

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 957**

Introduced by Health and Human Services Committee: Campbell, 25,  
Chairperson; Bloomfield, 17; Cook, 13; Gloor, 35;  
Howard, 9; Krist, 10; Lambert, 2.

Read first time January 11, 2012

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to child welfare; to amend sections 73-401,  
2 81-8,240, 81-8,241, 81-8,244, and 81-8,245, Reissue  
3 Revised Statutes of Nebraska; to adopt the Office of  
4 Inspector General of Nebraska Child Welfare Act; to  
5 provide penalties; to change provisions relating to  
6 contracts; to change and provide powers and duties for  
7 the office of Public Counsel; and to repeal the original  
8 sections.

9 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 28 of this act shall be known  
2 and may be cited as the Office of Inspector General of Nebraska Child  
3 Welfare Act.

4           Sec. 2. It is the intent of the Legislature to:

5           (1) Establish a full-time program of investigation and  
6 performance review to provide increased accountability and oversight  
7 of the Nebraska child welfare system;

8           (2) Assist in improving operations of the department and  
9 the Nebraska child welfare system; and

10          (3) Deter and identify fraud, abuse, and illegal acts.

11          Sec. 3. For purposes of the Office of Inspector General  
12 of Nebraska Child Welfare Act, the definitions found in sections 4 to  
13 16 of this act apply.

14          Sec. 4. Administrator means a person charged with  
15 administration of a program, an office, or a division of the  
16 department or administration of a private agency or licensed child  
17 care facility.

18          Sec. 5. Department means the Department of Health and  
19 Human Services.

20          Sec. 6. Director means the chief executive officer of the  
21 department.

22          Sec. 7. Inspector General means the Inspector General of  
23 Nebraska Child Welfare appointed under section 17 of this act.

24          Sec. 8. Licensed child care facility means a facility or  
25 program licensed under the Child Care Licensing Act or sections

1 71-1901 to 71-1906.01.

2           Sec. 9. Malfeasance means a wrongful act that the actor  
3 has no legal right to do or any wrongful conduct that affects,  
4 interrupts, or interferes with performance of an official duty.

5           Sec. 10. Management means supervision of subordinate  
6 employees.

7           Sec. 11. Misfeasance means the improper performance of  
8 some act that a person may lawfully do.

9           Sec. 12. Obstruction means hindering or preventing from  
10 progress, stopping or delaying the progress, or making the progress  
11 of an investigation difficult or slow.

12           Sec. 13. Office means the office of Inspector General of  
13 Nebraska Child Welfare and includes the Inspector General and other  
14 employees of the office.

15           Sec. 14. Private agency means a child welfare agency that  
16 contracts with the department or contracts to provide services to  
17 another child welfare agency that contracts with the department.

18           Sec. 15. Record means any recording, in written, audio,  
19 electronic transmission, or computer storage form, including, but not  
20 limited to, a draft, memorandum, note, report, computer printout,  
21 notation, or message, and includes, but is not limited to, medical  
22 records, mental health records, case files, clinical records,  
23 financial records, and administrative records.

24           Sec. 16. Responsible individual means a foster parent, a  
25 relative provider of foster care, or an employee of the department, a

1 foster home, a private agency, a licensed child care facility, or  
2 another provider of child welfare services responsible for the care  
3 or custody of records, documents, and files.

4           Sec. 17. (1) The office of Inspector General of Nebraska  
5 Child Welfare is created within the office of Public Counsel for the  
6 purpose of conducting investigations, audits, inspections, and other  
7 reviews of the Nebraska child welfare system. The Inspector General  
8 shall be appointed by the Public Counsel with approval from the  
9 chairperson of the Executive Board of the Legislative Council and the  
10 chairperson of the Health and Human Services Committee of the  
11 Legislature.

12           (2) The Inspector General shall be appointed for a term  
13 of five years and may be reappointed. The Inspector General shall be  
14 selected without regard to political affiliation and on the basis of  
15 integrity, capability for strong leadership, and demonstrated ability  
16 in accounting, auditing, financial analysis, law, management  
17 analysis, public administration, investigation, or criminal justice  
18 administration or other closely related fields. No former or current  
19 executive or manager of the department may be appointed Inspector  
20 General within five years after such former or current executive's or  
21 manager's period of service with the department. Not later than two  
22 years after the date of appointment, the Inspector General shall  
23 obtain certification as a Certified Inspector General by the  
24 Association of Inspectors General, its successor, or another  
25 nationally recognized organization that provides and sponsors

1 educational programs and establishes professional qualifications,  
2 certifications, and licensing for inspectors general. During his or  
3 her employment, the Inspector General shall not be actively involved  
4 in partisan affairs.

