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Children's Behavioral Health Task Force
November 28, 2007

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JIM JENSEN: (Machine malfunction)...family illness, and Senator Johnson is at a Hepatitis C meeting and will be here shortly. Senator Heidemann is in the building and will be here also in a little bit. Candy, I understand, is on her way somewhere between Seward maybe and Lincoln. I'd just like to...this...we're nearing the end, and we need to come up with a conclusion. You have before you some letters, some comments that we asked for solicitation and got some comments back, but we do today need to come up with a motion to proceed. Also I might mention that there will be three that will probably abstain with the department, as you can understand. []

LIZ CRNKOVICH: I don't understand. Why would...they're abstaining from taking...(inaudible). []

JIM JENSEN: From voting. []

LIZ CRNKOVICH: Why is that? I don't...I just...you...I don't understand. []

JIM JENSEN: Okay. []

SCOT ADAMS: I think there are two or three reasons. One, we have a directive in LB542 to write our own report, and so we want to be fully free to be able to write that report and not sort of be constrained by one way or another. Secondly, we want to make sure that whatever comes out of LB542 is consistent with the Governor's perspective as we begin to write that report. []

JIM JENSEN: Well,... []

LIZ CRNKOVICH: I asked that sincerely, Senator Jensen. Are we not to collaborate and collectively respond to these things? And some changes have already been made,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

including the dates and time lines. I don't understand. What if we all chose to abstain? What would happen to your report? []

JIM JENSEN: Well, we were...the task force was set forth, as you can recall,...and of the several items that were requested,... []

LIZ CRNKOVICH: Well, can I make this inquiry? []

JIM JENSEN: Sure. []

LIZ CRNKOVICH: The department has been a very active and vital part of this task force and has had input into it. By not voting, are they less than supporting the recommendations that will ultimately be presented in this report, Senator? []

JIM JENSEN: I understand what you're saying. Were you asked not to vote or... []

SCOT ADAMS: Yeah, we were encouraged to abstain on the vote because of the reasons I gave earlier (inaudible). []

LIZ CRNKOVICH: By whom? []

SCOT ADAMS: The Policy Research staff that helps make policy decisions for the executive branch. []

LIZ CRNKOVICH: Who is that? []

SCOT ADAMS: Actually it's a lot of people. Kathleen is probably the best representative here today. []

LIZ CRNKOVICH: I think the chief judge gave me permission to vote on this because it's

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

so important to the community, and I think the community views this task force and this report--in fact it's stated in here--as being something very important to the state, and a vital document that can give hope of imperative, needed change in the behavioral health services to children, including those children who come before the juvenile court. And I'm having a difficult time believing...it goes to the integrity of this committee and of every individual and agency on this committee and my own personal integrity. I really am struggling with the notion that we are going through the motions, that there was a preconceived agenda, and that there will be nothing substantive that comes out of this committee. And I struggle with participation with that gut feeling that I think is borne out today. []

BETH BAXTER: I think...I mean, I agree with that. I appreciate (inaudible) you are articulating that information. []

RUTH : Beth, can you... []

BETH BAXTER: Well, I appreciate what Liz has articulated. What I hear, or maybe what I...my own understanding or perception is that it does feel like that there is less than full support for what this task force has done. And I too believe that it's an important area that I think the whole state is looking at and that the department, the Division of Behavioral Health, has an opportunity to move something forward. And I believe that that's the intent of the department and the division, but I think it's just very unfortunate that key members of our task force are not able to, you know, to cast a vote and share their true, you know, experiences--feelings and experiences--around what they believe is the, you know, the future, the forward movement of our (inaudible). []

LIZ CRNKOVICH: And that the leaders of the task force would acquiesce in that. I say that from my heart. I'm floored. []

SCOT ADAMS: Well, a couple things I'd like to say. The...I think the very fact that you

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

went to the Supreme Court Chief Justice and got that sort of indicates a parallel understanding the division of (inaudible)... []

LIZ CRNKOVICH: I have to make a correction. The Chief Justice placed me on this committee with the specific okay to be substantive, to address substantive needs, and to give directive from the judicial perspective, and I have operated in that capacity. []

SCOT ADAMS: Great. As I was saying,... []

LIZ CRNKOVICH: I didn't want to mislead you, in terms of any conversation I may have had in the last day or two. I have not, because I feel quite confident in the support of the directive. I do not feel confident in this committee, and I'm struggling now, because this is an issue for the body that formed this committee. So you owe me no explanation, sir. I am directing my concerns to the legislative committee, and I think I have addressed my concerns. Thank you, Senator. []

SCOT ADAMS: Well, as I was saying...are you done? []

LIZ CRNKOVICH: Yes, sir. Thank you. []

SCOT ADAMS: Thanks. As I was saying, I think your comments about clarifying your role and responsibility on the committee with the Chief Justice is very consistent and parallel to what we've come up with here. And so I appreciate you saying that, because it helps to clarify the differences in the different branches of government and the way the different branches of government may, in fact, see an operation like this. So I appreciate that. I think that Todd and Terry and I have acted clearly. I think we have participated fully, and boy, you know, the issue of integrity is one that is a surprise to me, and I think that all of our work and our suggestions have been done completely and with an effort to try to build the overall product. If there were something more that any of us could have done, I should have been told before this. But I think we've all (inaudible).

