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Floor Debate
March 09, 2009

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PRESIDENT SHEEHY PRESIDING

PRESIDENT SHEEHY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fortieth day of the One Hundred First Legislature, First Session. Our chaplain for today is Pastor Jimmie Byrd from the Church of the Living God from Omaha, Senator Council's district. Would you all please rise.

PASTOR BYRD: (Prayer offered.)

PRESIDENT SHEEHY: Thank you, Pastor Byrd. I call to order the fortieth day of the One Hundred First Legislature, First Session. Senators, please record your presence. Please record, Mr. Clerk.

CLERK: I have a quorum present, Mr. President.

PRESIDENT SHEEHY: Are there corrections for the Journal?

CLERK: I have no corrections, Mr. President.

PRESIDENT SHEEHY: Messages, reports, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review reports LB483 to Select File, and LB346 to Select File. Communication from the Governor to the Clerk. (Read re LB5, LB7, LB20, LB28, LB32, LB48, LB53, LB55, LB74, LB91, LB102, LB120, LB135, LB201, LB259, and LB331.) Committee priority designations: Government Committee has selected LB361 as its first priority bill, and LB322 as its second. That's all that I have, Mr. President. (Legislative Journal pages 671-672.) [LB483 LB346 LB5 LB7 LB20 LB28 LB32 LB48 LB53 LB55 LB74 LB91 LB102 LB120 LB135 LB201 LB259 LB331 LB361 LB322]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR37, LB38, and LR39. Mr. Clerk, we'll move to first item under General File. [LR37 LR38 LR39]

CLERK: Mr. President, LB327, a bill by Senator Pahls. (Read title.) The bill was introduced on January 15, referred to the Banking, Commerce and Insurance Committee for public hearing. The bill was advanced to General File. I do have

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committee amendments. (AM122, Legislative Journal page 376.) [LB327]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Senator Pahls, you're recognized to open on LB327. [LB327]

SENATOR PAHLS: Good morning, Mr. President, members of the body. LB327 was introduced at the request of the Director of Banking and Finance. This is the annual update and housekeeping bill proposing changes in just a few of the many statutes subject to the jurisdiction of the Department of Banking and Finance. The first two sections of the bill propose a new law to require state-chartered banks with trust departments holding fiduciary accounts to pledge collateral to secure funds in those accounts which exceed the insurance or guarantee coverage provided by the Federal Deposit Insurance Corporation. The bill describes the acceptable types of collateral. The bill also provides the authority for these banks to make deposits with affiliates of the bank and to collateralize those deposits. Public fund deposits are exempt from the requirement of this section as there are collateral requirements under other statutes. This section tracks federal laws applicable to national banks with trust departments and is intended to provide security for large fiduciary accounts handled by banks with trust departments. The state banks must have express statutory authority to pledge its assets. Acceptable collateral would be direct obligations of the United States or other obligations fully guaranteed by the United States as to the principal and interest. Readily marketable securities of the classes in which banks, trust companies, or other corporations exercising fiduciary powers are permitted to invest fiduciary funds and security bonds. Section 3 proposes to amend 8-112, the statute which governs the records of the Department of Banking and Finance. Current law provides that examination reports are confidential in their entirety. The bill would clarify the following: examination reports, investigation reports, and information related to such reports would remain confidential records of the department, even when such reports and information are transmitted to the finance institution or entity that is the subject of the report or information. These confidential requirements would extend to agents of the financial institutions and entities who have the report for appropriate business purposes, such as law firms. Subpoenas for such report could only be directed by the department. The director told the committee that this proposal addresses a recent situation in which a representative of a licensee provided information reports to a third party in a lawsuit and then contended the disclosure was not a violation of the law. Section 4 would amend Section 8-163 of the Nebraska Banking Act relating to the payment of dividends by a state-chartered bank. The amendments would provide the director with the authority to allow state-chartered banks to pay dividends, even though it previously had losses that equaled or exceeded its undivided profits on hand. Current law outlaws any future dividend payments. The amendment is intended for those situations where the bank returns to a healthy condition with the safeguard that the prior approval of the director would be required before any dividends could be paid by the bank. Section 5, 8, and 13 contain the annual "wild card" updates for Nebraska state-chartered depository financial

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institutions. The legislation provides the same rights, powers, and approval of existing state financial institutions as those currently enjoyed by the federally chartered institutions doing business in Nebraska. Essentially, these laws give equal rights to these state-chartered institutions without the need to enact legislation for each specific power or privilege enjoyed by the federal chartered, thus the term "wild card." Due to the state constitutional restrictions on delegation of legislative authority, these sections are reenacted every year. Our state can adopt federal laws for application in our state-chartered institutions through the process of incorporation by reference of federal law but only for the laws as they now exist, not future changes in it. That is why we go through this particular exercise every year. Trust companies: The bill also contains an amendment to the Nebraska Trust Company Act. Section 6 proposes to amend Sections 8-209 to change the amount of pledged securities that trust companies and trust departments of banks must pledge to the Department of Banking to maintain their status as trust companies or trust departments. Currently, the law provides that these institutions must maintain a pledge of \$100,000 in security at par value. The bill would create a sliding scale which the amounts of securities to be pledged to the department would be based on the market values of the trust assets held by the institution. The scale would go from \$100,000 to \$500,000. The institution would be further required to determine the market value of the trust assets at the end of each calendar year, and then increase the amount of the pledge within 60 days if the current pledge is insufficient. The intentions of this amendment is to provide greater security in the event of the liquidation of the institution. Section 9 would amend Section 8-602(6) to eliminate the \$1.50 per page fee that the Department of Banking is required to charge for copying documents. Under the Nebraska Public Records Act, charges for public records are the actual costs of making copies available, unless there is another law which specifically sets an amount. With these amendments, the department would charge those actual costs. The director of banking told the committee that in most instances the overall cost to a requesting party would be reduced if this bill is passed. Sections 10, 11, and 12 would amend the Nebraska Sale of Checks and Funds Transmission Act by adopting a change of control procedures for licensees under this act. The act governs persons who sell money orders and travelers checks and those who transmit funds electronically. Section 10 sets forth a definition of control. Section 12 sets forth financial and fitness standards required for the approval of an acquisition and the right to an appeal under a denial under the Nebraska Administrative Procedures Act. There is a committee amendment forthcoming on this part of the bill. Section 14 relates to loan brokers and would update the definition of loan broker in Section 45-190. The bill provides that a person who...that a person will be defined as a loan broker only if advance fees is expected or received from the borrower rather than from the source. These changes would exempt a situation where the broker is compensated not by an individual borrower but by a lender such as some Internet matching services where a consumer goes to a Web site to fill out an application and the Web site forwards the application to a number of different lenders. The proposal would affirm the original intent of the loan broker statute which is to prohibit the payment of advance fees to loan brokers by

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individual borrowers. These statutes would not apply in those situations where the compensation is paid by a third party. The Nebraska Installment Act would be amended by Sections 15 and 18. Section 15 would amend 45-346.01 and would change the date an installment sales licensee and thus submit...must submit his audited financial statements to the department from a maximum of 45 days from the audit, after the audit is completed as required by 45-348 or at the request of the director. Section 16 contains the coordinated amendment to Section 45-348 and would provide that the audit is to be submitted to the department with a licensee's annual renewal application. These provisions are intended to improve the efficiency of the reporting process, both for the licensee and the department. The final amendment is in Section 17 and would amend Section 45-922 of the Delayed Deposit Service Licensing Act. Under current law, current law provides that the director may suspend or revoke a license issued under the act if a licensee has abandoned his place of business for a period of 60 days or more. The bill would shorten that time frame to 30 days or more. The change would allow the department to act more quickly to ensure that the business was properly closed, had properly closed out a customer's account and safeguard confidential customer information. This is the... [LB327]

PRESIDENT SHEEHY: One minute. [LB327]

SENATOR PAHLS: ...this year's Department of Banking's final...this...excuse me. This is this year's Department of Banking financial update and housekeeping bill. And that concludes my opening comments. Thank you. [LB327]

PRESIDENT SHEEHY: Thank you, Senator Pahls. You have heard the opening of LB327. (Visitor and doctor of the day introduced.) The cookies which are being passed out to you at this time at your desk are to help celebrate Senator Hadley's birthday. Senator Hadley, happy birthday. (Applause) Also members, for the courtesy of those speaking from the floor, I'd ask that you keep your side conversations volume to a minimum. As was noted, there is a Banking Committee amendment, AM122. Senator Pahls, you're recognized to open. [LB327]

SENATOR PAHLS: Thank you, Mr. President, members of the body. The committee amendments would make changes in that part of the bill regarding the Nebraska Sale of Checks and Funds Transmission Act. As a reminder, the licensees under this act are persons who sell money orders and travelers checks and those who transmit funds electronically. New language in the green copy of the bill would provide that no person may acquire control of one of these licenses without giving notice to our director of Banking and Finance. This would give our director an opportunity to disapprove a proposed acquisition. Under the bill the director may disapprove a proposed acquisition if, for example, the financial condition of the acquiring person might jeopardize the financial stability of the licensee. The business experience, character, and general fitness of any acquiring person or persons managing...management personnel indicates

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that the acquired licensees would not be upgraded honestly, carefully, or efficiently. The committee amendments would tighten the... [LB327]

PRESIDENT SHEEHY: (Gavel) [LB327]