5 (3) The Inspector General shall employ such investigators  
6 and support staff as he or she deems necessary to carry out the  
7 duties of the office within the amount available by appropriation  
8 through the office of Public Counsel for the office of Inspector  
9 General of Nebraska Child Welfare. The Inspector General shall be  
10 subject to the control and supervision of the Public Counsel, except  
11 that removal of the Inspector General shall require approval of the  
12 chairperson of the Executive Board of the Legislative Council and the  
13 chairperson of the Health and Human Services Committee of the  
14 Legislature.

15 Sec. 18. The office shall investigate:

16 (1) Allegations or incidents of possible misconduct,  
17 misfeasance, malfeasance, or violations of statutes or of rules or  
18 regulations of the department by an employee of the department, a  
19 private agency, a licensed child care facility, a foster parent, or  
20 any other provider of child welfare services or which may provide a  
21 basis for discipline pursuant to the Uniform Credentialing Act; and

22 (2) Death or serious injury in foster homes, private  
23 agencies, child care facilities and programs, and other programs and  
24 facilities licensed by the department and death or serious injury in  
25 any case in which services are provided by the department to a child

1 or his or her parents or any case involving an investigation under  
2 the Child Protection Act, which case has been open for one year or  
3 less.

4 Any investigation conducted by the Inspector General  
5 shall be independent of and separate from an investigation pursuant  
6 to the Child Protection Act.

7 Sec. 19. (1) The office shall have access to all  
8 information and personnel necessary to perform the duties of the  
9 office.

10 (2) A full investigation conducted by the office shall  
11 consist of retrieval of relevant records through subpoena, request,  
12 or voluntary production, review of all relevant records, and  
13 interviews of all relevant persons.

14 Sec. 20. (1) Complaints to the office may be made in  
15 writing. The office shall also maintain a toll-free telephone line  
16 for complaints. A complaint shall be evaluated to determine if it  
17 alleges possible malfeasance, misconduct, misfeasance, or violation  
18 of a statute or of rules and regulations of the department by an  
19 employee of or a person under contract with the department, a private  
20 agency, or a licensed child care facility, a foster parent, or any  
21 other provider of child welfare services or alleges a basis for  
22 discipline pursuant to the Uniform Credentialing Act. All complaints  
23 shall be evaluated to determine whether a full investigation is  
24 warranted.

25 (2) The office shall not conduct a full investigation of

1 a complaint unless:

2 (a) The complaint alleges malfeasance, misconduct,  
3 misfeasance, violation of a statute or of rules and regulations of  
4 the department, or a basis for discipline pursuant to the Uniform  
5 Credentialing Act;

6 (b) The complaint is against a person within the  
7 jurisdiction of the office; and

8 (c) The allegations can be independently verified through  
9 investigation.

10 (3) The Inspector General shall determine within fourteen  
11 days after receipt of a complaint whether it will conduct a full  
12 investigation. A complaint alleging facts which, if verified, would  
13 provide a basis for discipline under the Uniform Credentialing Act  
14 shall be referred to the appropriate credentialing board under the  
15 act.

16 Sec. 21. All employees of the department, all foster  
17 parents, and all owners, operators, managers, supervisors, and  
18 employees of private agencies, licensed child care facilities, and  
19 other providers of child welfare services shall cooperate with the  
20 office. Cooperation includes, but is not limited to, the following:

21 (1) Provision of full access to and production of records  
22 and information. Providing access to and producing records and  
23 information for the office is not a violation of confidentiality  
24 provisions under any law, statute, rule, or regulation if done in  
25 good faith for purposes of an investigation under the Office of

1 Inspector General of Nebraska Child Welfare Act;

2 (2) Fair and honest disclosure of records and information  
3 reasonably requested by the office in the course of an investigation  
4 under the act;

5 (3) Encouraging employees to fully comply with reasonable  
6 requests of the office in the course of an investigation under the  
7 act;

8 (4) Prohibition of retaliation by owners, operators, or  
9 managers against employees for providing records or information or  
10 filing or otherwise making a complaint to the office;

11 (5) Not requiring employees to gain supervisory approval  
12 prior to filing a complaint with or providing records or information  
13 to the office;

14 (6) Provision of complete and truthful answers to  
15 questions posed by the office in the course of an investigation; and

16 (7) Not willfully interfering with or obstructing the  
17 investigation.

