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Transcriber's Office

Health and Human Services Committee
April 09, 2009

[CONFIRMATION]

The Committee on Health and Human Services met at 1:00 p.m. on Thursday, April 9, 2009, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Tim Gay, Chairperson; Dave Pankonin, Vice Chairperson; Kathy Campbell; Mike Gloor; Gwen Howard; and Norman Wallman. Senators absent: Arnie Stuthman. []

SENATOR GAY: All right, let's open up the public hearing on the confirmation and get the gubernatorial appointment... []

SENATOR HOWARD: Say that three times. []

SENATOR GAY: No, I'm not going to. Todd Reckling, to be the director of the Children and Family Services Division of the Department of Health and Human Services. Todd, we'll just go ahead and have you make your introduction and then we'll get some questions for you. Senator Stuthman is absent today. Senator Gloor and Senator Campbell have said they will be in just a little bit late, but I think we'll get going, and we're all familiar with you and...go ahead. [CONFIRMATION]

TODD RECKLING: (Exhibits 1 and 2) Great, thank you, appreciate it, Senator.
[CONFIRMATION]

SENATOR GAY: You bet. [CONFIRMATION]

TODD RECKLING: Good afternoon, Senator Gay and members of the Health and Human Services Committee. My name is Todd Reckling, R-e-c-k-l-i-n-g. I began as the director for the Division of Children and Family Services with the Department of Health and Human Services just on April 2 of this year. I'm very honored that Governor Heineman has appointed me to this position, and I will appreciate your confirmation of this appointment. Let me share a little bit about my background. I started my career with the Department of Health and Human Services back in 1992 in the northeast part of Nebraska. I was a front-line child protective services worker. After doing that job for several years, I have the privilege of being one of the first CPS workers to also be cross-trained as a juvenile services worker. In 1999, I was then fortunate enough to become the supervisor that was responsible for child welfare, juvenile justice, and adult protective services covering the three counties of Dakota, Dixon, and Thurston. Later on, in 2001, I then took on statewide responsibilities for the in-home services unit within Health and Human Services at our central office here in Lincoln. While this work was narrower in scope, it allowed me to work with staff, stakeholders, and external partners from across the state. In 2004, I was then given additional responsibility as I was appointed as the administrator for the Office of Protection and Safety and managed all aspects of child welfare and juvenile services at the state level in our central office.

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Then in 2007, after the Health and Human Services restructure, I was appointed by former director, Todd Landry, as a policy section administrator. This position included responsibilities for child welfare and juvenile services, but then also added oversight for economic assistance programs and child support enforcement. Even prior to employment with Health and Human Services, I was in the health and human services field working as a psychiatric technician and medical assistant. I graduated from Creighton University in 1989 with a bachelor's in psychology and then finished up my master's in public administration at UNO in 2006. On a personal note, my wife, Kathy, and I were high school sweethearts and later married in 1997. She's a teacher and a coach. My division's focus is to provide the least disruptive services when needed, for only as long as needed to give children the opportunities to succeed as adults, to help the elderly and disabled live with dignity and respect, and to help families care for themselves, resulting in healthier families and safer, more prosperous communities. Let me share a little bit about our current successes within our division. We've been very fortunate over the last several years to have received high performance food stamp bonuses. For example, we're one of the top seven states in food stamp payment accuracy rates as well as the...we're likely the top state, although those numbers haven't been finalized yet in the food stamp negative error rate. We also rank fifth nationally in the collection of child support enforcement. We've decreased the number of state wards, moving kids to permanency. And for the first time in a long time, we're under the number of 7,000 state wards to give you a perspective of where we're at before we hit an all-time high of state wards of 7,803 in April of 2006. And I'm happy to report today that we're down to 6,359, a decrease of over 22 percent. We also are very proud of the fact that we rank number one in the nation in establishing permanency for children in foster care that are in foster care for long periods of time, as measured by the feds. We've also worked very hard with the courts and other system partners to work on our adoption numbers, and we're very proud of the fact that we've increased almost 92 plus percent since 2003 to 2008, going up in numbers from adoptions being at 297 back in '03 to 572 this year. And we have received adoption bonuses in several of the last years, and, hopefully, we'll be eligible for this year as well. I want to be honest and frank. We have challenges, many to face ahead of us. Some of those things, as outlined, is certainly not all-inclusive, but some I'd point out. We had our federal Child and Family Services review in July of 2008, and are still waiting our absolute final verified report, but we will have to submit a program improvement plan as part of our federal review. That will be due June 11, and so the staff and a group of stakeholders have been working on that. It will put us under a program improvement plan for the next two to three years. We also continue to have a large number and a high number of kids in out-of-home care than other states, according to the Child Welfare League of America statistics. Here's what we must do. We've got to move more children to permanency quicker whether that permanency be adoption or reunification. We've got to keep kids in their home whenever safely and whenever feasible with services in the home rather than moving to out-of-home care. We need to provide placement stability, so when they're in foster care they're not moving from placement to placement. And