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

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LIZ CRNKOVICH: I think...my only concern, Senator Jensen, is to the vote today and the perception that this committee now has no substance and lacks integrity. And I've not heard Terry Nutzman speak at all on any matter involving the committee, the new director of the Office of Juvenile Services. I'm very concerned. I have directed my concerns to Jim Jensen, who is the Chair of this committee. It is up to you, Senator, if you're choosing to allow some people to vote and some people not to vote, I am seeking direction before I determine whether it's appropriate for any of us to vote or not vote, including myself. []

JIM JENSEN: Well, certainly the Legislature did set up the committee and appointed guidelines on the task force. I'm no longer a member of the Legislature. I was asked to be chairman and we have, I think, diligently tried to seek as much information as we could. And yes, a lot of that information came from the department and...well, there's no other way that we could obtain that information. We have also traveled to Hastings, and we have been to Seward and tried to gather as much information as we could in the time period that we have. Certainly today, as we issue this report, this is not the end of the committee nor is it really the end of the report. In some... []

LIZ CRNKOVICH: Senator, can I ask you to address the particular issue of the voting and the final decision, because I do not wish to be dramatic in any way, but I may have to choose to excuse myself from the committee and visit with my superior. Are we voting today collectively on the recommendations and the outline, or are certain members abstaining and certain other members voting? I seek direction from you, Senator Jensen, so that I might know how to conduct myself. []

JIM JENSEN: I was informed this morning that the three individuals--Todd Landry, Scot Adams, and Terry--would not be voting--Terry Nutzman--on... []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

LIZ CRNKOVICH: And they are representatives of the Department of Health and Human Services,... []

JIM JENSEN: Yes, they are, or of the administration. []

LIZ CRNKOVICH: ...who is the major...if you will give me leeway, I respectfully excuse myself. I need to consult with my superior before I say anything further and before I make any more comments on the recommendations and before I continue any further participation. Thank you. []

JEFF SANTEMA: Senator Jensen, if I could, this is maybe as a point of order, the task force hasn't officially at this point approved the agenda or approved the minutes from the last meeting, if we are convened. []

JIM JENSEN: Well, yes, and I made those comments actually before we would convene. I was still waiting for Candy to be here. It is now 9:30. []

JEFF SANTEMA: Ten-thirty. []

JIM JENSEN: Or excuse me, 10:30. We were to meet at 10 and could not. Do we have a quorum right now? One, two, three, four, five out of 12. We do not. There's six.

JEFF SANTEMA: So we're at ease at this point, then. []

JIM JENSEN: So we are at ease, and I was not going to meet...convene until we did at least have a quorum. And the comments I was giving was just to kind of lay out the reason for the delay. And we'll wait for another few minutes to see if we have a quorum. If we don't, I don't know that we can meet. We could, however, if we don't have enough members to vote, we could perhaps ask for voting by phone, if that would be agreeable to...either phone or writing, so. But we'll wait a few more minutes. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

_____: Do we need to have seven voting members? I mean, if we have three individuals who aren't able to vote, or do we, I guess, approve abstaining as a vote? []

JIM JENSEN: Certainly if we had seven here, yes, we could vote and we could approve the document that is before you. []

_____: Senator, are you a voting member? []

JIM JENSEN: Pardon? []

_____: Are you a voting member? []

JIM JENSEN: Gee, I'm not sure. []

_____: I mean, right now, it's only Beth and myself. []

_____: Well, I understand what the abstentions include. They count for voting? []

_____: They count for quorum, but (inaudible). []

JIM JENSEN: They count for voting. Quorum, quorum purposes. I'll call the meeting to order. The agenda is before you. Are there any additions or corrections to that agenda? Seeing none, it will stand approved as presented. Also, you have the minutes before you of November 14. Any additions or corrections to those minutes? If not, they'll stand approved as presented, also. So we're to the point of consideration of the draft report, and we will take that up at this time. Like I said, we do have a quorum, and so Jeff, why don't you just make a few comments, if you would, as to where we have come from, from our last meeting, and then also the comments and letters that you received from

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

individuals, and at least explain briefly to us the completed document that we have before us, or the draft document.

JEFF SANTEMA: Thank you, Senator Jensen. At the last meeting of the task force, on the 14th of November, the task force considered draft recommendations and provided some feedback to those recommendations. Subsequent to that, I sent out to you some revised recommendations, based on your comments on the 14th; yesterday morning, then, sent out to you, e-mailed to you, this more completed draft report without appendices. And prior to sending that out, e-mails had been received from Scot Adams and Todd Landry, and a responsive e-mail from Kathy Moore. And those comments, e-mails, were taken into account when the draft report was sent to you yesterday. In my cover e-mail to you I explained that the number of recommendations included in the report was not decreased but essentially that dates had been removed from the draft recommendations. The specific formation of subcommittees of the task force was removed. Two new recommendations were added to end relating to time lines and the establishment of subcommittees. That was the substantive change to the recommendations. That was made after your comments on the 14th, and then the changes were sent out to you. Also, there's additional content, as you noticed, filling out the other parts of the report that you previously looked at and discussed and I hope have been responsive to your comments and concerns. I believe that's where we're at as of today. This document that you have in front of you this morning only has slight inconsequential types of editorial changes from what you received yesterday morning but no substantive changes to what you received yesterday morning, what you've reviewed. []

JIM JENSEN: Thanks, Jeff. With that, any comments? []

LIZ CRNKOVICH: Just...you won't believe this--just one. One recommendation number two, the second paragraph. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

JIM JENSEN: Is there a page? []

LIZ CRNKOVICH: It's...oh, maybe I'm looking at the wrong thing. I'm looking at the wrong thing. []

JEFF SANTEMA: Page 23? []

JIM JENSEN: Recommendation number two? []

LIZ CRNKOVICH: Right, that the task force recommends the Division of Behavioral Health prepare a comprehensive statewide coordination plan. In the second paragraph, the last sentence--and this is kind of a sticking point, I guess--it says the division--and that's the Division of Behavioral Health within Health and Human Services--"may" want to consider the formation of a temporary interagency working group. And I'm wondering why it isn't "shall." I think we talked about the need for future changes and issues to have interagency collaboration, which could include the executive, the judiciary, and probation. And I'm worried that the language "may want to consider" isn't strong enough. If "shall" is too strong, I don't know. []

JEFF SANTEMA: Judge Crnkovich, would using the word "should" in place of "may want to"...would there be any objection from you or any other members of the task force to using the word "should"?