SENATOR PAHLS: ...proposed condition of control for this purpose. Language in the green copy is broad. The committee amendments would change it so that a person who, among other things, has the power to elect a majority of the executive officers, managers, directors, trustees, or other persons exercising managerial authority of the licensees or any person in control of a licensee is pursued the...is pursuant to control of that licensee. Without this change in the definition of "control", we would require that the (inaudible) of personnel to give notice to the director. The committee amendment would insert a new section on the Sale of Checks and Funds Transmission Act. First, a new section would provide that a licensee shall file with the Director of Banking and Finance within 30 days of any materials change in the information provided in the licensee's application. Second, the new section would provide that a licensee shall file a report with the director within five business days after a licensee has reason to know of the filing of a bankruptcy petition, the filing of a receivership petition, the cancellation or impairment of the licensee's bond; a charge or conviction of the licensee or of an executive officer, manager, or director of, or person in control of, the licensee for a felony, or a charge or conviction of an authorized agent for a felony. This information would help our director to determine whether a proposed acquisition should be approved. That is the end of the committee amendments. [LB327]

PRESIDENT SHEEHY: Thank you, Senator Pahls. You've heard the opening to the Banking, Commerce and Insurance Committee amendment, AM122. The floor is open for discussion. Seeing no members requesting to speak, Senator Pahls, you're recognized to close. Senator Pahls waives closing. The question before the body is on the adoption of AM122 to LB327. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB327]

CLERK: 36 ayes, 0 nays, Mr. President, on the adoption of committee amendments. [LB327]

PRESIDENT SHEEHY: AM122 is adopted. We'll now return to floor debate on LB327. Are there members requesting to speak? Seeing none, Senator Pahls, you're recognized to close. Senator Pahls waives closing. The question before the body is on the advancement of LB327. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB327]

CLERK: 38 ayes, 0 nays, Mr. President, on the advancement of LB327. [LB327]

PRESIDENT SHEEHY: LB327 advances. Speaker Flood, you're recognized for an

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announcement. [LB327]

SPEAKER FLOOD: Thank you, Mr. President. Good morning, members. A reminder that the deadline for designating a bill as a senator or committee priority bill is this Thursday, March 12. Your designation letter must be delivered to my office, and a copy to the Clerk, prior to adjournment on Thursday, March 12. Also, if you would like me to consider a bill as one of 25 Speaker priority designations, the principal introducer has until 5:00 p.m. on Thursday, March 12, to deliver a letter to my office making such a request. The letter should outline why it should be...would be beneficial to have the bill chosen as a Speaker priority. Additionally, I've been receiving several inquiries about whether or not we will have a consent calendar this year. I do intend to schedule a consent calendar sometime in April, and prior to that I will share with you the scheduling criteria for bills to be considered for the consent calendar this year. Thank you for your attention. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Speaker Flood. Mr. Clerk, you have items for the record.

CLERK: I have a hearing notice, Mr. President, from the Education Committee. And new resolution: Senator Avery, LR45; Senator Heidemann, LR46. Both of those will be laid over. That's all that I have, Mr. President. (Legislative Journal pages 673-674.) [LR45 LR46]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. We'll move to the next item under General File, 2009 senator priority bill.

CLERK: LB356 offered by Senator Dubas. (Read title.) The bill was introduced on January 16, at that time referred to the Judiciary Committee. The bill was advanced to General File. There are Judiciary Committee amendments, Mr. President. (AM529, Legislative Journal page 615.) [LB356]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Senator Dubas, you're recognized to open on LB356. [LB356]

SENATOR DUBAS: Thank you, Mr. Lieutenant Governor, members of the body. Good morning. We have a statewide policy decision to make. We need to ask ourselves whether we build a fence around the block in hopes that no more children will fall from the cliff or whether we continue to fund the ambulance at the bottom of the cliff that transports the children to intensive levels of expensive services but only after they have fallen. Currently, the new proposals for Magellan requirements...with the new proposals for Magellan requirements we won't even have funding for the gas for the ambulances. And that is the question that we have before us today: Do we fund services? If we do not choose to fund services, I think we owe it to the parents and the children of this

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state to at least be honest with them and tell them that's not what we intend to do and let them know where they stand. Although this committee amendment is much different than my original legislation, the committee amendment does reflect the concept of my bill. I want to reduce the number of state wards in Nebraska. That was what I heard over and over and over again in the Children in Crisis Task Force. These parents are forced to make their child a ward of the state in order to receive services. With the number of state wards reduced by 1,000 children last year, the state saved nearly \$15 million. I want new money to reflect that savings. We can certainly put that money back into the system to continue to perpetuate those sorts of savings. The state currently spends \$13 million a month to fund the care of wards of the state. I'm distributing information this morning about the Professional Partner Program. Ninety-five percent of children and youth involved in Professional Partner Programs in their...are in their homes, while 66 percent of children and youth are in out-of-home placement during their involvement with Health and Human Services. The average length of involvement for those families involved in Professional Partners is 16.3 months. The average length of involvement for families involved with HHS is 20 months. The average cost of incarceration is \$26,000 a year. Nebraska has nearly the highest national state ward population in 2005, which equalled over 7,000 state wards; 80 percent of children who enter Professional Partner Programs do not have contact, do not become state wards. The safe haven issue of 2008 underscored the clear need for behavioral health services for children. LB1083, which was the Behavioral Health Reform Act, was adopted in 2004, but it did not include a definition for children's behavioral health services. Behavioral health funding and funding that was transferred from the regional centers acted to fund community-based care for adult-related services throughout each region as defined by the act. In addition, children are currently not receiving earmarked funding and are competing with adults for those same funds. [LB356]

PRESIDENT SHEEHY: (Gavel) [LB356]

SENATOR DUBAS: Children have been overlooked by policymakers and it's time to make them a priority. Please remember the eyes of the nation, if not the world, are on us to see how we are going to react after last year's special session. We know that health and mental health are strongly correlated. Many mental health symptoms are a result of a serious medical condition. Currently, there are 186,000 uninsured Nebraskans, 80 percent of those uninsured are the working poor, and 12 percent are children. As unemployment rises in Nebraska and nationwide, that uninsured rate is sure to rise. The original fiscal note on the legislation that I introduced, I think, makes a very important point that the bill before you today shows a somewhat disturbing monetary amount necessary if we are truly going to adequately fund behavioral health services for children. I've heard colleagues say that the administration will not support this bill. But let's not forget that the Legislature sets the budget, we define the parameters and the priorities. This morning I've distributed to you the Children In Crisis Task Force Report and also a press release will be distributed. This press release

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shows you the response from then-Governor Mike Johanns to a crisis situation that loomed with our children in 2003. After that crisis and two years of severe budget cuts, Governor Johanns rose to the occasion, he formed a task force, he brought leadership and a plan to the situation. You may remember during the special session I introduced LB3 as an attempt to fund services on which the Judiciary Committee so graciously allowed me a hearing. At that time I wanted a fiscal note, I wanted a projection from the department on the services that they depict would be needed, but I could not get that information, which now is before you in the form of that fiscal note. No one could give me a figure about the money needed to fund behavioral health services for children because the reality is we're all just guessing. But today the fiscal note before you, if it's accurate, portrays a much more serious issue than I ever fathomed. The fiscal note before you is a request from the executive branch for the amount that they would see necessary to fund this proposal. A new fiscal note will be put forward after we adopt the committee amendment. There was an article in The New York Times, in February of this month, by Judith Warner, entitled "Domestic Disturbances." And I think she really captures the essences of this debate that we will have today. As was widely reported last year, the law neglected to set an age limit for dropped off children and eventually led to 36 children, mostly between the ages of 13 and 17, most of these children had serious mental health issues, some were handed over to the state by relatives who had no other way of securing for them heavy-duty psychiatric care. They illustrate how a lack of good care early on can create a much bigger problem. Children abandoned in Nebraska have huge behavioral health issues: an 11-year-old-boy hearing voices since the third grade and had punched his fist through a glass door; other children had started fires, tortured pets, sexually abused younger children, and made murder and suicide threats. We have a problem with access to care and especially mental healthcare for the children. These are our children. A noted psychiatrist, who was also quoted in Judith Warner's article, stated that children with psychiatric problems get steadily worse and eventually fail up through repeated trials of medication and short-term hospitalizations until they can no longer be kept at home. And the cost of these programs is so great, as was the case in Nebraska, some parents are actually forced to make their children wards of the state in order to get the child welfare system to pay for their care. Parents who have not been abusive or neglectful are put in the untenable situation of having to surrender custody, and that is criminal. Judith Warner continues to encapsulate the issue at the root of LB356 and the safe haven crisis. Currently, the state of Nebraska is home to approximately 6,365 state wards. We were at a record level one year ago, one of the top states in the country. HHS has reduced this number over the past year. However, I have constituents in my district who have given up parental custody and made their child a ward of the state just to receive those very important services. The Department of Health and Human Services is actively seeking to reduce this number. It is still a large number in comparison to the 4,000 state wards that most other states average. I support the committee amendment. We need to fund services for children. I ask the body to have a healthy debate on this legislation and to move it forward to Select File. I will continue to work on this bill to reflect any concerns that are raised here

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today. [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR DUBAS: I ask for your support for this concept and hope that you will follow my lead and take the opportunity to fund behavioral health services for children. There has never been a better time. My proposal builds a fence around the cliff and attempts to catch children before they fall. Please keep in mind that this legislation includes language that says "included but not limited to," which indicates that services provided at the regional level do not have to be limited to only the Professional Partner Program. We have a window of opportunity here, as I stated earlier. The special session last year put floodlights on this issue. If we are ever going to do anything, now is the time. The public is looking at us, the state is looking at us, the nation is looking at us to see how we are going to step up to the plate, if we are going to step up to the plate, and how we are going to address those very serious concerns that were brought to light during the safe haven debate. That issue... [LB356]