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we've got to achieve timely reunification and timely adoption. We also are addressing and needing to address further our older population of the delinquent youth that are being served from the and through the office of juvenile services. We're working currently on revising our levels of classification, and how we assess our youth. We're also looking at enhancing our treatment programs at the Youth Rehabilitation and Treatment Centers both in Kearney and Geneva. Another big thing for me at this point in time is the recruitment and retention of staff. I'm happy to also report and, hopefully, you've had an opportunity to see our caseload report that we recently submitted. We are now within caseload standards for the most part, and, however, the issue is turnover, and that's something we need to continue to address. Also, our Child Support Enforcement program, we had our federal reliability standard review for paternity establishment. It encompassed federal fiscal year 2006, but wasn't completed until 2007, and we are under a corrective action plan. We've been watching the plan and numbers closely, and if everything stays true, we will hit our required 90 percent this year. I'd also like to share some of the upcoming goals very briefly to tell you what we will continue to focus on, what we've been focusing on, and what will propel us into the future. We will be continuing to implement the child welfare, also known as the Out of Home Care Reform to build up the continuum of care for our kids, both in-home and out-of-home. Also, we will be implementing AccessNebraska which is the modernization of our economic assistance programs. As I mentioned earlier, we also need to improve on all of the outcomes related to federal Child and Family Services Review related to safety, permanency, and well-being. I know we also need to continue to create this balanced array of services and individualized treatment and supports for our kids and families. We've talked before, and we'll continue to talk about flipping the pyramid, as we like to call it. Currently, we hover, and have for some time, about 70 percent of the kids that are state wards are served in some type of out-of-home care placement, and only 30 percent are served in-home. Flipping the pyramid to us means that in the future we want 70 percent of those kids safely in the home with services and only 30 percent in out-of-home care. We also want to continue not to look at numbers, but to look at permanency. As you saw earlier, we've had over 1,100 kids moved to permanency over the last couple of years, and not have to linger in the foster care system, so we want to continue to get kids to permanency. I also know that I need to work very closely with our sister divisions within Health and Human Services, particularly Behavioral Health Services and Medicaid and Long-Term Care around all of the encompassing behavioral health needs of our kids and families. We will need to continue also as we move into the modernization of our economic programs to continue to meet our accuracy and negative error rates for the food stamp program. As I mentioned earlier, we're also continuing to work on our Child Support Enforcement programs, and I'm very excited to do something around recruitment and retention efforts. I certainly realize the Division of Children Services, we have lots of improvements to continue to make, but we've also made some significant strides. I believe with all my heart that we have positioned ourselves well over the last several years by putting into place the foundation from which we can continue to build on. We are at a very unique opportunity and time in Nebraska, and as I