LIZ CRNKOVICH: Well, "should consider" or should actually do it?

JEFF SANTEMA: Should form. []

LIZ CRNKOVICH: That was my concern, that it...and it's not a criticism of anyone. It's more, if our only charge is to sort of consider, then it won't get done. If there's a charge to do it, it will be accomplished.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

CANDY KENNEDY: Right. I think if I remember correctly our last meeting that was a conversation that we had, and we talked about the difference us as a task force or a subcommittee. So maybe we could put verbiage "that" or "that." You know, one or the other. []

LIZ CRNKOVICH: Well, it doesn't have to be a separate committee. []

CANDY KENNEDY: Yeah, right. []

LIZ CRNKOVICH: But the difference is whether the division is going to have an interagency working group or not, I think. It leaves it unsure to me. []

JEFF SANTEMA: Would there be objection, then, to the task force to replace the words "may want to consider the formation of" and replacing them with "should form" a temporary... []

LIZ CRNKOVICH: I would respectfully recommend that. []

JEFF SANTEMA: Is there any objection? []

JIM JENSEN: Yeah, any objection? Everybody understood what the change is? Okay. Any other comments, suggestions? Ruth, did you have... []

RUTH HENRICHS: No, not on that. []

BETH BAXTER: Do you want any comments on the general section, or do you want us to focus more on the recommendations?

JIM JENSEN: Well, I think any...are you talking about a change in the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

recommendations? []

BETH BAXTER: I'm just asking do you want any comments or suggestions on kind of the overall, the general part of it, or do we just want to focus on recommendations? I've just got a couple of comments, I think maybe for accuracy purposes. []

JIM JENSEN: Well, let's have the comments. []

BETH BAXTER: On page 15, the regional data bases. I mean, this is very minor, but there where it talks about the regional behavioral health authority maintains separate systems for outcome data. I mean I would suggest, because we do...we serve in the regional behavioral health, our system, we serve wards and nonwards. So it's really children, and we identify them by their legal status or whatever. And then under the next piece there,... []

RUTH HENRICHS: So Beth, what were you suggesting the change be? []

BETH BAXTER: The change from...on...to replace "nonstate wards receiving" to just put "on children receiving" behavioral health services. And then maybe just a request, I think for accuracy purposes, when it talks about the ICCU, there is uniformity in data collected on the ICCUs, so maybe just to respectfully ask that that last statement be deleted. []

JIM JENSEN: The last sentence just be taken out? []

BETH BAXTER: Yeah, um-hum. Right. []

JEFF SANTEMA: Okay. The uniformity of these data bases across ICCUs is unknown--that should be stricken? []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

BETH BAXTER: Right, because we've worked really hard to have... []

JEFF SANTEMA: Would there be any objection? []

RUTH HENRICHS: Scot, is that accurate? Do you agree with that? []

SCOT ADAM: There is (inaudible). []

BETH BAXTER: We have a statewide data group that meets, you know, that includes people from the Division of Children and Family Services and the ICCUs, so the consistency is in...I mean, we utilize the N-FOCUS system for, you know, kind of the...or you know, for the demographic information, and we have a list of required tools that we utilize, and then some ICCUs may add additional ones, the YOS, and we have, you know, a variety of...so I'm just saying, there's been a concerted effort, you know, led by the Division of Children and Family Services, to have uniformity in assessments collected. []

TODD LANDRY: The uniformity, though, is limited to certain aspects. It's not complete; isn't that true? []

BETH BAXTER: I don't exactly know what that means (laugh). []

RUTH HENRICHS: Well, I think there's...you know, it does get down to maybe the detail, but there might be a difference between data that's collected and assessment data, and this sentence says that there's uniformity in outcome data. And maybe the collection of outcome data--is that what we're meaning--is unknown in uniformity? Do you use the same data base for outcome gathering also? []

BETH BAXTER: We use the same instruments. We have a...I'm just saying that there's been a concerted effort statewide to have consistency. We utilize the N-FOCUS system.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

We have a QA process that's fairly sophisticated, and the whole, you know, identification and collection of data, I guess in my opinion, compared to the rest of the system, is a fairly sophisticated process. []

RUTH HENRICHS: Are they integrated systems? Does every ICCU...it says here that you maintain separate systems, so do they all roll up somewhere, or is it accurate to say they're separate? []

BETH BAXTER: We send roll-ups. []

TODD LANDRY: Some of the data is rolled up into N-FOCUS,... []

RUTH HENRICHS: Oh, okay. []

TODD LANDRY: ...but not all of the data...each individual ICCU, as I understand it, can maintain additional data, additional information. A subset of each ICCU's data is, in fact, uniformly rolled up into N-FOCUS. []

BETH BAXTER: But I guess when I read this, and like I say, I'm trying to be objective here, when I read this it made it sound as if there really was a lack of...you know, it made it a negative. To me, it reads in a negative connotation. []

TODD LANDRY: May I suggest that possibly the best thing to do is just to strike that sentence? []

JEFF SANTEMA: That was a suggestion, and the request was, are there objections from the task force to striking the sentence? And then that's when the discussion ensued about whether it was appropriate to strike it or not. Are there objections? []

JIM JENSEN: Okay, we'll strike the last sentence. Beth, (inaudible). []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

BETH BAXTER: I think that's probably it for right now. []

