any  
21 time, so long as he or she is eligible under section 43-4504. At  
22 least thirty days prior to the termination of the voluntary services  
23 and support agreement, the department shall provide a clear and  
24 developmentally appropriate written notice to the young adult  
25 informing the young adult of the termination of the voluntary

1 services and support agreement and a clear and developmentally  
2 appropriate explanation of the basis for the termination. The written  
3 termination notice shall also provide information about the process  
4 for appealing the termination, information about the option to enter  
5 into another voluntary services and support agreement once the young  
6 adult reestablishes eligibility under section 43-4504, and  
7 information about and contact information for community resources  
8 that may benefit the young adult, specifically including information  
9 regarding state programs established pursuant to 42 U.S.C. 677. In  
10 addition, the independence coordinator shall meet with the young  
11 adult in person to explain the information in the written termination  
12 notice and to assist the young adult in reestablishing eligibility,  
13 if the young adult wishes to continue participating in the program.  
14 The young adult may appeal the termination of the voluntary services  
15 and support agreement and any other actions or inactions by the  
16 department administratively, and such appeal shall be in accordance  
17 with as allowed under the Administrative Procedure Act.

18 (3) If the young adult remains in the bridge to  
19 independence program until attaining twenty-one years of age, the  
20 department shall provide the young adult with a clear and  
21 developmentally appropriate written notice informing the young adult  
22 of the termination of the voluntary services and support agreement  
23 and information about and contact information for community resources  
24 that may benefit the young adult, specifically including information  
25 regarding state programs established pursuant to 42 U.S.C. 677.

1           Sec. 12. Section 43-4508, Revised Statutes Supplement,  
2   2013, is amended to read:

3           43-4508 (1) Within forty-five days after the voluntary  
4   services and support agreement is signed, the department shall file a  
5   petition with the juvenile court ~~a written report or petition~~  
6   describing the young adult's current situation, including the young  
7   adult's name, date of birth, and current address and the reasons why  
8   it is in the young adult's best interests to ~~receive extended~~  
9   ~~services and support.~~ participate in the bridge to independence  
10 program. The department shall also provide the juvenile court with a  
11 copy of the signed voluntary services and support agreement, a copy  
12 of the case plan, and any other information the department or the  
13 young adult wants the court to consider.

14           (2) To ensure continuity of care and eligibility, the  
15 voluntary services and support agreement should be signed prior to  
16 and filed with the court at the last court hearing before the young  
17 adult is discharged from foster care for all young adults who choose  
18 to participate in the ~~extended services~~ bridge to independence  
19 program at that time.

20           (3) The court has the jurisdiction to review the  
21 voluntary services and support agreement signed by the department and  
22 the young adult under section 43-4506 and to conduct permanency  
23 reviews as described in this section. Upon the filing of a ~~report or~~  
24 ~~petition~~ under subsection (1) of this section, the court shall open  
25 ~~an extended services and support~~ a bridge to independence program

1 file for the young adult for the purpose of determining whether  
2 continuing in ~~extended services and support~~ such program is in the  
3 young adult's best interests and for the purpose of conducting  
4 permanency reviews. ~~as described in subsection (5) of this section.~~

5 (4) The court shall make the best interests determination  
6 as described in subsection (3) of this section not later than one  
7 hundred eighty days after the young adult and the department enter  
8 into the voluntary services and support agreement.

9 (5) The court shall conduct a hearing for permanency  
10 review consistent with 42 U.S.C. 675(5)(C) as described in subsection  
11 (6) of this section regarding the voluntary services and support  
12 agreement at least once per year and may conduct such hearing at  
13 additional times, but not more times than is reasonably practicable,  
14 at the request of the young adult, the department, or any other party  
15 to the proceeding. The juvenile court may request the appointment of  
16 a hearing officer pursuant to section 24-230 to conduct permanency  
17 review hearings. The department is not required to have legal counsel  
18 present at such hearings. The juvenile court shall conduct the  
19 permanency reviews in an expedited manner and shall issue findings  
20 and orders, if any, as speedily as possible.