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frequently state and will continue to state, I believe the stars are truly aligned. I don't think it's often that you get the executive, legislative, and judicial branches as well as our provider agencies, our advocates, and everybody not only aware of what's going on, but interested in commitment and committed to making the changes in improvements that the system I know is capable of doing. I believe this is an incredible opportunity for us to move that system forward and to make the improvements I know that we can make if we all work together. By collaborating, we can ensure the safety, permanency, and well-being of children and families for this state. I want you to also know that we're working hard to collaborate more with the Foster Care Review Board and, particularly, the judges as well as providers and other advocates and these partnerships will continue. I feel I can hit the ground running and will continue with the important initiatives in child welfare and economic assistance that have already been started. My job is clear and simple in some regards. It's to be successful in the implementation of these reform efforts and to make these continued improvements. I'll be happy to answer any questions. Thank you. [CONFIRMATION]

SENATOR GAY: Thank you, Todd. Any questions from the committee? Senator Howard. [CONFIRMATION]

SENATOR HOWARD: Thank you, Mr. Chairman. Todd, I was pleased to hear you say that you're going to focus on retention of employees. I think that's a problem that's becoming increasingly more evident is that we have people that don't have the base of experience that comes with time, and they're making some critical decisions for families and kids. Could you give me a brief update on where we are with the training? I see that as...thank you, I see you smile. I see that as a related issue with this, and I haven't heard anything in the last few months, so I don't know where we're at. [CONFIRMATION]

TODD RECKLING: Are you talking about our training program in general or the four-year stipend or all of the above? [CONFIRMATION]

SENATOR HOWARD: Well, most specifically, I was thinking of the training for the new CPS workers, but I'd appreciate an update on the whole plan right now. [CONFIRMATION]

TODD RECKLING: Sure, I'll make it brief, and be happy to provide you additional information. Maybe set the stage a little bit. We are very interested in the recruitment and retention efforts, and so in 2007, we asked the University of Nebraska at Lincoln, specifically, the children...children, families, and the law that we work with that also have a contract for our training to help us look at the issues around recruitment and retention. They did a study for us where we surveyed our staff and got feedback from staff. It was very clear from staff that some of the issues that brought them into our system and kept them in our system was to have strong support and direction from supervisors, so we

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know that supervisors are the key. As part of that, we also heard that some of the reasons that our new staff struggle, as you indicated, is with the lengthy training program that we have. Upon hiring, our former training program was over a period of about six months plus and then they remained on probation for another six months. So while they went out and did some of the classroom work up-front, they then slowly worked on increasing and having further responsibility for kids and families. So over the course of the six months, they started off during the actual core training of having just four cases assigned and then slowly build up. But we were hearing that it was very hard on them and their families to be away for such a long period of time, and what we did was we went ahead and piloted what we term an expedited training program. We got it down to about 17 weeks of core training, and then they have opportunities under their normal activities back in the office to engage with additional responsibilities by having the oversight of the supervisor and other peer cotrainers and other folks to support as they grow in their knowledge. So we are working on that expedited model. It's currently being offered to all of our service areas, and I can tell you at this time we will continue with that. We're hearing good feedback about that training curriculum currently. One of the other things we did when Todd came...Todd Landry came in, as part of our restructure of the Division of Children and Family Services, because of the urgency and need around supervisors, as we restructured our central office and were able to decrease some of that higher level management, I would like to call it, we also reinvested those dollars into front-line supervisors, so I was able to get about seven or eight additional supervisors out in the field. We also will continue...we did some focus groups with our staff around their needs, and there will be another report coming out from CCFL here in the near future. We're also, as you're aware, working on, and have been working on for some time, there's an opportunity for states to work on and get reimbursement from the federal government or Title 40 programs. There are about 40 other states that currently operate under that mechanism. I've been working very closely with several folks from UNK and UNO and the other schools. We're very close to looking and potentially having a contract signed, so be happy to give you a further update on those initiatives. But that program is about bringing BSWs and MSWs into the field of Health and Human Services and, in particular, their stipend program pays for their academic work, and then in return for that payment, they commit service years to Health and Human Services. [CONFIRMATION]

SENATOR HOWARD: And that's the piece that I was the most interested in, and the piece that, as you are aware, that I started working on when I began down here. And so if you could provide me that information in a written form if you've got it, I'd sure like to see that completed in my lifetime (laugh). Thank you. [CONFIRMATION]

TODD RECKLING: I'd be happy to give you an update, Senator. [CONFIRMATION]