PRESIDENT SHEEHY: Time, Senator. [LB356]

SENATOR DUBAS: Thank you very much. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Dubas. As was noted, we do have a Judiciary Committee amendment, AM529. Senator Ashford, you're recognized to open. [LB356]

SENATOR ASHFORD: Thank you, Mr. Lieutenant Governor and good morning. This bill, this measure, LB356, in my experience, is one of the most defining measures that we...I've ever been asked to vote on or consider. Senator Dubas has done an excellent job of explaining the intent behind LB356. And I'll just explain a little bit about how the Judiciary Committee dealt with the issue and how...what we are proposing for the body to consider. The idea behind early intervention in cases involving juveniles, at least in our committee, emanated initially from discussions we had on LB1014 last year in the Judiciary Committee. And LB1014 was a bill that had a number of provisions in it. This body passed it last year and it was signed by the Governor. One of the most critical pieces of LB1014 was the early family counseling or family involvement piece in the juvenile court system. LB1014 encouraged, provided for the idea of bringing families into the juvenile court system early in the process of developing some sort of treatment plan or some sort of resolution to a juvenile case involving children. The result of that bill and the law being passed has been and is partially responsible for a reduction in the number of state wards that have...and that reduction continues to occur as fewer children become wards of the court. This is a...there cannot be a more critical issue for us this year than to determine what the policy should be to encourage families to work out their issues before they become so serious that the children become wards of the

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court and even worse than that the costs involved escalate as problems become more acute, more difficult. The idea behind the committee amendments, AM529, is to really fund what is critical to the safe haven cases. The Health Committee has done a nice job in putting out the idea of a hot line and an evaluation piece to the hot line, which is critical to evaluating how many children and families are served in this state and what services they receive. However, there is a critical underfunding for behavioral mental health services for children, especially at that early stage where the...before the juvenile court has to get involved and has to move children out of their family and into a foster care environment or into a wards of the court environment. There...I cannot imagine an argument that a dollar invested in prevention and early intervention does not return significant additional dollars to the state in the clear need to address these early on result in less spending for these children and their families. This is what AM529 does. It basically puts a cap of \$15 million per year of money into the regions. The regions now have approximately, I believe it's somewhere around \$5 million to deal with these cases statewide. Obviously, we all know that that's insufficient amount of money to handle the numbers of cases that and the number of children and families that need services, especially families that are...have lost their insurance, they are not Medicaid eligible, and they really are desperate for care for these children. And I know some of us probably read the World-Herald this weekend again as the paper went through some of the safe haven cases and the troubles that were exhibited in those particular cases. This is a critical element. This is maybe...with the hot line bill, this is a critical part of getting those services to children as quickly as possible and in as nonbureaucratic a way as possible so that the services can be provided early on to families that don't have other sources of funds. The \$15 million a year will not be adequate, clearly, to handle the 10,000 children that will need behavioral mental health services in our state in the next biennium. And that number continues to go up as the needs rise. I would ask the body to consider this amendment and to consider it because not only does it put a cap on the number of dollars that can be spent, which is a critical piece, but gets the money to where it's needed today when this bill passes. So that when a call is made by a family in need of services that family can be directed to a service in the regions that can be provided, that delays can be avoided, that we can...that if necessary the juvenile court system, early in the process, can refer children, through the LB1014 model, to the services they need. And there will be at least some funding there to help them. Again, members, this matter, we believe the committee has done the right thing in expediting the process so that the money is sent directly to the regions. We have eliminated in the bill some thoughtful provisions that Senator Dubas wrote into her original LB356, clearly thoughtful, but would or could theoretically increase the cost of LB356, which did result in a rather enlarged fiscal note on the bill. This particular provision would take the savings or some of the savings from the reduction in wards of the court spending and put it directly to where it needs to go, which is services to children...for children in the regions for behavioral mental health issues. Obviously, we all remember the Von Maur case, we all remember the fact that private insurance ran out in that case and this, though a lot...many, many dollars were spent on that young man, that those services

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were discontinued. So not every case is going to be as critical or as awful as the Von Maur situation. But there are many cases that are getting...that can get there, if they're not handled early in the process. This is a very thoughtful measure that Senator Dubas has brought us. It is a constrained request. This is not a blow the bank type of request. It is consistent with the Health Committee's direction in the area of dealing with the safe haven issue. It's been six or seven months since Senator Stuthman was on TV on NBC talking about the fact that we were going to address the issues of safe haven. The hot line is one part of it. It is not enough. It cannot solve the issue. We need to move also into the service providing part of this. The funding that's provided in this bill is a good start. It is not enough, it is not enough to do the job, but it will get us a lot further down the line than where we would be without it. And so I would ask the members to think extremely seriously about this. This is not a political kind of decision. This is really a decision that gets at the fundamental needs of people that are hurting out on main street as the economy worsens, as unemployment worsens. We now, I think, have to shift our focus to people who are hurting in main street Nebraska. [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR ASHFORD: So with that, Mr. Lieutenant Governor, I urge the adoption of AM529 and the advancement of LB356 so that we can consider LB356 with Senator Howard's bill and Senator Gay's bill, the Health Committee's bill, which, I think, very thoughtfully presented us the option of doing a hot line in our state, which is sorely needed. These need to be dealt with together. It is critical to our state that we make this investment. We will save money in the long run. As Senator Dubas rightly suggested, it's \$26,000 a year to house somebody with drug issues in the state penitentiary. That is too much money, members. We can solve some of these problems now with an investment of \$15 million in each year of the biennium. Let's get this done. Let's advance this bill. And let's do something for children and for main street families who are desperate in our state. Thank you. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Ashford. (Visitors introduced.) You have heard the opening of the Judiciary Committee amendment AM529 to LB356. Members requesting to speak are Senator White, followed by Senator Nordquist, Senator McGill, Senator Gay, Senator Price, and others. Senator White, you're recognized. [LB356]

SENATOR WHITE: Thank you, Mr. President. Members of the body, imagine a world in which your home is on fire and you pick up the phone and you dial 911, but there is no fire truck that will come, or a burglar is breaking into your house, threatening your family and your property, and you pick up the phone and you call the police, but there is no cruiser and no police, or your spouse is having a heart attack, and you pick up the phone and you call to have them come save their life and there is no ambulance. Imagine that world for a minute. We wouldn't tolerate it. And yet that is exactly the world that children who have mental illness face. We have talked about a hot line but there is

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no one on the other end. There will be no one on the other end of this hot line unless we pass Senator Dubas' bill and fund it. Everything else we do is nothing but a lie, it's nothing but a cruel pretend game that we really care about our children when in fact there is no fire department, there is no police department, there is no ambulance service for them. If you're mentally ill and a child in this state, you cannot effectively get emergency treatment. And we heard story after story after story about that when we were debating the safe haven law. This body needs to decide if children really are our priority. What won't happen here, what will not happen here is that we will pretend to pass a bill that has meaning and then we'll all pretend we did something, and then we'll let the public pretend we care, and then we'll pretend that those kids are going to get help. I'm not going to pretend. And many others here will not agree to a pretend game either. We either care about these children, we either put ambulances, fire departments, police cruisers in place to take care of them or we admit to the world what we have done. There is no middle ground. I would ask Senator Dubas if she would yield to a question, because I have heard disturbing stories regarding how opposition to her bill has been raised among some of the communities that do provide services. [LB356]

PRESIDENT SHEEHY: Senator Dubas, will you yield to questions? [LB356]

SENATOR DUBAS: Yes, I will. [LB356]

SENATOR WHITE: Senator Dubas, can you please tell the ladies and gentlemen of the body whether or not there have been efforts to get groups that get funding from the state to provide mental health services to oppose your bill? [LB356]

SENATOR DUBAS: Yes, thank you, Senator White. Yes, it came to my attention late yesterday that CAFCON had had a board of directors meeting on Friday, and in the course of that meeting received a call from the department, HHS, my understanding, saying that if this bill gets advanced that we would essentially be taking money away from existing services to fund this. And so, of course, they were very much alarmed. I mean, every dollar is extremely precious for these agencies that provide these services, so then felt like maybe they needed to oppose my bill, because if this bill's intention is to take money away from existing services, that's not something that they could be comfortable with. [LB356]

SENATOR WHITE: Thank you, Senator Dubas. Last I understood of the constitution, this body decides who gets money. We make those determinations. And I am of the understanding that the stimulus package is giving Medicaid reimbursement money for several quarters back and that there is approximately \$230 million of additional funds available through the stimulus package that we can apply to problems like this. This is a \$15 million a year problem, \$30 million over two years, a fraction of what the federal government is putting into our state... [LB356]

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PRESIDENT SHEEHY: One minute. [LB356]

SENATOR WHITE: ...for Medicaid help. The funds are there. The money is there. The question is, is the integrity and the will to take care of the mentally ill children in this state there or not? If it is not, then Senator Gay's bill should not advance because it offers hope where there is none. It is cynical exercise. It is a line, a hot line to nowhere. We cannot do that to these children. You have all heard the stories of families desperate with children hallucinating, suicidal, abusive, violent, and they call and they call and they call and they call and they get no help. We need to end that. Thank you, Mr. President. [LB356]

PRESIDENT SHEEHY: Thank you, Senator White. Senator Nordquist, you're recognized. [LB356]