LIZ CRNKOVICH: If you would indulge me, I have one last question about the time lines, and I didn't disagree with Scot and others that the problem with some time lines is they put things too soon and don't give ample opportunity, but what we have now are no time lines. I mean, can we say within two years, or within three years, or something like that (laugh)? Otherwise, we'll be back here ten years from now. I won't be here, of course, but in the same place. I didn't know about that. []

JIM JENSEN: Well, we had discussed the time lines, and I guess it's always been my preference to have time lines, even back with LB1083, but (inaudible) took those out. And you know, I mean right or wrong, they are not there. This committee continues, and we were, at least the way I see it and the way I would anticipate, that we would probably meet quarterly. And so at each quarter, then, we have the opportunity to see what progress has been made and if not, at that time to... []

LIZ CRNKOVICH: So the life of the committee is sort of the time line. []

JIM JENSEN: Yes. []

LIZ CRNKOVICH: If the committee is set for three...oh, okay. []

JEFF SANTEMA: And in the revision of the recommendations, notice that Recommendation 15 says, the task force recommends and urges that the planning activities and recommendations contained in this report be pursued as expeditiously as possible. The task force requests that the division provide quarterly progress reports to the task force beginning in January 2008. And this second new recommendation that was added was reference to the required report from HHS on January 4: The task force recommends that the chair of the task force be empowered to establish subcommittees

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

of the task force as necessary and appropriate, in consultation with the task force and the department, to facilitate the further development and implementation of the plan submitted by the division. And that was the balance, I think, the perspective of dates versus the department's concern about the legislative session, etcetera, and that's why those two new recommendations were added specifically. And so that would be open, then, for the task force's discussions as to whether that's an appropriate balance. []

LIZ CRNKOVICH: Thank you. []

JIM JENSEN: So that's what happened with the dates, and we were having all kinds of conversation on whether it would be January 4 or what date should be in there. Yes, without a doubt, it gives a little more leeway to the department, but I think that we still have the oversight to it. []

LIZ CRNKOVICH: No, I understand the need to have it be reasonable under the circumstances. []

JIM JENSEN: Personally, I like dates. Used them in construction all my life, and they mean a lot. []

CANDY KENNEDY: I do have a little bit of a concern that...with not having the dates, that we have a time line with our Legislature that we would like to meet, and I'm concerned that that may not happen. So I don't know how to fix that. []

JEFF SANTEMA: In addition to that...I'm sorry, Senator Jensen. []

JIM JENSEN: Through the reorganization of Health and Human Services Department--there are six divisions now with division heads--I'm hoping that we have a more responsive division, and I truly believe that we do. This will be a test of that, I guess, to see, and I'm willing to wait and see how that all works out. But I'm optimistic

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

that it will work out. Jeff, did you have anything else? []

JEFF SANTEMA: Thank you, Senator Jensen. And the only thing I would add is, if the task force would like to make a more definitive statement in this report about its concern that maybe plans won't be followed up on, and the urgency of taking action, that's one thing. Secondly, after the...just a point of information: After the task force issues...presents a plan pursuant to the statute, the task force will continue to meet, as Senator Jensen said, and the task force has the option of taking other actions or making other...considering other motions, considering other things. That's not precluded after the report is...would be my comment. []

JIM JENSEN: Any other comments on that? []

RUTH HENRICHS: Just a point of clarification. We really will be an oversight committee, so we really will not have any power and authority, not that I'm even implying we should. But if there are no dates, then really we can come and meet and request reports or ask why they aren't there, but we will have nowhere to go with that, because we are not...we are an oversight and kind of a feedback body, but not...if the dates aren't met, I think...if our requests weren't met, we wouldn't have anywhere to go with that. And I'm just saying I think we need to be clear about it. I'm not...I understand the time constraints of the dates we had in this, with what the department is faced with, in terms of the first few months of next year. []

JIM JENSEN: And I guess, you know, this report goes to the Legislature. It's up to the Legislature to do what they will with this. They may not take any action; they may take action. There are recommendations that they take action on some things, but that really ends our... []

RUTH HENRICHS: Right. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

JIM JENSEN: We can recommend, we can make statements, but other than that, I don't think our... []

RUTH HENRICHS: Right. []

JIM JENSEN: ...power goes beyond that. []

RUTH HENRICHS: So without dates,... []

JEFF SANTEMA: And that isn't necessarily changed if there were dates. The other thing that the task force could consider, I suppose, is saying that they want to see specific dates in the department's report. They want to see...the task force wants to see what the department is thinking of, in terms of dates, and the task force can consider whether they think that's adequate or not. []

RUTH HENRICHS: I like that idea a lot, Jeff. []

_____ : I do, too. []

LIZ CRNKOVICH: It recognizes wanting to be reasonable in terms of expectations,... []

RUTH HENRICHS: Right. []

LIZ CRNKOVICH: ...while not just leaving it out there. []

JIM JENSEN: And that puts out some accountability. That's good. []

_____ : Yes, that's the word. []

_____ : Right. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

JEFF SANTEMA: Would the task force like to see, as part Recommendation 15, then, an additional sentence added specifically recommending and requesting that the department include dates in its responsive plan due on January 4, or in 15 or 16, one way or another? Would the task force like to see an additional sentence requesting the inclusion of dates? []

RUTH HENRICHS: I think in the last sentence in 15: We provide quarterly progress reports to the task force, including implementation dates, or including dates and time lines. []

TODD LANDRY: Wouldn't you want it in 16, since 16 talks about the overall plan, as opposed to just the progress reports? []

RUTH HENRICHS: Personally, I think they ought to be in both. The overall plan will be broad one, Todd, just probably product. []