SENATOR HOWARD: Thank you. [CONFIRMATION]

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SENATOR GAY: Senator Wallman. [CONFIRMATION]

SENATOR WALLMAN: Thank you, Chairman Gay. State boards, you know, is that...you know, we do that, take children away from parents or is that people...put them on our dime or do you know the percentages of that? It's still a high number of 6,000 some. [CONFIRMATION]

TODD RECKLING: Sure. To try to answer your question, state ward is actually committed to the care, custody, and control of Health and Human Services, Children and Family Services. We have a mixed population here in Nebraska, the state wardship. Our state wards are comprised of kids that have been abused, neglected, that are status offenders, and also delinquencies, and so there is actually juvenile court action on those state wards. And so that's the number that you're referring to. You know, we were around 7,000 in the past. We're down to about 6,359 currently. That number is still high. The state of Nebraska has a high rate of kids being removed from the home, coming into the system, and once they're in the system, a high number of kids being served in out-of-home care. And so the funding for them is between child welfare and juvenile services to meet the needs of the family and the child to help rehabilitate, rejuvenate, and go through services to correct the conditions that brought them to the attention of the court and Health and Human Services. [CONFIRMATION]

SENATOR WALLMAN: I've sat through one of these hearings once when they terminated a parent's rights for their children. [CONFIRMATION]

TODD RECKLING: Yes. [CONFIRMATION]

SENATOR WALLMAN: Then if they want them back, it's terrible how to get them back, you know. We have to make that more, you know, more friendly, I think. Because...even though the parents might have really turned their life around, it's almost impossible to get their children back. [CONFIRMATION]

TODD RECKLING: And part of what needs to occur, and I think what you're talking about is a good thorough assessment up-front of what really are the factors that are contributing to the child being unsafe or committing the delinquency act. And how then, based on those...either safety threats and/or criminal matters or mental health or substance abuse needs, how do we focus and target our energies and resources to help the family and the child get through those particular situations? So a good solid assessment is a fundamental aspect. We have, over the last...in 2007 and 2008, started to, and did implement a new safety intervention system for assessment. [CONFIRMATION]

SENATOR WALLMAN: And reassess the parents or guardians. [CONFIRMATION]

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TODD RECKLING: Yes, yes. [CONFIRMATION]

SENATOR WALLMAN: Thank you. [CONFIRMATION]

SENATOR GAY: Senator Pankonin. [CONFIRMATION]

SENATOR PANKONIN: Thank you, Senator Gay. Todd, this is more of a management style question maybe than a policy question, but as you've known since Todd Landry has been here, you've been in support of him and one of his chief assistants. I know you've got quite a few employees in your organization. Now that you assume this spot, and I'm going to lead into that question before I ask it specifically is, you're going to have crisis situations, as you know. You've seen and been around here, but also to make progress on these initiatives and goals, it's going to take steady focus. How are you going to organize your office, and what are you going to spend your...what's going to be your chief focus, and how are you going to organize? You have good support, so you can stay on task. [CONFIRMATION]

TODD RECKLING: I appreciate the question, Senator. I'm very pleased to report that peers that I worked with so, for example, the division was divided into six sections, so to speak, as far as our management team. I was in one of the one-sixth under the policy section. And then we have five service area administrators, so those five service area administrators and myself all reported to Todd. So now that I moved up into Todd's position, I oversee those five service area positions and now will need to rehire and refill the policy section administrator. I feel very, very excited about the relationship that I built over the years with those service area administrators. I feel I can make the leap into being their director now and their boss. We have a very solid management team in those service area administrators. One of my top priorities for me at the present time so I can focus my energies on what you described as kind of the larger picture and staying true to the course is making sure those management positions that are open are filled. I have the policy section administrator currently open. I have my economic assistants administrator top level position open. I've got the next under my economic assistants open, and I also have my childcare administrator open, so I need to very quickly...we have ads out on all of those. We have applications coming in, and my management team is working to get those filled as quickly as possible. I feel once that team is in place, we need to rebuild a little bit, obviously. I'm working with the Child Welfare League of America to help us form and gel a little bit more as a team. And I believe that that and will allow us...when we're fully staffed with the team and with their energies and excitement and commitment, I know we can move forward. [CONFIRMATION]