SENATOR NORDQUIST: Thank you, Mr. President. We were all here last fall, whether you were watching on TV or listening to the discussion in the Legislature. And we saw, you know, newscast after newscast about the serious problem that families in our state are facing. And now it's time for us to step forward with the real solution. I support Senator Gay's bill, LB346. But, as Senator White put it, we can't have a hot line to nowhere. We need the services behind it to back it up. Families in Nebraska are desperate for a comprehensive array of services for their children that are facing these challenges and LB356 is that...addresses that problem. It provides that comprehensive array. And these are families that do things the right way. These are families that are working hard, they're playing by the rules. These are families that are between 200, 300 percent of poverty, making \$44,000 to \$66,000 a year, hardworking, middle class Nebraskans that are facing a serious, serious challenge in their family, in their families, and LB356 is what we need to do to address that. And I have some concern, too, addressing what Senator White mentioned--the department's input on this. It's not the department's place to go around telling people that there isn't going to be money for this. If you want to set the appropriations process for our state, run for Legislature, get on the Appropriations Committee or work on it on the floor. It's not a department's place to do that. This is money we can find. It needs to be a priority. We can dig for it in committee. We're going to get \$227 million of enhanced Medicaid money offsetting General Funds that we've already directed toward healthcare expenditures. I think it's appropriate that a portion of that money goes to services like this, goes to healthcare issues. I'd like to follow up with one quick question for Senator Dubas. And she can have the remainder of my time. I know the e-mail that I got regarding...after the department's input on this, was from CAFCON and their concern about it. And I don't know if you've had conversations with them. But if you could kind of maybe...if you'd help clarify what their position is on this bill for the record and for the body to know where they're at on it. [LB356 LB346]

PRESIDENT SHEEHY: Senator Dubas, would you yield? [LB356]

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SENATOR DUBAS: Yes. Thank you, Senator Nordquist. Appreciate the opportunity to further talk about this. This amendment, my bill talks about new money. It is not my intention to take money away from existing services. What would that accomplish? I mean, we'd just be robbing Peter to pay Paul and in the end who pays the price? Our kids. So this amendment talks about new money for programs that are desperately needed for our children. And, you know, the fact that we have a department that's calling groups saying, you know, making comments about a process that's a legislative process, it's our responsibility on this floor to set the parameters of the debate, to set the policy direction, to determine the budget. We answer for it at the end of the day. You know, our constituents talk to us about money. CAFCON would support the bill in its original form, as long as we are not taking money away from existing services. I could just stand up here and say that over and over and over again, because that is not the intent of what we're trying to do here today. It's setting a policy debate, it's trying to determine are our children important enough for us to sit at the table, everybody together. There should...we shouldn't be butting heads over this. This is about the kids. And are we willing to sit at the table together and look at the big picture, look at a hot line, look at services, look at SCHIP,... [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR DUBAS: ...look at everything together to try to determine how can we find services for these kids. And quit convening task forces and quit talking about it and quit posturing about it and actually do something constructive, actually let our parents and these children know that we're willing to step up to the plate and do something, that we aren't just going to talk about it in nice, fluffy terms but actually put some substance with our words. So again, I just wanted to stress, you know, everybody has been on board with this bill until at the last minute when there was talk about coming in and taking money away from existing services. And if we can find new money to provide services, CAFCON as well as all of the other players are going to be on board with this. So please, please remember that we need to come to the table, we need to talk about where we can find these resources. Senator Nordquist mentioned many. I think there is other things that if we're really willing to sit down and dig, we can find those resources. Thank you. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Dubas. (Visitors introduced.) Resuming floor discussion on the Judiciary Committee AM529. Senator McGill, you're recognized. [LB356]

SENATOR MCGILL: Thank you, Mr. President, members of the body. I also rise in support of Senator Dubas' bill and the Judiciary Committee amendment that changes it. And, of course, I completely support LB346 brought by Senator Gay and prioritized by Senator Howard. I feel like both of these bills go together. I wouldn't even mind seeing

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both of these bills wrapped into one. During the whole process of the Children in Crisis Task Force, I know I learned a heck of a lot about mental health issues and the needs facing families who aren't getting the services that they desire. And I know Senator Pankonin and others can back me up that when I said...when I introduced a bill on the hot line what I really wanted in addition was funding for the very programs that this bill is attempting to fund. I saw that we were only spending about \$4 million on these programs statewide. And so in my mind any additional money is a great step in the right direction to helping these kids and programs that help them before they are in a complete crisis situation. I mean, if we're not helping them earlier when they're younger, when they're 10 years old, then we're going to be paying a heck of a lot more for them down the road as they end up in...well, I learned about situations where parents were at the end of the road. They were being told they needed to make their kids state wards, didn't necessarily want to go that route so they were hoping their kids would break the law in some way so the kid ends up in juvenile detention, which costs us a lot more money than just helping them with mental health services. So I completely support this bill, doing everything we can, finding the money wherever it needs to come from, except for stealing from other resources because we need to be helping these kids at a younger age. And to be honest, I am a little frustrated by other organizations that support kids in the same way, are trying to do good things and get them the services they need, but then don't do the full research necessary to know that...or then to come out against a bill without knowing what our intentions are and to talking about it first is very frustrating to me. I mean, that was one of the other problems I saw during the task force is everybody fighting for the same pool of money, when really we need to be thinking about the kids and how to best help them, whether it comes from one program or another, you know, what is going to be the best way to help them, where are our funds best used. And I believe this program is a good one that we should be funding better. And with that, I yield the rest of my time to Senator Lathrop. [LB356 LB346]

PRESIDENT SHEEHY: Senator Lathrop, 2 minutes 40 seconds. [LB356]

SENATOR LATHROP: Thank you, Senator McGill. I would like to maybe put this into perspective a little bit, if I can, with the short time I have. We passed a bill on safe haven that allowed people to take their children to hospitals regardless of age. And it turned into a perceived crisis. We were...the people who were taking their children to the hospital were people in a spot. Their kids were schizophrenic, they couldn't get help for them, they couldn't get care for them. They needed treatment and couldn't receive it through the system and we had a perceived problem. And the solution was, and what we were promised back in the fall when we went into a special session, was move this bill, put this back to infants and we'll deal with the problem when we get to the next legislative session. We're here. And the only solution that we have in front of us so far is another hot line. We had a hot line back in the fall and we said that isn't enough, and that isn't good enough, and that doesn't get these people care. And Senator Gay's bill, while a step in the right direction, won't get people the care they need, Senator Dubas'

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bill will. We need this. And in fact we were promised that we would deal with this issue and we need to deal with it in a real way. If you don't spend money providing the services and provide for these children, we are not dealing with it. All we've done is we've been hoodwinked... [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR LATHROP: ...in the special session to agree to change the safe haven law on a promise that no one intended to fulfill. I think it is imperative that not only Senator Dubas but those of us in the body who have concern for these families, have concerns for these children get behind this bill and do something of substance for these children. Thank you. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Lathrop. Thank you, Senator McGill. Senator Gay, you're recognized. [LB356]

SENATOR GAY: Thank you, Mr. President. I think it is good we have a discussion. I commend Senator Dubas for bringing this bill because it will spur discussion that it looks like we need to have because some of the things I'm hearing are not what I consider is what's really happening. We do fund services a lot for behavioral health. I've got a note here, \$260 million is what we've funded for behavioral services. Does all that go to kids? No, but we do fund tremendous amount of money to behavioral services. I think in this time where we're talking about budgets and dollars, I mean, we can't ignore that fact that come May you're going to have to make tough decisions. When the Appropriations Committee is going through the process, the way this works is it all comes down and you pick and choose at the end what we can or cannot fund. And we're a long ways from home on that because, I think, in April we're going to have another update and we'll see where we're at. Everybody this session has been watching what they're doing on spending money, ourselves included. Let me just tell you a little bit what I think. Instead of putting money towards one part, professional partners in the regions, Health Committee has been working on many things. And many of you as senators have been involved in these bills. But as a package, LB346 is just one piece of a puzzle. And on that, I just turned in the fiscal note taking that from General Funds. So that's a decision you're going to have to make, I heard, on Thursday. I'm concerned robbing Peter to pay Paul is what some of you said. All right. Well, you're going to have a decision on General Funds. And that's going to be probably \$3 million this year, \$5 million next year when that gets in place. There are a lot...there's a lot more into that bill than the 800 line. So we'll discuss that some more on Select. LB136, the SCHIP bill, if any of you are interested in that you're going to get a chance to vote on that. That's \$5 million a year this year, \$8 million next year. LB601, behavioral health rates to providers, that's about a \$3 million price tag that you'll get a choice to make. The Legislature will make choices on all of these. LB603, behavioral health, which is more of a workforce development issue, that's about \$2 million a year. You add those up, that's about \$13 million a year

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ongoing funds that is very directed, very specific that deals with these problems. So to say that nothing is being done, I think, is a little bit overdone, because there's quite a bit being done, with all due respect. And it just takes time. As we're coming out people are deciding what to prioritize. There's going to be plenty of choices for you to make as a senator, so. Also, I had heard a little bit about, you know, I'm not so sure that all the work that we're doing for kids and behavioral health should go unnoticed because I think when we stand up and we say things on this floor, there's a lot of workers out every day, putting in a lot of effort, care a lot about kids, doing a lot of good things. And when we say those comments, I think those people out there in the trenches who are doing the services every day, whether it be children's health, DD, whatever the case may be, I think we better watch what we say a little bit because there are a lot of good things happening as well that we just can't ignore and act like that doesn't exist. So...but this...I wanted to go through some of these funding issues on emergency services. We have crisis assessment, urgent assessments, urgent Medicaid management, urgent outpatient, FLEX fund, social detox, crisis stabilization. [LB356 LB346 LB601 LB603 LB136]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR GAY: On nonresidential we have outpatient therapies going on all the time, testing, day support. We do have the Professional Partners Program that's getting money. Right now the regions are getting \$65 million a year is being sent to regions to do work. So I would just say, as we discuss this bill further let's ask some question, say where do we want to go. And I do think you're going to have many choices here coming up. It's still early, but you're going to do this. I was concerned a little bit about this because the spending, where it goes exactly I'd like to hear more from. And I'll ask some questions on that when I have more time. But I do think let's keep this in perspective a little bit, decide where we're going, how are we going to go as a group instead of just here is the one bill that does it all, this will take care of all our problems. I respectfully would argue that, that that would happen. Again, I do commend Senator Dubas. I'm not questioning at all anyone... [LB356]