TODD LANDRY: Right. But the overall plan is where you want the dates to be for the accountability, or did I misread that, mishear that? []

JEFF SANTEMA: What the... []

RUTH HENRICHS: Yeah, if I was only going to have one, I'd put it in the broad plan. I don't think there's anything wrong in progress reports of also...you know, an operational plan has your end date, but it also has target dates along the way. And you'll have those, because when you write your plan, you're going to have an operational plan. So I would say it could be in both, but I'd be willing to just have it in 16, if that's what the wish was. []

JEFF SANTEMA: Would the task force like to give committee counsel discretion to

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

include it, just that the concept is included? Could I have some discretion as where I put it, or do you want to be very specific on where you want me to put it, in either 15 or 16? Would you want... []

LIZ CRNKOVICH: Or both. []

JEFF SANTEMA: You want the dates in both. []

JIM JENSEN: Maybe this is one area where we could be a little redundant. []

JEFF SANTEMA: Okay, so the task force would like it mentioned in both? Okay. []

CANDY KENNEDY: Do you feel comfortable with that, Scot, too? []

SCOT ADAMS: Sure, yeah. Sure. That will just give us more time (inaudible). []

JIM JENSEN: Any other comments, recommendations? Todd. []

TODD LANDRY: A couple. I'll start with page 23 and 24, and I just would like to make sure I'm understanding it clearly from the other members of the task force.

Recommendation 3 says: "Develop a proposed system integration plan..."

Recommendation 2 says: In preparing the plan, to ensure the most effective and efficient long-term coordination and integration of the children's behavioral health system. I guess my question is, what's different between those two recommendations?

[]

JEFF SANTEMA: (Inaudible) the words "coordination" and "integration"? []

TODD LANDRY: All right. We talk about coordination and integration in Recommendation 2. Recommendation 3, we specifically talk about integration. I'm just

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

wondering what is the difference between those two recommendations, if in fact there is a difference. []

CANDY KENNEDY: Wasn't number two kind of an overall statement, as number three was talking about a specific plan--the plan? []

TODD LANDRY: Well, Recommendation 2 in the first paragraph says a statewide coordination plan for this task force's review. []

JEFF SANTEMA: Todd, as I was understanding the task force's discussion in previous meetings...and it may be too fine a point and the task force might want to put those two concepts together in a single recommendation. But as I understood the task force's discussion, integration was talking about this governance issue of interagency coordination, and it's more of a governance question; whereas integration goes beyond just governance to including all the other things that involve integrating various components, various functions, etcetera. But if that's too fine a point,... []

LIZ CRNKOVICH: That was my understanding, that they're two different things. []

BETH BAXTER: When you say it that way, that provides much more clarity, so I don't know if you can add a few of those words. []

RUTH HENRICHS: So maybe the word "governance" really gives clarity to Recommendation 2, as you just explained it, and then Recommendation 3 remains integration of services. []

JEFF SANTEMA: So to clarify, then, the difference between coordination and integration, then, for purposes of... []

SCOT ADAMS: The alternative that Kathy recommended is also a potential, and that is

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Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

to delete Recommendations 1-4 and instead recast a single recommendation, would be another alternative, in her memo or 11/21. []

LIZ CRNKOVICH: The only thing is, they are different, though, and I think the fact that it's not--and this isn't a criticism of the author, because by the way, I think Jeff has done a stand-out job. I mean that, and I told him yesterday he has a manner that's very professional and very pleasant. But again, on the one hand I can see wanting to condense and on the other, it mixes everything up and doesn't make clear. I believe Jeff correctly distinguished two from three, and I would worry that by combining them they become the same thing, rather than the two separate things. And there may be a need for redundancy just to make clear that A is not Z. []

JIM JENSEN: I would prefer that we stay with perhaps Jeff's recommendation, if we can come up with a vote today. And the changes that we're talking about at this point in time, I don't think are so substantial that we cannot come up with a vote. If we start (inaudible) several recommendations or changing them, then I think it would absolutely require us to come back again and meet before we get the final recommendation. []

LIZ CRNKOVICH: Do you have an appendix that's definitions or anything, because you could just throw in integration and coordination into that appendix, and that takes care of that. []

JEFF SANTEMA: Okay. []

LIZ CRNKOVICH: Don't you think? []

JIM JENSEN: That would be good. Okay. Any other comments, recommendations? []

TODD LANDRY: I do have one other. On page 20 in the integrated system of care table, which as I understand it, really lays out some of the principles that we had talked

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

about, I appreciate the change from "small" to "appropriate," knowing that everyone may define small differently. In the first one on assessment process--and I shared this with Jeff earlier today--the families need to tell their story only once is in parentheses, and it was at my request for a discussion by the committee or the task force, in that I will tell you I understand the concept behind that. I challenge it, and I challenge it from this perspective and using this analogy. If I hurt my arm playing basketball with my daughter and I go to my family practice physician, he or she will ask me, what's wrong with your arm? And I'll explain it to him or her. They may refer me to a specialist, and it is completely logical and makes a lot of sense for me to explain what happened again to the specialist. And that specialist may refer me to an orthopedic surgeon, and it would be completely logical for me to explain that again to them. I'm...again, I understand the concept--I'm not quite sure it is appropriate as a core principle. []

SCOT ADAMS: And Todd, if I could take the medical a little bit further, my father had osteoporosis and went to the Mayo Clinic. And they made him tell the story three times with three groups of teams of people, and that was on purpose, so that each time you tell the story, you hear a little bit more, you forget something the first time, and different parts of the team--social work, psychology, medicine, nursing--could all hear it. And it was the same folks who made him tell it again. It was really a fascinating experience. []