21 ~~(6)-(6)(a)~~ The primary purpose of the permanency review  
22 is to ensure that the bridge to independence program is providing the  
23 young adult is getting with the needed services and support to help  
24 the young adult move toward permanency and self-sufficiency. This  
25 shall include ~~the procedural safeguards described in 42 U.S.C. 675(5)~~

1 ~~(C), including that,~~ in all permanency reviews or hearings regarding  
2 the transition of the young adult from foster care to independent  
3 living, the court shall consult, in an age-appropriate manner, with  
4 the young adult regarding the proposed permanency or transition plan  
5 for the young adult, ~~and any other procedural safeguards that apply~~  
6 ~~to children under nineteen years of age under existing state law.~~ The  
7 young adult shall have a clear self-advocacy role in the permanency  
8 review in accordance with section 43-4510, and the hearing shall  
9 support the active engagement of the young adult in key decisions.  
10 Permanency reviews shall be conducted on the record and in an  
11 informal manner and, whenever possible, outside of the courtroom.

12 (b) The department shall prepare and present to the  
13 juvenile court a report, at the direction of the young adult,  
14 addressing progress made in meeting the goals in the case plan,  
15 including the independent living transition proposal, and shall  
16 propose modifications as necessary to further those goals.

17 (c) The court shall determine whether the bridge to  
18 independence program is providing the appropriate services and  
19 support as provided in the voluntary services and support agreement  
20 to carry out the case plan. The court has the authority to determine  
21 whether the young adult is receiving the services and support he or  
22 she is entitled to receive under the Young Adult Bridge to  
23 Independence Act and the department's policies or state or federal  
24 law to help the young adult move toward permanency and self-  
25 sufficiency. If the court believes that the young adult requires

1 additional services and support to achieve the goals documented in  
2 the case plan or under the Young Adult Bridge to Independence Act and  
3 the department's policies or state or federal law, the court may make  
4 appropriate findings or order the department to take action to ensure  
5 that the young adult receives the identified services and support.

6           Sec. 13. At least thirty days prior to each permanency  
7 review or case review, the independence coordinator shall meet with  
8 the young adult to notify the young adult of the date, time, and  
9 location of the review, to explain the purpose of the review, to  
10 identify additional persons the young adult would like to attend the  
11 review and assist in making arrangements for their attendance, and to  
12 help the young adult prepare for how he or she may respond to issues  
13 of concern that may arise in the review.

14           Sec. 14. Section 43-4509, Revised Statutes Supplement,  
15 2013, is amended to read:

16           ~~43-4509 (1)(a) The department shall prepare and present~~  
17 ~~to the juvenile court a report, at the direction of the young adult,~~  
18 ~~addressing progress made in meeting the goals in the case plan,~~  
19 ~~including the independent living transition proposal, and shall~~  
20 ~~propose modifications as necessary to further those goals.~~

21           ~~(b) The court shall determine whether the department is~~  
22 ~~providing the appropriate services and support as provided in the~~  
23 ~~voluntary services and support agreement to carry out the case plan.~~  
24 ~~If the court believes that the young adult requires additional~~  
25 ~~services and support to achieve the goals documented in the case plan~~

1 ~~or under the department's policies or state or federal law, the court~~  
2 ~~may order the department to take action to ensure that the young~~  
3 ~~adult receives the identified services and support.~~

4           ~~(2)-(1)~~ The department and at least one person who is not  
5 responsible for case management, in collaboration with the young  
6 adult and additional persons identified by the young adult, shall  
7 conduct periodic case reviews consistent with 42 U.S.C. 675(5)(B) not  
8 less than once every one hundred eighty days to evaluate progress  
9 made toward meeting the goals set forth in the case plan. The  
10 department is not required to have legal counsel present at such  
11 reviews. The department shall utilize a team approach in conducting  
12 such reviews and shall seek to facilitate the participation of the  
13 young adult. Reviews shall be conducted in an informal manner and,  
14 whenever possible, scheduled at times that allow for the attendance  
15 and participation of the young adult.

16           (2) At the end of each case review, the reviewer  
17 conducting the periodic case review shall notify the young adult of  
18 his or her right to request a client-directed attorney and an  
19 additional permanency review and shall provide the young adult with a  
20 clear and developmentally appropriate written notice regarding the  
21 young adult's right to request a client-directed attorney, the  
22 benefits and role of such attorney, the specific steps to take to  
23 request that an attorney be appointed, the young adult's right to  
24 request an additional permanency review hearing, the potential  
25 benefits and purpose of such a hearing, and the specific steps to

1 take to request an additional permanency review hearing.

