

ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012
COMMITTEE STATEMENT
LB1160

Hearing Date: Wednesday February 08, 2012
Committee On: Health and Human Services
Introducer: Health and Human Services
One Liner: Require Department of Health and Human Services to develop an information system and provide for reports and an evaluation

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 6 Senators Bloomfield, Campbell, Gloor, Howard, Krist, Lambert
Nay:
Absent: 1 Senator Cook
Present Not Voting:

Proponents: Senator Kathy Campbell Lisa Snell Sarah Helvey Linda M. Cox	Representing: Health and Human Services Committee Platte Institute and Reason Foundation Nebraska Appleseed Center for Law in the Public Interest Foster Care Review Board
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Opponents:	Representing:
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Neutral:	Representing:
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Summary of purpose and/or changes:

LB 1160 provides for 1) legislative oversight of the Nebraska child welfare system through an improved data collection system that integrates child welfare information into one system to more effectively manage, track, and share information, especially in case management; 2) increased child welfare outcome measurement through increased reporting by lead agencies and the department; and 3) an independent evaluation of the child welfare system.

The Legislature finds that: (1) Nebraska does not have the capacity to collect and analyze routinely and effectively the data required to inform policy decisions, system development, and evaluation of its child welfare system; (2) The NFocus system is difficult to use and does not provide the appropriate data for meaningful monitoring of the child welfare system for children's safety, permanency, and wellness; (3) The NFocus system does not easily integrate with other computer systems that have different purposes, capacities, file structures, and operating systems, resulting in silos of operation and information; and (4) The department needs leadership in developing a uniform data collection system to collect and evaluate data regarding children served, the quality of services provided, and the outcomes produced by those services.

The department shall develop and implement a web-based, statewide automated child welfare information system to integrate child welfare information into one system. (1) Objectives for the system shall include, but not be limited to: Improving efficiency and effectiveness; access to real time information, including prior case histories and tools that support consistent policy and practice standards; improve reporting capabilities, accountability and case review

requirements; track services, payment processes, and progress through use of dashboards. (2) The capacity of the system shall include: Integration across related social services programs through automated interfaces, including, but not limited to the courts, Medicaid eligibility, financial processes, and child support; ease in implementing future system modifications; compatibility, protection, collaboration between service providers and the department; key automated process analysis for supervision including use of mobile communication devices for management; web-based access and availability twenty-four hours per day, seven days per week; and automated application of policy and procedures.

On or before December 1, 2012, the department, with assistance from other agencies as necessary, shall report in writing to the Legislature on a plan for the data collection system described in this act. The report shall include a review of the design, development, implementation, and cost of the system. The report shall describe the requirements of the system, all available options and complete cost comparison including: the costs and benefits of a custom-built system and a commercial off-the-shelf system; the cost of ownership, including both direct and indirect costs; and the costs of any other options considered.

On or before September 15, 2012, and each September 15 thereafter, the department shall report to the Health and Human Services Committee of the Legislature the information regarding child welfare as outlined in the bill including: children served by lead agencies and children served by the department; sibling placement; children behavioral health; case management; non court involved children; residential placements; out of state placement; lead agency finances; satisfaction surveys; and advocacy centers.

On or before September 15, 2012, and on or before each September 15 thereafter, the department shall provide a report to the Health and Human Services Committee of the Legislature on the process for monitoring lead agencies, including the actions taken for contract management, financial management, revenue management, quality assurance and oversight, children's legal services, performance management, and communications. The report shall include reviewing the functional capacities of each lead agency for: (1) direct case management; (2) utilization of social work theory and evidence-based practices to include processes for insuring fidelity with evidence-based practices; (3) supervision; (4) quality assurance; (5) training; (6) subcontract management; (7) network development and management; (8) financial management; (9) financial controls; (10) utilization management; (11) community outreach; (12) coordination and planning; (13) community and stakeholder engagement; and (14) responsiveness to requests from policymakers and the Legislature.

Finally, LB 1160 requires the department to engage a nationally recognized evaluator to provide an evaluation of the Nebraska child welfare system. (1) The evaluator shall be: a national entity that can demonstrate direct involvement with child welfare, broad interaction with national entities and research; and be independent of the department and lead agencies, with no contractual relationship or consultant relationship with the department or a lead agency within the preceding three years. (2) The department shall give consideration to evaluator candidates who have experience in outcome measurement, data, intervention research and evaluation, dissemination and implementation research and effectiveness. (3) The evaluation shall include the following key areas: (a) The degree to which privatization of child welfare services in the southeastern and eastern service areas has been successful in improving outcomes for children and parents, including, but not limited to, whether the outcomes are consistent with the objectives of the Families Matter program and whether the cost is reasonable, given the outcomes and cost of privatization; (b) A review of the readiness and capacity of the lead agencies and the department to perform essential service delivery and administrative management functions according to nationally recognized standards for network management entities, with special focus on case management. The readiness review shall include, but not be limited to, strengths, areas where functional improvement is needed, areas with current duplication and overlap in effort and areas where coordination needs improvement; and (c) A complete review of the preceding three years of placements of children in residential treatment settings. The review shall include all placements made or paid for by the child welfare system, the Office of Juvenile Services, the State Department of Education, or local education agencies; lead agencies through letters of agreement; and the medical assistance program. The review shall include, but not be limited to child variable, placement, Medicaid reimbursed services and processes, finances, cost benefit analysis of placement practices. (4) The complete evaluation shall be completed and a report issued on or before December 1, 2012, to the Health and Human Services Committee of the Legislature and the Governor.

Explanation of amendments:

The Committee Amendment amends LB 1160 to include LB 774. LB 774 provides for reporting requirements by the Health and Human Services Committee on the recommendations reported in LR 37. Additionally, it provides uniformity in the dates of reports currently required by the Department of Health and Human Services in statutes. As a result of the Committee Amendment LB 1160 becomes a major reporting, data system, evaluation and legislative oversight bill for child welfare reform.

The Committee Amendment requires:

- The HHS Committee to report on Dec. 15 of 2012, 2013, and 2014 to the Governor, the Legislature, and the Chief Justice on progress made by the Department of Health and Human Services toward recommendations contained within the LR 37 Report.

- The following reports, already required in statute, are to be provided to the HHS Committee by September 15 in 2012, 2013, and 2014:

o Section 43-296 associations receiving juveniles under the Nebraska Juvenile Code required to report on their condition, management, and competency to provide services to juveniles;

o Section 43-405(6) Office of Juvenile Services' report on its monitoring of commitments, placements, and evaluations at facilities and programs operated by the OJS or through contracts;

o Section 43-534 comprehensive statement of efforts of departments, agencies, institutions, committees, or commissions taken to carry out policy and principles in Section 43-532 and Section 43-533;

o Section 68-1207.01 report outlining caseloads in Child Protective Services, the factors considered in their establishment, and fiscal resources necessary for maintenance;

o Section 71-825 operation of the Children and Family Support Hotline and voluntary post-adoption and post-guardianship case management services under Section 71-824;

o Section 71-1904(2) number of required training waivers granted to relatives providing foster care only to relatives;

o Section 71-3407(2)(g) State Child Death Review Team's findings and recommendations.

Adds to the reporting requirements of the department, in addition to those in original LB 1160, that it reports:

- The date of referral for services, and the time frame for providing those services;
- On non-court involved children as specified;
- On the percentage of children denied re-authorization requests or subsequent review of initial authorization.

Kathy Campbell, Chairperson