SENATOR PANKONIN: Thank you. [CONFIRMATION]

SENATOR GAY: Senator Howard. [CONFIRMATION]

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SENATOR HOWARD: Thank you. Todd, this is kind of a...ties in both Senator Wallman and Senator Pankonin's observations. One of the things that I think we've always, always struggled with as a department is, what is the role of the department, and what is the responsibility of the parents? And Senator Wallman, a comment on that that we have...and I have seen it over the many years I worked for the department was oftentimes the case manager would go into court explaining what had transpired in a case and, in fact, becoming the target of what did or did not get done in that case rather than the parents having the responsibility that is theirs as to the progress they made and being able to get the child back. So I would really encourage you to look at that seriously and have a clear definition. I think it would help everyone certainly. The other thing is, there's a fourth category. When Senator Wallman asked for information regarding the filings, there's also the dependency filing which I'm sure you're familiar with. [CONFIRMATION]

TODD RECKLING: Yes, yes. [CONFIRMATION]

SENATOR HOWARD: And I think that really lends itself a lot to the safe haven issue is those children that are filed on, because their parents simply can't meet their needs or they've exceeded their insurance coverage. I was just wondering if you could tell me the number of children that we have or a ballpark number of children that we currently have, that have come into us under the dependency filing we currently have as state wards under that. [CONFIRMATION]

TODD RECKLING: Yeah, Senator, I don't have that information with me now, but we do have N-FOCUS which is our computer system listing by adjudication... [CONFIRMATION]

SENATOR HOWARD: Right. [CONFIRMATION]

TODD RECKLING: I'd be more than happy, I can provide that to you today... [CONFIRMATION]

SENATOR HOWARD: I'd appreciate that. Thank you. [CONFIRMATION]

TODD RECKLING: We've watched those numbers and it changes a little bit. A couple of things, the dependencies sometimes are a little bit tricky even through a court order to determine whether they were dependencies and maybe adjudicated that way. But you know, as a caseworker too, adjudication isn't always pure and true to the issues that were going on. [CONFIRMATION]

SENATOR HOWARD: Absolutely. [CONFIRMATION]

TODD RECKLING: So sometimes that bridge between abuse and neglect and

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dependency, and how it actually gets adjudicated is a little bit...you've got to look at...past the numbers but I can absolutely get you a number on the dependencies. I'd be happy to do that. [CONFIRMATION]

SENATOR HOWARD: I'd appreciate that. I think that's one of the things that we need to closely examine as a state and as a Department of Health and Human Services, because that...as Senator Dubas' bill intends to look at, how can these families receive services without the child becoming a state ward? And many states have a mechanism in place to do that, and I think it really is the responsibility that we have to also see if that's possible, not to circumvent our mechanisms of gatekeeping, if you will, but to look at, is there a way that we can better serve families and their children?
[CONFIRMATION]

SENATOR GAY: Any other questions? [CONFIRMATION]

SENATOR CAMPBELL: We apologize for being late. We're very sorry.
[CONFIRMATION]

SENATOR GAY: We told them you guys were running late, so don't worry about it. Senator Campbell. [CONFIRMATION]

TODD RECKLING: Not a problem. [CONFIRMATION]

SENATOR CAMPBELL: I just have one. Did you talk about the federal benchmarks at all? [CONFIRMATION]

SENATOR GAY: CFPSR reviews? [CONFIRMATION]

SENATOR CAMPBELL: Yes. [CONFIRMATION]

SENATOR GAY: He touched on them, but they don't know...well, go ahead.
[CONFIRMATION]

SENATOR CAMPBELL: Well, no, I was just...Todd, we've been watching this very closely, because that's what we've been using, and many of us believe that those are the benchmarks we need to watch instead of trying to look at accreditation, for instance. How do you think we proceed with those that we were not given an approval mark on them? Do we really put an intensive effort on them or look at a different policy?
[CONFIRMATION]