LIZ CRNKOVICH: Now in my world, you want them to tell the story over and over because they're not always telling the true story, and you don't know that if they only tell it once (laugh). So I agree with you, Todd. []

CANDY KENNEDY: And in my world, actually as a family member that's gone through this, it's not the same as breaking an arm or osteoporosis, where you're going to professionals and down a certain silo, you may say. It's very, very different. It's very crisis oriented, trauma, and when you're talking about system of care, you're talking about...it's telling the story, what the family's needs are, and going from there. So I think the verbiage, the families, we could change it a little bit, but I think it's very, very

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

necessary that we focus on our families not having to go here and here. We were talking about how many doors and how broken the system is. If we don't focus on that, why are we here? []

LIZ CRNKOVICH: Could you say this, Candy, in parentheses even, or...common assessment protocol accepted by all providers, and then in parenthesis, if you want, this minimizes the need for families to repeat their...or something along that line, because on the one hand I agree with Todd. This is almost saying... []

CANDY KENNEDY: I understand that. And it will, when you go, I'm sure, when you go to a different provider or different...you do talk about what your needs are, but... []

LIZ CRNKOVICH: But I can also say, from the treatment provider's perspective, and that would include the court, who has to order the treatment, that a blanket statement that goes to day one, you know, two years ago, isn't...I think it's not realistic to say a family will only tell their story once. However, we do want to recognize that as best we can minimize the need to repeat and repeat, as a compromise...I don't know. []

CANDY KENNEDY: Right, so maybe we can verbalize the philosophy differently. []

LIZ CRNKOVICH: I wasn't presuming to be a treatment provider. []

JIM JENSEN: Ruth? []

RUTH HENRICHS: I don't want to give up...I mean, the language can be changed, but part of it is just sheer economics in my mind, and part of it is just quality treatment for kids. The economics is, to send somebody to a psychiatrist or someplace for an evaluation when they're going to three or four different organizations, in my mind is just poor management of the resources we have. I think that an assessment ought to be able to travel. If a child comes to my organization and then goes to someone else's

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

organization, I don't believe that we just pay to have another one done next week because they went somewhere else. I agree that it's not acceptable to have an assessment put away and never updated, but I think it's good business and it's good service that we have an assessment that is built upon, but that we don't recreate and pay for all these assessments. []

LIZ CRNKOVICH: I absolutely agree with that. I think we're talking two different things, because I would agree. As a judge, I wouldn't...in fact I sometimes indicate to the people, be sure that you give the psychologist this report, your case plan, or this or your that, so that have that little picture in order...you know. []

RUTH HENRICHS: And giving it, and then they accept it as okay, don't order another one. []

LIZ CRNKOVICH: Right. []

RUTH HENRICHS: What happens now is that you can give it to them,... []

LIZ CRNKOVICH: But they might still... []

RUTH HENRICHS: ...but they still require we get a new one. []

LIZ CRNKOVICH: But they might still have a need to then sit down with mom in their own assessment and talk once more about what other problems you (inaudible). []

CANDY KENNEDY: Right, and you guys are focusing on probably one system or one provider, and how that looks to them, so you're going down there. Like...for instance, the broken arm. So you're doing for your checkup from how your arm is healing. That's different. When you're sitting at the table...I'll use wraparound as an example. When you have many different services and providers represented there, a lot of the times that

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

means that's many different sets of questions, paperwork, and expectations. []

LIZ CRNKOVICH: Right, right. But do we...can we say...I mean, can I give you another example? As a judge, I'm going to hear from Mr. Landry, but I'm also going to say, now you tell me what you're thinking. So the question is not to ignore the trauma to families or the difficulty to families, but...or the concern about multiple evaluations that are unnecessary and costly. That's why I proposed as a compromise not a blanket statement that families will only need to tell their stories once, but acknowledging that, in simple language, this hopefully or something, this minimizes the need to be repetitive. []

_____: Right. []

LIZ CRNKOVICH: And anyway, I guess, just to be repetitive period. Families... []

CANDY KENNEDY: Right, and also to...you're absolutely right. And to respect what Todd and Ruth were saying, when we talk about how many assessments in Nebraska are done for different things--substance abuse and... []

_____: Every 30 days. []

CANDY KENNEDY: ...or different pay sources or whatever, it's...yeah, it's just an enormous amount of data that's collected and not shared. So it's just... []

JIM JENSEN: Well, can we change some language there, Jeff, to... []

JEFF SANTEMA: Certainly. Would the task force like to replace that sentence with maybe a couple of different options from what I've heard you saying. The sentence then could read, "minimize the need for families to tell their stories multiple times," could be one way. Or could reword it based on the assessment discussion, which maybe is more of the focus of this, "minimize the need for multiple and duplicative assessments." Is

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

that the preferred...would that be preferred? []

_____: That's good. []

TODD LANDRY: Thank you. []

JIM JENSEN: Is that...the last one acceptable? []

BETH BAXTER: I think so. []

_____: And you're done, Todd? []

TODD LANDRY: I'm done. []

JIM JENSEN: Good. Thank you. []

_____: I just want to make a comment... []

JIM JENSEN: Todd, did you...excuse me. Did you have any more? []

TODD LANDRY: No, I'm done. Thank you. []

JIM JENSEN: All right. Beth? []

BETH BAXTER: Just Recommendation 1. Maybe the last statement there, you know. We could replace that with the acknowledgement that the division has appointed, because I think we...you know, we acknowledge something in the closing of the residential beds at HRC, but maybe we could acknowledge and I'd even applaud, but at least acknowledge the appointment. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

_____: We would change the word "recommends" to "acknowledges"? []

JEFF SANTEMA: The task force recognizes that the division has appointed a children's behavioral health administrator? []

_____: Oh, because that's happened. []

JEFF SANTEMA: Yeah. []