2           Sec. 15. Section 43-4510, Revised Statutes Supplement,  
3 2013, is amended to read:

4           43-4510 (1) If desired by the young adult, the young  
5 adult shall be provided a court-appointed attorney who has received  
6 training appropriate to the role. The attorney's representation of  
7 the young adult shall be client-directed. The attorney shall protect  
8 the young adult's legal rights and vigorously advocate for the young  
9 adult's wishes and goals, including assisting the young adult as  
10 necessary to ensure that the bridge to independence program is  
11 providing the young adult receives with the services and support  
12 required under the Young Adult ~~Voluntary Services and Support Bridge~~  
13 to Independence Act. For young adults who were appointed a guardian  
14 ad litem before the young adult attained nineteen years of age, the  
15 guardian ad litem's appointment may be continued, with consent from  
16 the young adult, but under a client-directed model of representation.  
17 Before entering into a voluntary services and support agreement and  
18 at least sixty days prior to each permanency and case review, the  
19 ~~support worker independence coordinator~~ shall notify the young adult  
20 of his or her right to request a client-directed attorney if the  
21 young adult would like an attorney to be appointed and shall provide  
22 the young adult with a clear and developmentally appropriate written  
23 notice regarding the young adult's right to request a client-directed  
24 attorney, the benefits and role of such attorney, and the specific  
25 steps to take to request that an attorney be appointed if the young

1 adult would like an attorney appointed.

2 (2) The court has discretion to appoint a court appointed  
3 special advocate volunteer or continue the appointment of a  
4 previously appointed court appointed special advocate volunteer with  
5 the consent of the young adult.

6 Sec. 16. Section 43-4513, Revised Statutes Supplement,  
7 2013, is amended to read:

8 43-4513 (1) On or before July 1, 2013, the Nebraska  
9 Children's Commission shall appoint a Young Adult Voluntary Services  
10 and Support Advisory Committee to make recommendations to the  
11 department and the Nebraska Children's Commission for a statewide  
12 implementation plan meeting the ~~extended services~~ bridge to  
13 independence program requirements of the Young Adult Voluntary  
14 ~~Services and Support Bridge to Independence~~ Act. The committee shall  
15 provide a written report regarding the initial implementation of the  
16 program to the Nebraska Children's Commission, the Health and Human  
17 Services Committee of the Legislature, the department, and the  
18 Governor by October 1, 2013. The report shall also specifically  
19 address recommendations for maximizing and making efficient use of  
20 funding for a state-extended guardianship assistance program  
21 described in section 43-4514. The report to the Health and Human  
22 Services Committee of the Legislature shall be submitted  
23 electronically. The Young Adult Voluntary Services and Support  
24 Advisory Committee shall meet on a biannual basis thereafter to  
25 advise the department and the Nebraska Children's Commission

1 regarding ongoing implementation of the ~~extended services bridge to~~  
2 independence program and shall provide a written report regarding  
3 ongoing implementation, including ~~extended services bridge to~~  
4 independence program participation and early discharge rates and  
5 reasons obtained from the department, to the Nebraska Children's  
6 Commission, the Health and Human Services Committee of the  
7 Legislature, the department, and the Governor by December 15th of  
8 each year. By December 15, 2015, the committee shall develop specific  
9 recommendations for expanding to or improving outcomes for similar  
10 groups of at-risk young adults and for the adaptation or continuation  
11 of assistance under the state-extended guardianship assistance  
12 program described in section 43-4514. The report to the Health and  
13 Human Services Committee of the Legislature shall be submitted  
14 electronically.

15 (2) The members of the Young Adult Voluntary Services and  
16 Support Advisory Committee shall include, but not be limited to, (a)  
17 representatives from all three branches of government, and the  
18 representatives from the legislative and judicial branches of  
19 government shall be nonvoting, ex officio members, (b) no less than  
20 three young adults currently or previously in foster care, which may  
21 be filled on a rotating basis by members of Project Everlast or a  
22 similar youth support or advocacy group, (c) one or more  
23 representatives from a child welfare advocacy organization, (d) one  
24 or more representatives from a child welfare service agency, and (e)  
25 one or more representatives from an agency providing independent

1 living services.