TODD RECKLING: No, absolutely, a continuing effort and focus on those. I can tell you that those have been topics of discussion throughout our agency over the last several years; they will continue to be a focus. I mentioned them today without getting into

details, but clearly, our strategic goals will always focus on the Children and Family Services Review, and the outcomes as you identify around safety, permanency, and well-being. Those to me are the beacon. You know, that's what all states are being measured on, so we have some...although states operate in our infrastructures differently. It helps us look across states, not only how we're doing individually, but at least, although you can't make a direct comparison, give us some understanding of how we look at it with other states. And although, as you know, there are some issues, we believe at the state level with the federal way that they do those reviews and the number of reviews, those are very limited to draw those conclusions. But those markers are right on. We're going to stay true to those. They center around safety, permanency, and well-being. We have a Web site and will continue to advocate for and I hope all the public is there for their viewing. It's called Compass. It's a very easy, navigable program. As you know, just operate and can move across the service areas. You can look at by judicial district and right away, it has those six measures. How are we doing on safety, repeat maltreatment, how are we doing on safety in foster care? How are we doing on timeliness of adoptions? How are we doing on foster care? Those are right there, and those need to be our focus, and will continue to be our focus. Those will be a prime key area for us in our program improvement plan that will continue to steer us. And I think as a state, those are the right goals. It talks about reunification of children within 12 months. Adoptions are within 24 months, and not when things get rolling on or when you decide to do a TPR, but that 24-month time clock starts ticking from the day the child enters the system. Those measures, I think that there's very good agreement on. Even the courts, I know, are very interested through the eyes of a child and our collaborations with them, of making sure that kids get to permanency through adoption, and that those safety measures are met. And so I believe that those are the right goals and absolutely will continue to be our focus. [CONFIRMATION]

SENATOR CAMPBELL: Let's just...as a follow-up, just so that you know. Some parents and those of you that were at the breakfast this morning, one of the parents has written an e-mail, and they thought that the entire thing was done by self-assessment without any, that we were just making this up ourselves as we looked at the data. So maybe understanding how the process and lining that out for us at some point, not today, but at some point, might be a helpful exercise. [CONFIRMATION]

TODD RECKLING: I'd be happy to do that. I think it's real important to note that there are multiple entities and different viewpoints as well as data measures, interviews with stakeholders, and other system factors that come into play outside of Children and Family Services that come into the measurements. And I think it's also important for people to recognize and understand that it isn't just a review of Children and Family Services. It truly is a review of the system, and so it's very important, as you indicate, that the public and all the other parties not only understand how they're being measured, so we can accomplish and move forward with those outcomes. [CONFIRMATION]

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SENATOR CAMPBELL: And I'll get you that question in the e-mail, so you kind of know what they were asking. Thank you. [CONFIRMATION]

SENATOR GAY: Senator Howard. [CONFIRMATION]

SENATOR HOWARD: One last one. Thank you, Mr. Chairman. I think you're really on the right track of safety, permanency, and timeliness are really the critical pieces that I've experienced over the years. I would also urge you to really work toward the employees, the direct line staff feeling that they have an ownership in what happens with the department. I think that's a critical piece for your success. They are the people that are out there. They are the people the public sees. They are the people that the public judges how effective the department is, and unless the workers feel that the department really is...they're all working together, that everyone has an investment in the success of this family and the permanence for this child. I think that it won't be successful without that, so I would certainly encourage that. [CONFIRMATION]

TODD RECKLING: I appreciate that comment, and just like to give a little feedback. You know, I was that front-line worker; I know what my relationship with those community members did to represent the department. That's why it's so important for me in this position to recognize and not only ask for, but engage and involve the staff on the front line. Even on AccessNebraska, we have over 20 different work groups. We have staff at all levels engaged in that, and their input and decision-making into that process is what's going to lead to our success. [CONFIRMATION]