BETH BAXTER: I'd even like to applaud them. []

_____: Yeah, yes, for being proactive, absolutely. []

LIZ CRNKOVICH: Not so fast--no, I'm kidding. (Laughter) I'm just kidding. []

RUTH HENRICHS: What's wrong with the word "applaud"? []

JIM JENSEN: Sounds good. []

JEFF SANTEMA: Would there be any objection to "recognizes" and "applauds"? Would there be any objections? []

JIM JENSEN: Any other comments? Any other comments to the plan, as presented to you? Then at this point in time, returning back to the agenda, Item 5 is public comment. Is there any public comment? Seeing none, we are ready, then, for some motions or a motion. And recognize that the changes that were made we can certainly...I think everyone understands what those were. They were not--I don't want to use the word "substantial," but anyway, they were minor, in my opinion; also, that this draft then goes to who actually does the editing. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

JEFF SANTEMA: Well, Senator Jensen, if the task force approves the draft plan as presented and amended by the task force, it will see to a formal editing and printing process, and the Legislature's research division will...is going to be providing assistance in formatting and printing the report. []

JIM JENSEN: Okay. But recognizing that there could be some minor changes and corrections to that. []

LIZ CRNKOVICH: Do you need a motion, Senator? []

JIM JENSEN: Yes. []

LIZ CRNKOVICH: I move that we as the committee adopt the draft, with the amendments and changes we made today. []

JIM JENSEN: Is there a second? []

CANDY KENNEDY: Second. []

JIM JENSEN: Candy seconds. Don't push both sides of that. []

SENATOR JOHNSON: (Laugh) Okay. I don't know what happened to that. []

JIM JENSEN: The stickum has come a loose.

SENATOR JOHNSON: Oh, okay. []

JIM JENSEN: (Inaudible) security. Was Senator Heidemann coming back? I don't know.
[]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

SENATOR JOHNSON: Want me to check? []

LIZ CRNKOVICH: Going to take a secret vote? (Laughter) []

JIM JENSEN: Kendra, would you do a roll call, please? []

KENDRA PAPENHAUSEN: Senator Jensen. []

JIM JENSEN: Yes. []

KENDRA PAPENHAUSEN: Scot Adams. []

SCOT ADAMS: Abstain. []

KENDRA PAPENHAUSEN: Beth Baxter. []

BETH BAXTER: Yes. []

KENDRA PAPENHAUSEN: Judge Crnkovich. []

LIZ CRNKOVICH: Yes. []

KENDRA PAPENHAUSEN: Senator Heidemann. Ruth Henrichs. []

RUTH HENRICHS: Yes. []

KENDRA PAPENHAUSEN: Senator Johnson. []

SENATOR JOHNSON: Yes. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

KENDRA PAPENHAUSEN: Candy Kennedy. []

CANDY KENNEDY: Yes. []

KENDRA PAPENHAUSEN: Todd Landry. []

TODD LANDRY: Abstain. []

KENDRA PAPENHAUSEN: Tom McBride, Kathy Moore, Terry Nutzman, abstaining. Six ayes, (inaudible) abstaining. []

JEFF SANTEMA: If I may, do members of the task force...what would be your suggestions to Senator Jensen, in terms of the two members who are absent today but may like to vote on the report? Do you have any comments for Senator Jensen about keeping that vote open for them, or giving them the opportunity to register their vote? What comments or advice would you have? []

_____ : I'm trying to remember what Kathy and Tom had said at the last meeting about...when we spoke of doing the vote today, and if I... []

LIZ CRNKOVICH: Perhaps they didn't recognize the (inaudible). []

_____ : It didn't pass, did it? I mean, isn't it six and six? []

JEFF SANTEMA: Six, two, and three. Six in favor and three absent and three abstentions. Is that correct? And no one opposed. []

_____ : So our...I mean, our electronic vote is...does it make allowances for other types of voting? I mean, I think that's your question. Are there legislative rules concerning absences (inaudible)? []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

JEFF SANTEMA: No, I don't believe so. []

LIZ CRNKOVICH: I would defer. Do we have a change in...I would defer to the chair, in terms of assessing. []

JIM JENSEN: Yes, excuse me. []

SENATOR HEIDEMANN: I'm just going to make a quick comment. To me what we're about to do here is very important, and I believe that our decisions will carry a lot of weight in the Legislature. I do not take this lightly. Number two, I am not comfortable about voting yet, because there was a lot of changes being made, or enough that I don't quite understand it. This isn't what I do for a living, so it takes me a little bit longer to make sure. I always try to make an informed vote, and I can't do that today. I personally, and this is just my opinion--you can do whatever you so desire--I would prefer that we would defer the vote for today. I think there are two task force members that are not here today that are very important to this task force, and I believe that their vote could be very important to the outcome here and make a huge difference. And that's my opinion. If you want to see the vote go forward today, that's fine. My question would be maybe then, if we do vote and we don't get enough votes to recommend this, what happens then? []

LIZ CRNKOVICH: Senator, can I ask a procedural question? Would it require a motion to do as you suggest, to not...to wind the tape back and to hold off on a final vote? That's a procedural question. []

JIM JENSEN: I don't know. We are subject to open meeting laws. Jeff, as counsel, how do you see the other two members who are not here, and how do we proceed? []

JEFF SANTEMA: Well, as of this moment, if there are...it just seems to me that there

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

are six votes. There's not a majority right now, so I don't think that the motion is adopted. And so that ends...if the...I'm not sure about the other two members who are not present, and the Chair's discretion, in that regard. But I would like to further consult, I guess, on that, and I don't think I...I don't know. []

BETH BAXTER: We have a meeting scheduled next week; is that correct? []