2 (3) Members of the committee shall be appointed for terms  
3 of two years. The Nebraska Children's Commission shall appoint the  
4 chairperson of the committee and may fill vacancies on the committee  
5 as they occur.

6 Sec. 17. Section 43-4514, Revised Statutes Supplement,  
7 2013, is amended to read:

8 43-4514 (1) The department shall submit a state plan  
9 amendment by October 15, 2013, to seek federal Title IV-E funding  
10 under 42 U.S.C. 672 and 42 U.S.C. 673 for the ~~extended services~~  
11 bridge to independence program pursuant to the Young Adult Voluntary  
12 Services and Support Bridge to Independence Act.

13 (2) The extended services or the state-extended  
14 guardianship assistance program under either subsection (3) or (4) of  
15 this section shall not begin prior to January 1, 2014.

16 (3) If the state plan amendment is approved:

17 (a) The department shall implement the ~~extended services~~  
18 bridge to independence program in accordance with the federal  
19 Fostering Connections to Success and Increasing Adoptions Act of  
20 2008, 42 U.S.C. 673 and 42 U.S.C. 675(8)(B) and in accordance with  
21 requirements necessary to obtain federal Title IV-E funding under 42  
22 U.S.C. 672 and 42 U.S.C. 673. If the department does not contract  
23 with a private agency to implement the ~~extended services~~ bridge to  
24 independence program, the ~~extended services~~ bridge to independence  
25 program shall take effect within sixty days after the department

1 receives the notice of approval of the state plan amendment. If the  
2 department contracts with a private agency to implement the ~~extended~~  
3 ~~services bridge to independence program~~, the ~~extended services bridge~~  
4 to independence program shall take effect within ninety days after  
5 the department receives the notice of approval of the state plan  
6 amendment; and

7 (b) The department shall implement a state-extended  
8 guardianship assistance program. The state-extended guardianship  
9 assistance program shall not be construed to create an entitlement.  
10 Under the state-extended guardianship assistance program, a young  
11 adult (i) for whom the state has entered into a guardianship  
12 assistance agreement at sixteen years of age or older that is not  
13 with a licensed relative and (ii) who meets at least one of the  
14 conditions of eligibility under subdivisions (1) through (5) of  
15 section 43-4511, the department shall continue making guardianship  
16 assistance payments on behalf of such young adult until he or she  
17 attains twenty-one years of age to the extent possible within funds  
18 appropriated for the state-extended guardianship assistance program.  
19 It is the intent of the Legislature to appropriate four hundred  
20 thousand dollars for fiscal years 2013-14 and 2014-15 for the state-  
21 extended guardianship assistance program.

22 (4) If the state plan amendment is denied, the department  
23 shall implement the ~~extended services bridge to independence program~~  
24 as a state-only pilot program within sixty days after the department  
25 receives the notice of denial. If implemented as a state-only pilot

1 program, it is the intent of the Legislature to appropriate two  
2 million dollars for fiscal years 2013-14 and 2014-15 for such state-  
3 only pilot program. The department shall administer the state-only  
4 pilot program to serve as many eligible young adults as possible  
5 within the funds appropriated. If a state-only pilot program is  
6 established, the Young Adult Voluntary Services and Support Advisory  
7 Committee shall make recommendations to the department and the  
8 Nebraska Children's Commission regarding eligibility criteria and  
9 private or alternative funding options within thirty days after the  
10 department receives the notice of denial.

11 (5) Prior to January 1, 2014, the department shall adopt  
12 and promulgate rules and regulations to carry out the Young Adult  
13 ~~Voluntary Services and Support~~ Bridge to Independence Act.

14 (6) All references to the United States Code in the Young  
15 ~~Adult Voluntary Services and Support~~ Bridge to Independence Act refer  
16 to sections of the code as such sections existed on January 1, 2013.

17 Sec. 18. Original section 43-284.02, Reissue Revised  
18 Statutes of Nebraska, and sections 43-247, 43-905, 43-1311.03,  
19 43-4501, 43-4502, 43-4503, 43-4504, 43-4505, 43-4506, 43-4507,  
20 43-4508, 43-4509, 43-4510, 43-4513, and 43-4514, Revised Statutes  
21 Supplement, 2013, are repealed.