SENATOR GAY: All right, Todd, I've got a question for you. It's really to follow up, Senator Howard had, and this is more, you talked about AccessNebraska, but on page two, you talked about...we've talked about a few things, but out-of-home care reform, AccessNebraska, in-home services. Those are all...reform is change, basically, and change, as you know, is difficult, sometimes especially, in a big, huge agency that you're going to be running. But I guess in that, I would talk to you personally on this, but I think it needs to be said publicly, a lot of times you're talking about community. But here in the Legislature, with 49 different senators, I've found many times that we as a committee get a lot of these issues, but other people don't quite get them. I've had colleagues come up to me and talk about AccessNebraska in this case, and say, well, we need to look into it further. I heard the...you know, I think Director Landry was giving his budget testimony. I heard the questions on AccessNebraska. But anyway, you've got a big agenda here, and it's a very high profile division, but how do you intend to communicate...and this is a management question as well. How do you intend to communicate with the Legislature and key leaders in the Legislature, because many bills don't just happen here that affect your agency. It could be Judiciary; it could be Appropriations, wherever. But do you have an idea in your head of how to best do that? Because you can't be everywhere; I understand that, and you've got to get a team. But

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how do you...I think it's important and critical that that be done, whoever the director is. How do you intend to do that? [CONFIRMATION]

TODD RECKLING: I can give you some preliminary ideas at this point; I'd be happy to share those. I think I can approach it from twofold. One of it is just individually, getting out and meeting all the senators, working with them. That's one of the things I know I need to build. I certainly have relationships to some regard with some of you over the course of what I've done the last several years, but in this position more so. I need to go out and establish those one-to-one relationships, so I'm looking forward to meeting with all of you at various times and giving you information. I think at another level, it also needs to be taking opportunities when you have different types of groups whether or not you would allow me an opportunity to come and present to some different groups. I know in the past, and even very accommodating for us to come and present at the Health and Human Services Committee and give updates. I think that's a great opportunity to have several people at the same time hear the same information and help disseminate that. I know frequently, you get calls from your constituency, and it helps to have that information. And so I think that there will be opportunities, again, to do those individual levels, as well as the group sessions, and then if we can continue to share out beyond that, that information and communicate, I'm more than happy to do that at any time if I can come and do a presentation or if there are opportunities after some of your...I don't know, sessions or meetings where we can come and continue to update. It's been very beneficial for us as well that people are hearing the same information and having that information available to them. We're also going to continue to be very transparent. It's not just with the Legislature, but part of what you know is that we're trying to promote things. I want to post more on our Web site as we go about in here and talk with folks. It's important that, again, the message and the marketing gets out there. But as far as the senators, in particular, again, I'd come back to those opportunities to do group sessions and individual. [CONFIRMATION]

SENATOR GAY: And the department has been accommodating to do that, and I appreciate it, and you probably helped set that up when Director Landry gave his presentation. But I guess, I just want to say while you're here, before you take the job, that so many of these problems, I think, could be averted had the director...or...and it doesn't always have to be exactly the director, but some key component of your staff get together with a senator or a staff member. And I don't have any complaints this year, but I know we all, in the past, have...it's been great this year. When information is needed, we've gotten it. I just want to make sure while you're here before you take that position that you understand that, that it really helps us out with our colleagues, that prompt response back, so I just wanted to stress that while we have you today so. [CONFIRMATION]

TODD RECKLING: I appreciate that. [CONFIRMATION]

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SENATOR GAY: You bet. Sure, no, no problem. Senator Howard. [CONFIRMATION]

SENATOR HOWARD: I promised you no more, but well, and along with what Chairman Gay is saying, I would really ask you, plead with you to please give us accurate information. I mean, it's hard to say this without implying that we haven't always gotten that. But the fact of the matter is that we're all in this together, and when you have...when things are difficult, and I just...for example, the Beatrice situation. I heard time and time again that improvements were being made. We were going to be meeting the standards; we were going to...you can imagine. It was continually. I think when there are difficult times, when there are things that are problematic, rather than to try to make it less problematic to say it the way it is, and to know that we all want to address it, and no one wants to lay blame. We all want to try and...try and be there for the problem before it becomes so out-of-hand that we're losing federal funding or it's costing us. I learned that in going into juvenile court. If I did something wrong, I was the first to say it. Otherwise, it became bigger than life, and we all want to make things better, not worse. [CONFIRMATION]