18 Sec. 22. Failure to cooperate with an investigation by  
19 the office may result in discipline or other sanctions.

20 Sec. 23. (1) Except as provided in subsection (2) of this  
21 section, the office may issue subpoenas to require the attendance and  
22 testimony of witnesses and the production of any pertinent records  
23 and may administer oaths, examine witnesses, and take any evidence it  
24 deems pertinent to the conduct of an investigation under the Office  
25 of Inspector General of Nebraska Child Welfare Act. Any person who

1 fails to appear in response to a subpoena issued by the office or who  
2 fails to answer any question or produce any record relevant to an  
3 investigation conducted under the act or who knowingly gives false  
4 testimony in relation to such investigation is guilty of a Class II  
5 misdemeanor.

6 (2) The power to subpoena or to compel the production of  
7 records shall not extend to the persons or records of a labor  
8 organization or its representatives insofar as the person or records  
9 of the labor organization relate to the representation of an employee  
10 subject to an investigation under the act. Union representation is  
11 not obstruction of an investigation under the act.

12 Sec. 24. (1) In conducting investigations, the office  
13 shall access all relevant records through subpoena, compliance with a  
14 request of the office, and voluntary production. The office may  
15 request or subpoena the original of any record necessary for the  
16 investigation from the department, a foster parent, a licensed child  
17 care facility, or a private agency that is pertinent to an  
18 investigation. All case files, licensing files, medical records,  
19 financial and administrative records, and records required to be  
20 maintained pursuant to applicable licensing rules shall be produced  
21 for review by the office in the course of an investigation.

22 (2) Compliance with a request of the office includes:

23 (a) Production of all records requested;

24 (b) A diligent search to ensure that all appropriate  
25 records are included; and

1           (c) A continuing obligation to immediately forward to the  
2 office any relevant records received, located, or generated after the  
3 date of the request.

4           (3) The office shall seek access in a manner that  
5 respects the dignity and human rights of all persons involved,  
6 maintains the integrity of the investigation, and does not  
7 unnecessarily disrupt programs or services. When advance notice to a  
8 foster parent or to an administrator or his or her designee is not  
9 provided, the office investigator shall, upon arrival at the  
10 departmental office, bureau, or division, the private agency, the  
11 licensed child care facility, or the location of another provider of  
12 child welfare services, request that an on-site employee notify the  
13 administrator or his or her designee of the investigator's arrival.

14           (4) When circumstances of an investigation require, the  
15 office may make an unannounced visit to a foster home, a departmental  
16 office, bureau, or division, a licensed child care facility, a  
17 private agency, or another provider to request records relevant to an  
18 investigation.

19           (5) A responsible individual or an administrator may be  
20 asked to sign a statement of record integrity and security when a  
21 record is secured by request as the result of a visit by the office,  
22 stating:

23           (a) That the responsible individual or administrator has  
24 made a diligent search of the office, bureau, division, private  
25 agency, licensed child care facility, or other provider's location to

1 determine that all appropriate records in existence at the time of  
2 the request were produced;

3 (b) That the responsible individual or the administrator  
4 agrees to immediately forward to the office any relevant records  
5 received, located, or generated after the visit;

6 (c) The persons who have had access to the records since  
7 they were secured; and

8 (d) Whether, to the best of the knowledge of the  
9 responsible individual or the administrator, any records were removed  
10 from or added to the record since it was secured.

11 (6) The office shall permit a responsible individual, an  
12 administrator, or an employee of a departmental office, bureau, or  
13 division, a private agency, a licensed child care facility, or  
14 another provider to make photocopies of the original records within a  
15 reasonable time in the presence of the office for purposes of  
16 creating a working record in a manner that assures confidentiality.

17 (7) The office shall present to the responsible  
18 individual or the administrator or other employee of the departmental  
19 office, bureau, or division, private agency, licensed child care  
20 facility, or other service provider a copy of the request, stating  
21 the date and the titles of the records received.

22 (8) Except in investigations involving death or serious  
23 injury, the office shall return the original record as soon as  
24 practicable but no later than ten working days after the date of  
25 compliance with the request. The office shall return a copy in lieu

1 of an original record whenever a copy cannot satisfactorily duplicate  
2 information contained in the original. On the face of the record, the  
3 office shall indicate that it is a copy and where the original can be  
4 located.