PRESIDENT SHEEHY: Time, Senator. [LB356]

SENATOR GAY: ...who talked on this issue. Thank you, Mr. President. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Gay. (Visitors introduced.) We will resume with the Judiciary Committee amendment, AM529. Members requesting to speak are Senator Price, followed by Senator Dubas, Senator Coash, Senator Nelson, Senator Carlson, and others. Senator Price, you're recognized. [LB356]

SENATOR PRICE: Thank you, Mr. President, members of the body. I would like to ask if Senator Ashford would yield to a couple of questions, please. [LB356]

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PRESIDENT SHEEHY: Senator Ashford, would you yield? [LB356]

SENATOR ASHFORD: Yes. [LB356]

SENATOR PRICE: Senator Ashford, to get more to the point of our off-mike discussion, on page 1, line 9 in the sentence there we have, "such services shall include but not limited to." I'm wondering what the "but not limited to" might include. [LB356]

SENATOR ASHFORD: Thank you, Senator Price. The Professional Partners Program is a family wraparound program that's available in the regions. There are numbers of other programs that are available region by region by region that deal with substance abuse, with other services, mental health services. So, basically, this would allow...and there's \$5 million now going to the regions out of \$70 million in behavioral mental health for the state as a whole. That \$5 million would go up \$15 million. It would be distributed to the regions to be at their discretion used for behavioral mental health, but not just the family wraparound services. [LB356]

SENATOR PRICE: All right. So that...but it stays within the realm of mental health, correct? [LB356]

SENATOR ASHFORD: Right. [LB356]

SENATOR PRICE: Okay, great. And then to follow on there, page 2, line 19, paragraph 9...we'll let that go for right now. How about the matching funds there on page 4, line 8, for the counties. It looks like there's a \$1 matching fund. Is that correct? [LB356]

SENATOR ASHFORD: I'll have to check. What is the...just a sec, Senator Price. Let me...let me ask that question from Appropriations, that has the answer here. I'm sorry, Senator Price, I didn't have that answer right away. But Sandy got it for me. It need not be a match. [LB356]

SENATOR PRICE: Okay, great. Thank you. And then a simple math question, if you could help me out again. [LB356]

SENATOR ASHFORD: That's going to be a problem (laugh), Senator Price. [LB356]

SENATOR PRICE: No, actually I... [LB356]

SENATOR ASHFORD: There is no simple math problem for me. (Laugh) [LB356]

SENATOR PRICE: I'm sure you'll handle this one. We're looking at the handout on the Professional Partner Program, and I'm looking down at bullet statement numbers 3 and

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4. I'm just trying to resolve them. I think it may be helpful. Current capacity of 312 families. The bill would expand the service to add an additional 1,129 families. [LB356]

SENATOR ASHFORD: Correct. [LB356]

SENATOR PRICE: And then the next line it says, for a total capacity of 2,925 to 5,172. But when I add 312 to 1,129 I come up with 1,441. [LB356]

SENATOR ASHFORD: Okay. I'm...you win. (Laugh) [LB356]

SENATOR PRICE: Well, I just want to know... [LB356]

SENATOR ASHFORD: Well, I think...let me answer it this way,... [LB356]

SENATOR PRICE: (Inaudible.) [LB356]

SENATOR ASHFORD: It's a good question. And without getting into the math... [LB356]

SENATOR PRICE: Sure. [LB356]

SENATOR ASHFORD: For example, in Lancaster County I believe that they're taking care of around 55 behavioral mental health cases for children...families. And each region has a very limited number of families they serve. This would increase rather significantly the number of families that would be served in each one of the regions. These are estimates, but I don't know the exact... [LB356]

SENATOR PRICE: Do you think it would be possible at some other time before Select or whatever that you can get back to me and resolve the differences there? [LB356]

SENATOR ASHFORD: Yes, that's a good question. Thanks, Senator Price. [LB356]

SENATOR PRICE: All right, I really appreciate it. And then I'd also like to remind the body, obviously what we're doing here is we were working off of Senator McGill's bill and everything else and the bills we have before us is we're trying to polish this and make it as good as we can to make sure that it works as well as it possibly can to get the delivered services to the right people. But I would add a cautionary note. I heard out here on the floor that with new stimulus money coming in and funding the program and helping, and that's great. But we do have to be careful that...I'm not sure that there will be new stimulus dollars every year to this level. So let's not be remiss and funding a program from dollars that aren't going to be there at all times. So just make sure you keep that in mind so we don't... [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

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SENATOR PRICE: ...get carried away. Thank you, Mr. President. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Price. Mr. Clerk, do you have items for the record? [LB356]

CLERK: I do, Mr. President. Your Committee on Revenue, chaired by Senator Cornett, reports LB555 to General File with amendments; and the following bills indefinitely postponed: LB77, LB95, LB117, LB119, LB138, LB171, LB239, LB270, LB271, LB282, LB303, LB309, LB376, LB487, LB538, LB566, LB634, LB670. Those signed by Senator Cornett. Banking Committee, chaired by Senator Pahls, reports LB445, LB657, LB297 to General File; and LB157, LB293, LB326, LB484, LB606 indefinitely postponed. Senator Langemeier, an amendment to LB105. New A bill, LB346A, by Senator Gay. (Read LB346A by title for the first time.) That's all that I have, Mr. President. Thanks. (Legislative Journal pages 675-676.) [LB555 LB77 LB95 LB117 LB119 LB138 LB171 LB239 LB270 LB271 LB282 LB303 LB309 LB376 LB487 LB538 LB566 LB634 LB670 LB445 LB657 LB297 LB157 LB293 LB326 LB484 LB606 LB105 LB346A]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. We will resume floor discussion on Judiciary Committee amendment AM529 to LB356. Members requesting to speak, Senator Dubas, followed by Senator Coash, Senator Nelson, Senator Carlson, Senator Campbell, and others. Senator Dubas, you're recognized. [LB356]

SENATOR DUBAS: Thank you very much, Mr. Lieutenant Governor, members of the body. In doing research on this bill, I found it quite interesting how history continues to repeat itself. When we convened the Children in Crisis Task Force during the month of December and we had upwards of 50 or more people in a room, providers, families, different organizations, many who stated quite openly, oh, another task force, you know, there were some rather jaded opinions and I'm beginning to understand why. And their comments were, you know, we've been a part of many task forces, we've talked about this issue and talked about it, and think we come up with solutions and put ideas out there and they just seem to go nowhere. In 1994, the Governor hosted a children and family mental health search conference, not actually a task force but it was a conference. And the impetus of that conference was mental health services and the fact that mental health service systems were fragmented and unconnected, exact words that we used in our task force in December. And policy development was conflicting and uncoordinated, again exact same terms. Seventy key leaders were brought together for the purpose of developing a shared commitment to build an integrated system to promote the provision of high-quality, seamless mental health services for children and families. This was in 1994. In 2008, we're still talking about it. And the ideas that they put out in 1994 are clear point of access to services, 24 hours a day, 7 days a week, Senator Gay's bill, a professional partner to assist families in navigating the system. We do have a Professional Partners Programs in place in all of the regions. A single

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coordinated assessment addressing multiple agency requirements, flexible funding not tied to specific service categories, regional human service districts that integrate mental health, child welfare, juvenile justice, and education which blend and jointly administer funds, and outcome-based accountability. These are all the exact same things that we are standing here this morning talking about. From 1994 to 2008, I would say we haven't moved very far. For these key components that they came up with in 1994, the Nebraska Professional Partner Program was developed, and it is proving to be a very successful program across our state. The Professional Partner Program, as I said, is implemented in the regions. An average cost per family involved in the Professional Partner Program is \$12,715 while the average cost per family involved in the Division of Children and Family Services is \$44,797. Senator Gay mentioned the amount of money that is being spent on mental health issues to date, \$260 million. And I'm not going to dispute that fact, but I will point out that children have been at the back of this financial resource line. Children are competing with adults. LB1083, as I stated in my opening, LB1083 outlined processes for adults. Children are not in the mix. And so they're in there competing for dollars that are already being stretched to the max to provide adult services. Children are in there trying to compete for those same types of dollars. Currently, the capacity of service in the Professional Partner Program is 312 families statewide. I'm very glad that those 312 families are getting services, but that's just a drop in the bucket compared to the families who are standing in line waiting. LB356 looks at expanding the professional partner capacity to serve an additional... [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR DUBAS: ...1,129 families statewide. Definitely a step in the right direction. We have a total capacity of serving between 2,900 and 5,100 families per year. That's going to get those services down at the grass-roots level, at the front end of the problem not at the back end of the problem. And if we can use the savings from the reduction of the number of state wards last year, \$15 million, to move into these up-front services, preventive-type services, it's just like investing your dollars in an IRA or something like that. You know, you put those dollars in up front and they're going to pay you dividends down the road. And that's...you know, again, the language in the bill does not state specifically it has to go to professional partners but services similar to that. Anything that we can...where we can get the dollars to the families and to the children to provide the services that they are so sorely lacking right now. So I appreciate the body's consideration of this amendment and again want to reiterate... [LB356]