JEFF SANTEMA: Not at this moment there's nothing scheduled, but the report is due on next Tuesday, December 4. That doesn't mean that the task force couldn't get together again. Maybe if I had thought in advance about it, maybe a telephonic participation by Mr. McBride or Kathy could have been possible. []

JIM JENSEN: I'm open to suggestions. We could either come back here next Monday or Tuesday. []

CANDY KENNEDY: I'm not going to be able to. I'm actually going to be out of the state all next week, so. []

SENATOR HEIDEMANN: Can we do it as you had talked about? []

JEFF SANTEMA: Telephonic for those who...I think that can be arranged. []

LIZ CRNKOVICH: Does that go against the public hearing... []

JIM JENSEN: Meeting laws? []

JEFF SANTEMA: If it's in an open public meeting and they're participating by telephone. []

LIZ CRNKOVICH: Oh, I see. I see what you're saying. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

TODD LANDRY: May I...is it possible to consider moving forward with the draft, the changes, moving forward with the publication through the research office and having a final opportunity on either Monday or Tuesday? Those who can't participate, participate telephonically, and we, you know, adopt it with the...in final draft or final presentation form. []

LIZ CRNKOVICH: I so appreciate your desire to find a solution to this. It's awkward, given the agency's production of the dilemma that we are in. []

JIM JENSEN: And I agree, Judge. When the Legislature sets forth a task force and selects voting procedures, and then at the same time individuals don't vote, I think that handicaps the task force. As you know, I'm no longer a senator, but I do believe that when a task force is set forward and a specific number of individuals are selected, that those individuals should vote--that's why they're there. That's the reason for the task force. Now...and I would just hope that in the future, when the Legislature does that, that they...whether they need to make any more specifications other than that, I don't know. But that's also my personal opinion to what the judge has said. Okay, that said, today I don't think anything else will change. I also recognize that those individuals from the division, those individuals from the administration, were told not to vote. I would like to say that next Monday at 10 o'clock... []

JEFF SANTEMA: Next Monday at 10 a.m.? []

JIM JENSEN: Yes, that we try to do a telephone conference call, or... []

JEFF SANTEMA: So to have everybody participating. []

JIM JENSEN: ...so that everyone can participate, and we can go forward. We also will, before then, give you a completed copy. Can we do that, Jeff, or... []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

JEFF SANTEMA: Yes, sir, with their permission. (Inaudible) can proceed with legislative research and have the formatting done and these changes made. []

JIM JENSEN: Okay. []

JEFF SANTEMA: This is not a final report at this point. []

CANDY KENNEDY: Can I ask one question? []

JIM JENSEN: Yes. []

CANDY KENNEDY: What if we're not complete by the date they mandated? What if something... []

JIM JENSEN: Oh, you know, it said to be completed on the 4th. If it's not, we're late; that's all. There are other groups out there that are really awaiting this report, and I think it behooves us to complete it as expeditiously as we can. Does that work for everyone? Yes. []

RUTH HENRICHS: I just have a question for clarification. Senator Heidemann, did you not vote, then, not being in the room? Or is your vote recorded as abstaining from the vote the rest of us took? I'm just asking for clarification on what happened here a few minutes ago, because I assume the vote will be public. []

SENATOR HEIDEMANN: I wasn't to the point where I felt that I could vote. I didn't realize it was going to go down that fast, or I wouldn't have stepped out of the room, and I would have said my peace before the voting would have started and maybe that would have changed things. And I apologize for that. So I mean, if I would have had to do it today, I would have to say not voting, either negative or positive--just not voting. I

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

mean,... []

LIZ CRNKOVICH: Is there a place to then make a formal motion that the recommended amendments be memorialized in an updated document before any final vote? Is that what we're talking about, but we're not doing it formally? Do we need to do it formally, or is this the vote, and now...or has my...or do we just change it and do a new motion to vote again? []

_____: (Inaudible). []

LIZ CRNKOVICH: Is that...we'll take...okay. []

JIM JENSEN: Next Monday at 10 o'clock we will by teleconference vote to move forward. []

JEFF SANTEMA: Who will be here in person next week? Do we...or for those... []

LIZ CRNKOVICH: The nonvoting members (laugh). []

SCOT ADAMS: (Inaudible). []

LIZ CRNKOVICH: There's a sweet irony. (Laughter) I don't know yet. I'll have to check my day, whether...I would love to be here in person, as I know you all would like to have me here. (Laughter) []

JIM JENSEN: Those attending, we'll have coffee and cookies. (Laughter) []

LIZ CRNKOVICH: Do you need a motion to adjourn? []

JIM JENSEN: And for the rest, if you're not going to be here, please give us...well, you

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Children's Behavioral Health Task Force
November 28, 2007

will call in and we'll also get that information to you on e-mail as to what number to call.
[]

JEFF SANTEMA: We will have to make those arrangements and inform the task force of how that's going to be arranged. []

JIM JENSEN: I don't know what the situation is, but I am getting e-mail from everybody in the world and from Senator Johnson's office, all except Jeff. When he sends me things, I don't get them, and so I don't know what electronically is happening, but I didn't get copies of this yesterday, so. But other than that, if there's no other...yes. []

SENATOR JOHNSON: Yeah. I'd just kind of like to close today with a positive note, because you know, one of the things is, I think this has just been a marvelous group around the table. And for the last several meetings, the structure and the discussion has been at one of the highest levels that I've seen in committees, and I...we had difficulty in figuring out...from my perspective, there were lots of good candidates to put on this committee. But we sure ended up with good ones, and I think you're all to be complimented. []

JIM JENSEN: Thank you, Senator. Any other comments, questions? We're adjourned till next Monday, 10 o'clock. []