5 (9) For death investigations, the original record shall  
6 be returned upon completion of the investigation or any subsequent  
7 proceedings resulting from the investigation, but the office may  
8 retain copies or originals for the investigative file. The office  
9 shall return a copy, in lieu of an original, whenever a copy cannot  
10 satisfactorily duplicate information contained in the original. On  
11 the face of the record, the office shall indicate that it is a copy  
12 and where the original can be located.

13 (10) All investigations conducted by the office shall be  
14 conducted in a manner designed to ensure the preservation of evidence  
15 for possible use in a criminal prosecution.

16 Sec. 25. (1) Reports of investigations conducted by the  
17 office shall not be distributed beyond the entity that is the subject  
18 of the report without the consent of the Inspector General.

19 (2) The office shall redact confidential information  
20 before distributing a report of an investigation.

21 (3) Reports of investigations conducted by the office are  
22 not public records for purposes of sections 84-712 to 84-712.09.

23 (4) The office may withhold the identity of sources of  
24 information to protect from retaliation any person who files a  
25 complaint or provides information in good faith pursuant to the

1 Office of Inspector General of Nebraska Child Welfare Act.

2           Sec. 26. (1) The Inspector General's report of an  
3 investigation shall be in writing to the Public Counsel and shall  
4 contain recommendations. The report may recommend systemic reform or  
5 case-specific action, including a recommendation for discharge or  
6 discipline of employees or for sanctions against a foster parent,  
7 private agency, licensed child care facility, or other provider of  
8 child welfare services. All recommendations to pursue discipline  
9 shall be in writing and signed by the Inspector General. A report of  
10 an investigation shall be presented to the director within fifteen  
11 days after the report is presented to the Public Counsel.

12           (2) Any person receiving a report under this section  
13 shall not further distribute the report or any confidential  
14 information contained in the report, except that the Inspector  
15 General with the knowledge of the Public Counsel and the director may  
16 distribute the report to the juvenile court judge before whom a case  
17 is pending involving the child or family who is the subject of the  
18 report and to the guardian ad litem of such child, to the extent that  
19 doing so is relevant to the child's welfare. Whenever the Inspector  
20 General determines that distributing a report to either the court or  
21 the guardian ad litem under this subsection is necessary, he or she  
22 shall notify the director, foster parent, private agency, licensed  
23 child care facility, or other provider.

24           (3) A report that identifies misfeasance, malfeasance,  
25 misconduct, or violation of statute, rules, or regulations by an

1 employee of the department, a private agency, a licensed child care  
2 facility, or another provider that is relevant to providing  
3 appropriate supervision of an employee may be shared with the  
4 employer of such employee. The employer may not further distribute  
5 the report or any confidential information contained in the report.

6           Sec. 27. (1) Within fifteen days after a report is  
7 presented to the director under section 26 of this act, he or she  
8 shall determine whether to accept, reject, or request in writing  
9 modification of the recommendations contained in the report. The  
10 Inspector General, with input from the Public Counsel, may consider  
11 the director's request for modifications but is not obligated to  
12 accept such request. Such report shall become final upon the decision  
13 of the director to accept or reject the recommendations in the report  
14 or, if the director requests modifications, within fifteen days after  
15 such request or after the Inspector General incorporates such  
16 modifications, whichever occurs earlier.

17           (2) Within fifteen days after the report is presented to  
18 the director, the report shall be presented to the foster parent,  
19 private agency, licensed child care facility, or other provider of  
20 child welfare services that is the subject of the report and with  
21 persons involved in the implementation of the recommendations in the  
22 report. Within forty-five days after receipt of the report, the  
23 foster parent, private agency, licensed child care facility, or other  
24 provider may submit a written response to the office to correct any  
25 factual errors in the report. The Inspector General, with input from

1 the Public Counsel, shall consider all materials submitted under this  
2 subsection to determine whether a corrected report shall be issued.  
3 If the Inspector General determines that a corrected report is  
4 necessary, the corrected report shall be issued within fifteen days  
5 after receipt of the written response.

6 (3) If the Inspector General does not issue a corrected  
7 report pursuant to subsection (2) of this section, or if the  
8 corrected report does not address all issues raised in the written  
9 response, the foster parent, private agency, licensed child care  
10 facility, or other provider may request that its written response, or  
11 portions of the response, be appended to the report or corrected  
12 report.