PRESIDENT SHEEHY: Time, Senator. [LB356]

SENATOR DUBAS: ...my willingness to work with the...(microphone malfunction). [LB356]

PRESIDENT SHEEHY: Thank you, Senator Dubas. Senator Coash, you are

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recognized. [LB356]

SENATOR COASH: Thank you, Mr. President, members of the body. Nebraska leads the nation in something that we shouldn't necessarily be proud of, we have a high number of state wards per capita. Number is going down but it's still nothing to be proud of. Got a little experience in this, so I want to share it with you. You wonder why we have a high number of state wards. Well, I've been part of that. My work as a social worker, I was the hot line. And frequently I was put in a position, I had to tell a family your best shot is to turn over your son or daughter to be a ward of the state. Those words have come out of my mouth. I've told a mom, make your son a ward and he'll get the services that he needs. And when that happens we do the best that we can. And, Senator Gay, you were right, we've got a lot of great workers out there and they are working hard to reunify kids with their families, to provide them with the services to keep them safe and they do their best. But by the time they become a state ward, we've missed a lot of opportunities. And those opportunities, once they're gone, they're gone. Now Nebraska is a great state but Nebraska is not a great parent. Parents are great parents. Let me tell you what happens to a kid who becomes a ward of the state. Often they are removed from their home and they spend time in hospitals, they spend time in detention centers, they spend time in the back of police cars, they spend time in the principal's office not going to school. Now where they're not going and where they're not spending their time is with their support system, which is their families, they're not going to school and they're not getting the services that they need. The key to success is going to be with the family. We have a responsibility to keep kids with their family. And that's, in a large part, what this bill is attempting to do--keep kids with their families. Senator Dubas is correct, this is an investment. The kids that we serve become adults. These adults carry with them what happens to them when they're children and we have a responsibility to look into the future and see what happens there. This is an investment. Not doing something is a cost. State wards cost us money. Investing in families is the right thing to do. With that, I'm going to yield the rest of my time to Senator Dubas, if she wants to finish her thoughts from the last time. Thank you. [LB356]

PRESIDENT SHEEHY: Senator Dubas, just over 2 minutes. [LB356]

SENATOR DUBAS: Thank you, Senator Coash, members of the body. Senator Coash just hit the nail on the head so solidly. This is an investment. This is a pay me now, pay me later type thing. So are we willing to put money and dollars in up front in preventive type things where we keep families together, where we give them the services that they need, or are we looking at putting money into programs and services down the road where we have a very piecemeal, fragmented approach, the law enforcement becomes involved, it becomes much more costly, much more disruptive to the children and the families and a lot less likely positive outcome? There have been a series of articles in the Omaha World-Herald and others, basically, trying to continue to keep the spotlight

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on this issue. In fact, just yesterday, in the eyes of the kids left behind was kind of a glimpse into what these children felt like as they were left at the hospital after many of their parents felt like this was their only option. What kind of damage did we do to these children through what... [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR DUBAS: ...happened in the safe haven? You know, the task force, as I mentioned earlier that I was a part of in December, the senators basically just sat back and listened. We did not participate, per se, in the task force. We...it was a facilitated approach, a lot of guided discussion and where do we want to go. It was extremely informative to me to help me understand the history behind this and recognize that this has been an ongoing discussion. And it's one that we need to really take some concrete steps towards finding some resolution for and letting those agencies know that we're not looking to chop them off at the knees, letting parents know that we're serious about providing services. And looking at the \$30 million that's projected in this budget or in this bill is one-half of 1 percent of our total state budget, one-half of 1 percent we're asking to direct towards children and services to, hopefully, save us hundreds of thousands of dollars down the road. [LB356]

PRESIDENT SHEEHY: Time, Senator. [LB356]

SENATOR DUBAS: Thank you. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Dubas. Thank you, Senator Coash. Senator Nelson, you're recognized. [LB356]

SENATOR NELSON: Thank you, Mr. President, members of the body. I want to thank Senator Ashford for distributing this little flier here with regard to the Professional Partners Program. And, I think perhaps, if I may direct some questions to Senator Dubas, if she's available. [LB356]

PRESIDENT SHEEHY: Senator Dubas, would you yield to questions? [LB356]

SENATOR DUBAS: Yes, I will. [LB356]

SENATOR NELSON: Thank you, Senator. I realize that we're on the committee amendment but, I think, probably you're as well informed, do your research as anyone, so I just want to pose some of these questions. I gather from what's been said, and it's been very helpful, that the behavioral health regions are getting about \$5 million now for this limited program for the 312 families that are being served. Would that be about right? [LB356]

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SENATOR DUBAS: Yes. [LB356]

SENATOR NELSON: Okay. So then we're going to go to \$15 million, which will take us up to about the 1,129 figure. And, I suppose, additional expansion of monies would be needed to get up to this level of 3,000 that we currently have the capacity for. And my question would be, how do we determine the capacity there? What does this involve? [LB356]

SENATOR DUBAS: Excuse me. How do we determine... [LB356]

SENATOR NELSON: Well, yes. I mean, well, let's back up a little bit. This apparently, Professional Partner Program, is the same thing as a family wraparound. Would that be correct? [LB356]

SENATOR DUBAS: That's correct. [LB356]

SENATOR NELSON: Could you just inform us a little bit about what that means--a family wraparound. How the Professional Partner Program, how they operate, if you know. Otherwise, I could ask Senator Ashford, perhaps. [LB356]

SENATOR DUBAS: Just one moment, I'll get that information for you. [LB356]

SENATOR NELSON: Okay. [LB356]

SENATOR DUBAS: The Professional Partner Program is to improve the lives of children that have serious emotional and behavioral health issues and their families by preventing expensive out-of-home placements, reduce juvenile crime. It helps with school performance and attendance. Their ultimate goal is to prevent these children from becoming wards of the state. So it's a lot of preventive, up-front type services, and not just for the children. It looks at the whole family unit, what does the family need to do to support the child, and looks at those issues. [LB356]

SENATOR NELSON: All right. So the names are synonymous. We can talk about either one, we're talking about the same thing, the Professional Partners Program. [LB356]

SENATOR DUBAS: Yeah. [LB356]

SENATOR NELSON: All right. And so I gather from that that through the health regions they have the various personnel and the professionals that they need and they coordinate all that. And then it's done in the home, they don't have to become state wards. Is that correct? [LB356]

SENATOR DUBAS: That is their ultimate goal, yes, to do as much out of...you know,

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within the home type services, whether it's working with the kids keeping them in schools, if they've got a substance abuse issue, getting them the help with the substance abuse issue. It's taking every step possible to keep them from becoming a ward of the state. [LB356]

SENATOR NELSON: All right. The flier also mentions that we've been able to reduce the number of state wards by about 1,000. Do you know how that was affected, how that came about? [LB356]

SENATOR DUBAS: I do not know specific...I mean, those are numbers that came from the department. So, you know, that's... [LB356]

SENATOR NELSON: All right. [LB356]

SENATOR DUBAS: ...that's where I got that information. [LB356]

SENATOR NELSON: Would that have been, in part, you think then by the use of the Professional Partner Program? Would that have anything to do with that? [LB356]

SENATOR DUBAS: I am not certain, but... [LB356]

SENATOR NELSON: All right. [LB356]

SENATOR DUBAS: ...I know that the Professional Partner Program has shown a great deal of success so that, you know,... [LB356]

SENATOR NELSON: Okay, all right. [LB356]

SENATOR DUBAS: ...that could be a contributing factor. [LB356]

SENATOR NELSON: All right. Thank you, Senator Dubas. Would Senator Ashford entertain a question or two, Mr. President? [LB356]

PRESIDENT SHEEHY: Senator Ashford, would you yield to questions? [LB356]

SENATOR ASHFORD: Yes. [LB356]

SENATOR NELSON: You've heard Senator Dubas. Would you have anything to add, Senator? [LB356]

SENATOR ASHFORD: I appreciate the question. And the answer... [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

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SENATOR ASHFORD: ...the answer is not...there's not a clear, absolute answer to your question. The Partners Program does help because it provides wraparound services. I think the other...and there's the hard work of the department. I think that has had a big impact and they've focused on it. The second thing...or the third thing, I think, are these prehearing conferences in juvenile court that we did in LB1014, which was creating a family conference, prehearing conference in all these juvenile cases which has caused families to look at other options other than having to go through the juvenile court system to obtain services. But I think the department has focused on this issue. And I think they've done a good job of getting there... [LB356]

SENATOR NELSON: Okay. Well... [LB356]

SENATOR ASHFORD: ...and that results in a savings. [LB356]

SENATOR NELSON: Thank you, Senator Ashford. I'm impressed with the amount of savings that this would affect. And, of course, we'll have to see with the other bills that are here about what we're going to be able to finance here. But thank you, Senator Dubas. [LB356]

PRESIDENT SHEEHY: Time, Senator. [LB356]

SENATOR NELSON: Thank you,... [LB356]

PRESIDENT SHEEHY: Thank you, Senator Nelson. Senator Carlson, you're recognized. [LB356]

SENATOR CARLSON: Mr. President and members of the Legislature, we had a special session in December of 2008, three months ago. Thinking back on discussion that took place in that special session, one of the comments that really hit me during that special session was by Senator Lathrop. And, unless I'm quoting him wrong, he said that improved efficiency in HHS would provide more services for the same dollars. That statement meant a lot to me. After hearing that, I testified on the floor that I was going to challenge HHS Committee, Senator Gay, Senator Pankonin, Senator Howard, Senator Stuthman, now Senator Wallman to look for and report back to us. Three months later is not very much time. Whether or not there are efficiencies that already show up, at least there should be plans for improved efficiencies. And I'm interested to know what these are because this may sound harsh but I made the statement during that testimony that I would not vote for a spending increase unless we have evidence as referred to by Senator Lathrop's statement, which I think was a good statement, that HHS is operating more efficiently than before. So what anecdotal evidence is there, after three months, that efficiencies are either in place or they're planned for? And so I'm looking forward to further discussion on this bill that would address some of these questions and hopefully