TODD RECKLING: I can't say anything other than accuracy and honesty are also very important to myself as well. [CONFIRMATION]

SENATOR GAY: Yeah, it's a challenge, and Senator Howard is saying exactly, because we'd rather don't sugarcoat it. I mean, we're all...and even the colleagues that would disagree, those are policy disagreements, nothing personal. But I've found it only gets worse when they then feel something is being held back from them, and then, all of a sudden, we get in this game, I guess, I should call it that. But, yeah, don't sugarcoat things. And I got one more question too so this is a very important position. But I've been looking at, we need to focus on getting our priorities. You have big challenges here, and you've set some high goals. But in another way, as I look at this budget, and we've been discussing budgets every single day all the time, but as we go into the future here, there's a certain amount of dollars that are limited. And I've wondered, in your department especially, you get asked to do a lot of things, but at some point, I hope you'll work with us, because we're going to have an interim study on this. But to prioritize some of the services that are being delivered, and I know that's hard. Earlier, we get asked for that, and it was well, we'll do whatever the Legislature tells us. I understand that, but also over the course of years, programs have been developed that I think need to be looked at and reviewed, because you talked about retention of staff members and quality. A person can only do so much, so I'd like to work with you and the committee and everyone else this summer or whenever, to start prioritizing and focusing our efforts on those most productive programs, I guess, and have tough conversations, and that's why, again, what Senator Howard is saying, maybe don't sugarcoat it. If we know something works much better than something else, we better discuss that. [CONFIRMATION]

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TODD RECKLING: You make an excellent point, Senator. I know the budget is an issue and will continue to be an issue for some time, and we're going to have to make those hard decisions together. There's no doubt that we're going to have to learn to do business differently, and in order to do that, we're going to have to be able to shift and not rely on increases. And in order to shift, my opinion and what I believe to be true, is that you have to have data and information. One of the things we've been moving more toward is doing performance-based contracts. You got to have the measures, and you got to know where you're at in order to start prioritizing those things, and I look forward to that. You know, for the first time under our contracts that we got up and running in '07, that are our start to performance-based contracts, those provider performance measures are out on the public Web site now, and those will help...just as one example, help us get the data we need to make those tough choices about where we're going to spend our time and resources. As Senator Howard knows, we cannot be all things to all people, and in order for us to do that, we're going to have to make sure that we're spending our energy and resources where they need to be for the kids.
[CONFIRMATION]

SENATOR GAY: Exactly, and that might be a good point to end (laugh) on one last question, and then... [CONFIRMATION]

SENATOR HOWARD: (Laugh) Or not. All right, one last question. One of the things that in discussing this back and forth that comes to mind is that I think we need to be responsible. The department needs to be responsible in putting out timely payments to those contractors whether it be mental health or counseling or whoever the providers are. When they bill, I think we have an obligation that there's a reasonable turnaround time, and they're not waiting months and months and months and months for payment. That destroys our relationship with those in the community and anyone that they have come in contact with, because people talk, frankly. And I get a lot of calls about the delays, and I think that could...we don't have to have that happen. [CONFIRMATION]

SENATOR GAY: All right. [CONFIRMATION]

SENATOR PANKONIN: Fast pay makes fast friends (laughter). [CONFIRMATION]

SENATOR GAY: That's a businessman, businessman knows that. [CONFIRMATION]

SENATOR HOWARD: You know (laugh), we need all the friends we can get.
[CONFIRMATION]

TODD RECKLING: And now, though we have incentives and disincentives in our contracts, you can imagine how anxious people are for their money. [CONFIRMATION]

SENATOR GAY: Exactly. All right, we'll end it there with the committee. Is there any

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public comment that would like to speak? I don't see any. Well, we'll close the confirmation hearing. [CONFIRMATION]

TODD RECKLING: Thank you, Senators. [CONFIRMATION]

SENATOR GAY: Thank you very much. [CONFIRMATION]

Chairperson

Committee Clerk