13 (4) A report which raises issues related to credentialing  
14 under the Uniform Credentialing Act shall be submitted to the  
15 appropriate credentialing board under the act.

16 Sec. 28. On or before September 15 of each year, the  
17 Inspector General shall provide to the Health and Human Services  
18 Committee of the Legislature and the Governor a summary of reports  
19 and investigations made under the Office of Inspector General of  
20 Nebraska Child Welfare Act for the preceding year. The summaries  
21 shall detail recommendations and the status of implementation of  
22 recommendations and may also include recommendations to the committee  
23 regarding issues discovered through investigation, audits,  
24 inspections, and reviews by the office that will increase  
25 accountability and legislative oversight of the child welfare system,

1 improve operations of the department and the Nebraska child welfare  
2 system, or deter and identify fraud, abuse, and illegal acts. The  
3 summaries shall not contain any confidential or identifying  
4 information concerning the subjects of the reports and  
5 investigations.

6           Sec. 29. Section 73-401, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8           73-401 Except for long-term care facilities subject to  
9 the jurisdiction of the state long-term care ombudsman pursuant to  
10 the Long-Term Care Ombudsman Act, the contracting agency shall ensure  
11 that any contract which a state agency enters into or renews which  
12 agrees that a corporation, partnership, business, firm, governmental  
13 entity, or person shall provide health and human services to  
14 individuals or service delivery, service coordination, or case  
15 management on behalf of the State of Nebraska shall contain a clause  
16 requiring the corporation, partnership, business, firm, governmental  
17 entity, or person to submit to the jurisdiction of the Public Counsel  
18 under sections 81-8,240 to 81-8,254 with respect to the provision of  
19 services under the contract.

20           Sec. 30. Section 81-8,240, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           81-8,240 As used in sections 81-8,240 to 81-8,254, unless  
23 the context otherwise requires:

24           (1) Administrative agency shall mean any department,  
25 board, commission, or other governmental unit, any official, any

1 employee of the State of Nebraska acting or purporting to act by  
2 reason of connection with the State of Nebraska, any corporation,  
3 partnership, business, firm, governmental entity, or person who is  
4 providing health and human services to individuals or service  
5 delivery, service coordination, or case management under contract  
6 with the State of Nebraska and who is subject to the jurisdiction of  
7 the office of Public Counsel as required by section 73-401, any  
8 regional behavioral health authority, any community-based behavioral  
9 health services provider that contracts with a regional behavioral  
10 health authority, and any county or municipal correctional or jail  
11 facility and employee thereof acting or purporting to act by reason  
12 of connection with the county or municipal correctional or jail  
13 facility; but shall not include (a) any court, (b) any member or  
14 employee of the Legislature or the Legislative Council, (c) the  
15 Governor or his or her personal staff, (d) any political subdivision  
16 or entity thereof except a county or municipal correctional or jail  
17 facility or a regional behavioral health authority, (e) any  
18 instrumentality formed pursuant to an interstate compact and  
19 answerable to more than one state, or (f) any entity of the federal  
20 government; and

21 (2) Administrative act shall include every action, rule,  
22 regulation, order, omission, decision, recommendation, practice, or  
23 procedure of an administrative agency.

24 Sec. 31. Section 81-8,241, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

1           81-8,241 The office of Public Counsel is hereby  
2 established to exercise the authority and perform the duties provided  
3 by sections 81-8,240 to 81-8,254 and the Office of Inspector General  
4 of Nebraska Child Welfare Act. The Public Counsel shall be appointed  
5 by the Legislature, with the vote of two-thirds of the members  
6 required for approval of such appointment from nominations submitted  
7 by the Executive Board of the Legislative Council.

8           Sec. 32. Section 81-8,244, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           81-8,244 (1)(a) The Public Counsel may select, appoint,  
11 and compensate as he or she sees fit, within the amount available by  
12 appropriation, such assistants and employees as he or she deems  
13 necessary to discharge the responsibilities under sections 81-8,240  
14 to 81-8,254. He or she shall appoint and designate one assistant to  
15 be a deputy public counsel, one assistant to be a deputy public  
16 counsel for corrections, one assistant to be a deputy public counsel  
17 for institutions, and one assistant to be a deputy public counsel for  
18 welfare services.