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by members of the HHS Committee. Senator Dubas, I would like to ask her a question, if she would yield. [LB356]

PRESIDENT SHEEHY: Senator Dubas, would you yield to questions? [LB356]

SENATOR DUBAS: Yes, I will. [LB356]

SENATOR CARLSON: Senator Dubas, to follow up on Senator Nelson's question, currently is it \$5 million annually in the same program that's referred to in the amendment here, the professional...well, the Professional Partners Program is simply a part of this, but it's currently at \$5 million a year? [LB356]

SENATOR DUBAS: I need to clarify that question with Appropriations, so I'd like to have the opportunity to get back with you on that. I want to make sure I give you accurate... [LB356]

SENATOR CARLSON: Okay. The question is this: If it's currently \$5 million a year, that's \$10 million over a two-year budget, and we're asking for \$15 million a year over a two-year budget. That's a total of \$30 million. So what's the increase? Is it from \$5 million to \$30 million or from \$10 million to \$30 million? I'd like to know that. I see in the bill, Senator Dubas, lines 10 and 11, "the expansion of the Professional Partners Program and services provided on a sliding-fee schedule basis." And I'm still trying to gain a better understanding of what the Professional Partners Program really is. It's a wraparound program, I understand that, but it's a wraparound program providing services for a fee. Is this correct? [LB356]

SENATOR DUBAS: There is a sliding-fee schedule... [LB356]

SENATOR CARLSON: Okay. [LB356]

SENATOR DUBAS: ...that is established and I will...I'll pass out a handout to maybe help you understand that part a little bit better. [LB356]

SENATOR CARLSON: Okay. And I think there may be other senators that feel the same way, but I look at something initially that says Professional Partners Program and the thought that comes to my mind is mentoring or something similar to that group that gives volunteer time. But that's not really what this is and that's okay. [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR CARLSON: It's a program providing services for a fee, and that's okay. But I think as a body we need to really understand that and really understand better what Professional Partners Program is all about so that we can move forward and make the

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best vote that we can possibly make. That's what we're here to represent our people. Where we don't fully understand an issue because we weren't in the committee, I just challenge all of you to really educate those of us that are willing to listen and let's move forward and make the best vote possible. Thank you, Mr. President. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Carlson. Members requesting to speak on the Judiciary Committee amendment AM529 to LB356: Senator Campbell, followed by Senator Fulton, Senator Ashford, Senator Avery, and Senator Howard, and others. Senator Campbell, you're recognized. [LB356]

SENATOR CAMPBELL: Thank you, Mr. President and colleagues. This is an interesting approach to what we need in children's behavioral health, and I have to say that Senator Dubas was very kind and gave me a call yesterday and we had an opportunity to talk a little bit about this, and she invited me to continue working on the bill and to raise questions or whatever issues I wanted to raise. I would like to, first of all, clarify a point. There's a lot of discussion today about state wards and how we're going to increase or decrease state wards. It's very important to understand that in the system that we have right now, we have really two different systems. We have the child welfare system in which children come into that system, by and large, from abuse and neglect, and many of them are state wards. State wards can also come in through the behavioral health system. So we need to be very careful about saying we are decreasing the state wards. Are we decreasing them in behavioral health or are we decreasing them in child welfare? The second introduction I'd like to make is a disclaimer. I work for an agency that is a member of CAFCON. My agency primarily deals with the child welfare section. The concerns that I'm going to question today on this bill do not have to do with the same issues that CAFCON was raising. My concerns and questions come from being a member of the Health and Human Services Committee. There is absolutely no doubt--Senator Dubas is right--we need services for children. On that, all 49 of us should agree. And I would say that Professional Partners are a solution, but I would add they are only one solution. And what is frustrating for me, as a member of the Health and Human Services Committee, is that our committee is trying to put together a number of solutions and we would certainly encourage Professional Partners to be a part of that, but to say that it is the only solution or even the best solution may not be what we know today. I'd also raise the issue that a lot of effort has gone into the Children's Behavioral Health Task Force and I printed off the report and, as I told Senator Dubas yesterday, I'm methodically going through it. There are a lot of recommendations in this report about the services that are needed, specifically in behavioral health. So with that, I also began to question how do those services fit in with what is called the SIG Grant, the State Infrastructure Grant on children's behavioral health? How does the efforts that we're talking about on the floor fit in with the SAMHSA Grant that is talked about in this report? It appears to me that we have two very important tasks as we discuss this amendment and this bill and what will come from the Health Committee: (1) we need to be very specific about the services that... [LB356]

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PRESIDENT SHEEHY: One minute. [LB356]

SENATOR CAMPBELL: ...Professional Partners purport and do in all of the regions; and (2) is we need to determine what is the best combination of services to help children with the resources that all of us want to put to this issue? [LB356]

PRESIDENT SHEEHY: Thank you, Senator Campbell. Senator Fulton, you're recognized. [LB356]

SENATOR FULTON: Thank you, Mr. President, members of the body. Trying to wrap my head around this, specifically with regard to monies, as this obviously is going to affect what we do in this body, and being on the Appropriations Committee, I'm going to want to know. So I'm wondering if Senator Ashford would yield, if he's here. [LB356]

PRESIDENT SHEEHY: Senator Ashford, would you yield to questions? [LB356]

SENATOR ASHFORD: Yes. [LB356]

SENATOR FULTON: Thank you, Senator. I asked you to yield because I heard you talking about this on the microphone and I could use some clarification. Is the money envisioned in the amendment new money or is it your understanding that this is going to come somehow through existing money within the Department of Health and Human Services? [LB356]

SENATOR ASHFORD: It's savings. It's new money into the program at the regional level. It is money that comes from savings that in...and I forget the program number 38, Program 38. [LB356]

SENATOR FULTON: So this wouldn't...it's your understanding then that this wouldn't be...there wouldn't need to be an A bill associated with this? Or maybe I should say it a different way, there would be an A bill. [LB356]

SENATOR ASHFORD: I think there probably does need to be an A bill because it is, in effect, an appropriations bill, I think, Senator Fulton, but the money that we've delineated, the reason we put \$15 million there per year is because of the savings in 38. [LB356]

SENATOR FULTON: Okay. So this...then it would be...maybe it would be more accurate to say that this wouldn't utilize new General Fund dollars, additional General Fund dollars. [LB356]

SENATOR ASHFORD: Right, we wouldn't need new revenue, in effect. We wouldn't

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need new revenue or an increase in the budget of HHS to fund the regional programs. [LB356]

SENATOR FULTON: Okay. All right. Thank you, Senator. And then...well, I will...I will yield. Thank you, Mr. President. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Fulton. Senator Ashford, you're recognized. [LB356]

SENATOR ASHFORD: Thank you. And I...could we clarify? I'd like to clarify with Senator Nordquist, who's on the committee. I could have asked Senator Fulton but I had asked Senator Nordquist earlier. Senator Nordquist, if I could ask him a question. [LB356]

PRESIDENT SHEEHY: Senator Nordquist, would you yield to a question? [LB356]

SENATOR NORDQUIST: Yes. [LB356]

SENATOR ASHFORD: By looking at the budget for existing spending, Senator Nordquist, how much money do we appropriate for behavioral health on the state level? Can you tell? [LB356]

SENATOR NORDQUIST: Total behavioral health expenditures are about \$102 million on the numbers that I have here. Substance abuse is about \$34 million and mental health is \$68 million, so a combination, a total behavioral health expenditures is about \$102 million. [LB356]

SENATOR ASHFORD: And how much of that goes to children's behavioral health? Can you tell? [LB356]

SENATOR NORDQUIST: I don't have that. I think it's between \$5 million and \$6 million, is what I'm hearing. [LB356]

SENATOR ASHFORD: Okay. I think this is where we are, members. It's really...it's really a question of allocation of resources. We can...and I appreciate what Senator Gay has said and what members of the Health Committee have said, and I think Senator Campbell gave exceedingly thoughtful comments. What really ought to happen and I suggest to this body that as we move this to Select File, hopefully, that the Judiciary Committee and the Health Committee meet in joint session. The reason the Judiciary Committee is integral to this process is because of the safe haven issue and because of the Children in Crisis Task Force that emanated from the Judiciary Committee. I would be, I'm sure and my committee, would be more than happy to simply hand this issue off to the Health Committee, but we are not in that situation. We took upon ourselves the