19           (b) Such deputy public counsels shall be subject to the  
20 control and supervision of the Public Counsel.

21           (c) The authority of the deputy public counsel for  
22 corrections shall extend to all facilities and parts of facilities,  
23 offices, houses of confinement, and institutions which are operated  
24 by the Department of Correctional Services and all county or  
25 municipal correctional or jail facilities.

1           (d) The authority of the deputy public counsel for  
2 institutions shall extend to all mental health and veterans  
3 institutions and facilities operated by the Department of Health and  
4 Human Services and to all regional behavioral health authorities that  
5 provide services and all community-based behavioral health services  
6 providers that contract with a regional behavioral health authority  
7 to provide services, for any individual who was a patient within the  
8 prior twelve months of a state-owned and state-operated regional  
9 center, and to all complaints pertaining to administrative acts of  
10 the department, authority, or provider when those acts are concerned  
11 with the rights and interests of individuals placed within those  
12 institutions and facilities or receiving community-based behavioral  
13 health services.

14           (e) The authority of the deputy public counsel for  
15 welfare services shall extend to all complaints pertaining to  
16 administrative acts of administrative agencies when those acts are  
17 concerned with the rights and interests of individuals involved in  
18 the welfare services system of the State of Nebraska.

19           (f) The Public Counsel may delegate to members of the  
20 staff any authority or duty under sections 81-8,240 to 81-8,254  
21 except the power of delegation and the duty of formally making  
22 recommendations to administrative agencies or reports to the Governor  
23 or the Legislature.

24           (2) The Public Counsel shall appoint Inspector General  
25 for Nebraska Child Welfare as provided in section 17 of this act. The

1 Inspector General for Nebraska Child Welfare shall have the powers  
2 and duties provided in the Inspector General for Nebraska Child  
3 Welfare Act.

4           Sec. 33. Section 81-8,245, Reissue Revised Statutes of  
5 Nebraska, is amended to read:

6           81-8,245 The Public Counsel shall have the power to:

7           (1) Investigate, on complaint or on his or her own  
8 motion, any administrative act of any administrative agency;

9           (2) Prescribe the methods by which complaints are to be  
10 made, received, and acted upon; determine the scope and manner of  
11 investigations to be made; and, subject to the requirements of  
12 sections 81-8,240 to 81-8,254, determine the form, frequency, and  
13 distribution of his or her conclusions, recommendations, and  
14 proposals;

15           (3) Conduct inspections of the premises, or any parts  
16 thereof, of any administrative agency or any property owned, leased,  
17 or operated by any administrative agency as frequently as is  
18 necessary, in his or her opinion, to carry out duties prescribed  
19 under sections 81-8,240 to 81-8,254;

20           (4) Request and receive from each administrative agency,  
21 and such agency shall provide, the assistance and information the  
22 counsel deems necessary for the discharge of his or her  
23 responsibilities; inspect and examine the records and documents of  
24 all administrative agencies notwithstanding any other provision of  
25 law; and enter and inspect premises within any administrative

1 agency's control;

2 (5) Issue a subpoena, enforceable by action in an  
3 appropriate court, to compel any person to appear, give sworn  
4 testimony, or produce documentary or other evidence deemed relevant  
5 to a matter under his or her inquiry. A person thus required to  
6 provide information shall be paid the same fees and travel allowances  
7 and shall be accorded the same privileges and immunities as are  
8 extended to witnesses in the district courts of this state and shall  
9 also be entitled to have counsel present while being questioned;

10 (6) Undertake, participate in, or cooperate with general  
11 studies or inquiries, whether or not related to any particular  
12 administrative agency or any particular administrative act, if he or  
13 she believes that they may enhance knowledge about or lead to  
14 improvements in the functioning of administrative agencies; ~~and~~

15 (7) Make investigations, reports, and recommendations  
16 necessary to carry out his or her duties under the State Government  
17 Effectiveness Act; and -

18 (8) Carry out his or her duties under the Office of  
19 Inspector General of Nebraska Child Welfare Act. If any of the  
20 provisions of sections 81-8,240 to 81-8,254 conflict with provisions  
21 of the Office of Inspector General of Nebraska Child Welfare Act, the  
22 provisions of such act shall control.

23 Sec. 34. Original sections 73-401, 81-8,240, 81-8,241,  
24 81-8,244, and 81-8,245, Reissue Revised Statutes of Nebraska, are  
25 repealed.