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obligation to try to find a way to help these children, mental health because they end up in difficult situations if we don't address the problems early on. They end up in prison at \$26,000 a year or at Kearney at \$54,000 a year or, even worse yet, they end up in a situation where violence has occurred, like Von Maur. That is a judiciary problem. That's something that we have to confront because the costs of not dealing with behavioral mental health at the early stages is exceedingly greater than not. So I...this is a judiciary issue in some sense and certainly it's a health issue, of course it's a health issue and it's also an appropriations issue. But I think the reason in our hearing where provider after provider after provider and expert came in and said we were one of the worst states for children's mental health in the country is not just the funding. It is also...it is also the mixed messages that these providers are getting: essentially, we want to give you the responsibility to do this work, but we're not necessarily going to give you the money you need. And that's a mixed message. Does it happen in every case? No. Is there money for providers? Of course there is. But there's a lot more money for adult behavioral mental health issues than there is for children's mental health issue. I think the defining issue of this session, at least the top five defining issues of this session is are we going to directly respond to the safe haven situation? This is...we are unique in this country. We are unique in this country. The safe haven situation occurred here. We have the data. We know about each particular case. We know about how difficult those families...the situations those families were in. We are in the position to send the message across the country that we can deal with behavioral mental health for children. And the other...and I've handed around...Senator Carlson makes a great point: What is this Partners Program? Well, I'm handing around the services that are...that are provided in the Partners Program. There are programs other than the Partners Program that the regions provide in addition to this. We, at some point, we as a body are going to have to say someone other than us has to implement behavioral mental health issues, but we have to provide them with the money. [LB356]

PRESIDENT SHEEHY: One minute. [LB356]

SENATOR ASHFORD: We must provide them with the assets, the funds to do this. I'm confident the regions and the department can work together to get this money out there to where it's needed. I have no problem with that. In fact, I'm hearing very little here about the failure of the regions or others in doing their job. They need the funds, albeit very small funds, \$15 million more than what's allocated now in each year of the biennium, to get those services out. We will be able to serve--and Senator Price asked a great question--about 1,200 families. Now those are slots. Those are slots. Those...and that's why the number of families that could be served are 3,300 to 5,000 because each slot turns over in a year. So you'd have more than one family per 1,200 or so slots. We're going to be able to provide family wraparound service, respite care, mentoring, some of the things Senator Carlson asked about, with this money. Now I think it would be a disservice to our state... [LB356]

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PRESIDENT SHEEHY: Time, Senator. [LB356]

SENATOR ASHFORD: ...if we did not advance this and get together and see if we can work out the funding. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Ashford. Senator Avery, you're recognized. [LB356]

SENATOR AVERY: Thank you, Mr. President, colleagues. I want to say up front here that nobody in this body is more supportive of the objectives behind LB356 than I am. I believe that we have a moral obligation to provide services for these families in crisis. It's not an option. We made the promise in the special session that we would address this and that we would not shy away from it. We have to do that. I received an e-mail this weekend from a constituent. They have a young son who is about ninth grade who has been diagnosed with six, six different health/mental health issues. The family earns too much money for Medicaid but they don't earn enough money for residential treatment. They were told early on that people in the middle class had to wait until their son became involved with the juvenile justice system so that he could be made a ward of the state before receiving treatment that he needs. So while we were waiting, the young man--quoting from this e-mail--was terrorizing the family, teachers, and other kids. We called the police a couple of times but they said they would not remove a juvenile from the house. I asked for ideas from friends, schools, the church. Nobody had any, so we waited. Mental illness can affect many, many families, and we've heard many comments and testimony on that this morning. What is needed is affordable early intervention. Waiting until a child is made a ward of the state really is in nobody's interest. This legislation that we're discussing today probably would help with this. My concern is similar to Senator Campbell's and that is, if we pass this bill, do we lose other opportunities to help other families, perhaps even more families? The question is not whether we do something. The question is, how do we do it? What do we do? What proposals will do the most for the most people? We have, as Senator Gay mentioned, four or five other bills pending that do some of the same things that this bill seeks to do. One of those bills we will be taking up later is mine. It is LB136. There are others: LB601, LB603. LB136 would enhance the program that occupies the second place on this multicolored handout that Senator Dubas passed around, and that is the State Children's Health Insurance Pool, SCHIP Program. Currently, if family income is below 185 percent of the Federal Poverty Level, the federal government will give the state of Nebraska money to help make up...make it possible for these families to afford health insurance. They will, in fact, match our 28 percent with 72 percent of the funding for that. That's significant. But we, at 185 percent, are in the bottom six in the country. Our neighboring states are at 200 percent, and Missouri is at 300 percent of the Federal Poverty Level. If we raise our rate for eligibility to 200 percent, that will enable more than 17,000, almost 18,000... [LB356 LB136 LB601 LB603]

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PRESIDENT SHEEHY: One minute. [LB356]

SENATOR AVERY: ...families to afford health insurance for their children. Now this includes health insurance that will allow them to access mental health services. We need this. I also believe that the fiscal note shows that about \$5.5 million will be expended. That's a fraction of what we're looking at with LB356 and that would leverage \$14 million in federal money. We can't afford to leave that money on the table. And one other point, and I don't know what the answer here is, but we need a comprehensive approach to this problem. This is a good bill and I support the underlying objectives here, but we have others out there that I'm afraid this bill will suck the air out of all else we want to do in these other programs. I think we have to sit down and come up with a comprehensive approach that puts the most money into the most programs that help the most families. [LB356]

PRESIDENT SHEEHY: Time, Senator. [LB356]

SENATOR AVERY: Thank you, Mr. President. [LB356]

PRESIDENT SHEEHY: Thank you, Senator Avery. Members requesting to speak on the Judiciary Committee amendment AM529 to LB356: Senator Howard, followed by Senator White, and others. Senator Howard. [LB356]

SENATOR HOWARD: Thank you, Mr. President and members of the body. As a social worker, this has...this issue has special interest to me. When the safe haven children began arriving, I heard comments about bad parenting and that these parents should have waited and used services, that they overreacted. I remember a late Sunday night meeting that Speaker Flood called and the very people who are now professing expertise in the needs of families were decrying this in July. I will be frank. One of the things that I'm finding problematic is that this bill was not heard in Health Committee. This is a sizeable amount of money and I haven't really heard where it will be spent. Is the Professional Partners Program in each of the six regions? How long has this program operated? Are there professional social workers delivering these services? What have been the results? Senator Avery and I have been working for a number of years on LB136, which would advance our commitment to the SCHIP funding from 185 percent of poverty to 200 percent. This is an increase long overdue to meet the basic medical needs of children living in poverty. The question for me is where do we spend the money? And let me review with you LB346, the bill that I believe in and that I have prioritized. This provides for a single access, statewide hot line, manned or "personed," if you will, by trained professionals. LB346 contains provisions for reports on what services were available, effective, and how long it took for families to access these services. It also requires information regarding: What's not available? What's out there that is not meeting families' needs? What do we need to put in place? What do we need to think of in terms of future funding for programs? (2) the Family Navigator Program,

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this provides a support system to help people going through a difficult period with their child. This is completely voluntary. It's a family-based support system. And (3) postadoption and guardianship services. Again, this is long overdue. The goal is to keep families in their permanent placements with families who have invested in them. I don't think it's too much to ask where \$30 million will be spent and what will be the results for Nebraska children and families. Frankly, again, I resent having LB346 referred to as a hot line to nowhere. I'm tired of that and I'm tired of people that really haven't researched this, professing to have all the knowledge. This is a baseless accusation made by individuals with no experience in working with social work, social work skills, social work families, and children in crisis. I appreciate the attention that's been brought by both of these bills. I think we have to make some wise decisions on what we're going to do here. Thank you. [LB356 LB136 LB346]

PRESIDENT SHEEHY: Thank you, Senator Howard. Senator White, you're recognized. [LB356]

SENATOR WHITE: Thank you for the fortuitous timing. Unlike Senator Howard, I will call it what it is. Senator Howard, we have no plan to spend any money. We have no immediate services for the child who may hang himself in his basement. We heard it all in the safe haven bill. We fail, we fail, we fail these children and we've continued to fail and there's nothing that's come out of Human Services Committee yet that will provide one ounce of real relief to the desperately mentally ill children in our state, and that's the ugly reality. That is the reality. And this will be a hot line to nowhere because there's no money to actually provide services. Where is the emergency money to put a child in a hospital who's bipolar? Where is the emergency money to put a child who is having serious breaks with reality into the hospital without taking them from their family? It is cruel to claim that we're helping them when we're not. Show me the money, Senator. And I ask the Health Committee, show me the program with the funding that will do what Senator Dubas' bill will do and I will support. I will support that bill. But it's not there and we know it's not there, and it wasn't there before. And we were promised, Senator Howard, and you promised along with the rest of us that if we limited our debate on the safe haven bill to changing the age, we would really do something about the children who are desperate for mental health care, and we aren't, and we haven't. And you cannot, no one can, tell me where that money is, where those services are. And while I bow to the greater expertise of the Health and Human Services Committee, I actually do, we failed so miserably and it was apparent last year and there's nothing different this year, nothing. So I'm not going to play politics with this. I am not going to pretend we're doing something for children and families who are desperate, who are on the edge of suicide, who are driven literally to look at any option, including surrendering their children to the state so they can get care. I will not tolerate that quietly. I will not bow to other expertise, people who have spent their lifetime doing it. Those folks drove us into this ditch. That expertise that you claim exists in this state has allowed what we saw and the Health and Human Services Committee saw existing with the safe haven.

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This is an intolerable situation and I will not worry about people's egos when children literally are killing themselves and others and tearing their families apart and we're doing nothing. That I will not accept. [LB356]

PRESIDENT SHEEHY: Thank you, Senator White. Mr. Clerk, do you have items for the record? [LB356]

CLERK: I do, Mr. President. Priority bill designations: Senator Fischer, LB54; Senator Heidemann, LB300. Senator Cornett would like to add her name to LB198, Senator Mello to LB539. (Legislative Journal page 677.) [LB54 LB300 LB198 LB539]

And I do have a priority motion. Senator Price would move to adjourn until Tuesday morning, March 10, at 9:00 a.m.

PRESIDENT SHEEHY: You have heard the motion to adjourn until Tuesday, March 10, at 9:00 a.m. All those in favor say aye. Opposed, nay. We're adjourned.