

One Hundred Second Legislature - Second Session - 2012

Introducer's Statement of Intent

LB821

Chairperson: Senator Kathy Campbell

Committee: Health and Human Services

Date of Hearing: February 01, 2012

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 821 creates a state agency to oversee all programs providing services to children and creates the Nebraska Children's Commission. The Legislature finds that children receiving services from the department are:

- Served through a fragmented, poorly coordinated service delivery model that has potential for duplication of effort, service gaps, cost shifting and disagreement re payment responsibilities;
- Many times this results in a dysfunctional system that is difficult to navigate;
- State agencies are not pooling resources or leveraging financing to provide a coordinated system of care for behavioral health services resulting in residential placement with high cost and poor outcomes;
- It is in the best interest of children that a single state agency be created to oversee all child welfare services in the state. The agency will be child focused, providing integrated, seamless, solution-based interventions that take into account the needs of the whole child utilizing innovative evidence-based programs and practices
- HHS Committee with the department and the Nebraska Children's Commission shall prepare legislation for introduction in the One Hundred Third Legislature, First Session, 2013 to create the Department of Children's Services. The Department of Children's Services will be:
 - Responsible for child welfare, behavioral health, developmental disabilities, public health, and medicaid as such programs apply to children
 - Department of Children Services shall also assume responsibilities for duties currently assigned to the OJS and CFS divisions of the department.
- Legislation shall include:
 - That the Division of Medicaid and Long-Term Care of DHHS shall remain the designated single state agency for purposes of federal regulations as required by federal regulations; however an assistant director of the Division of Medicaid and Long-Term Care of DHHS regarding children shall serve as an assistant director in the Department of Children's Services and oversee medicaid programs and services relating to children;
 - A chief executive officer of Department of Children Services shall be appointed by the Governor and will have broad experience with child welfare services reform in complex systems;
 - The services of a chief financial officer with specialized skills for financial oversight;
 - The services of a chief information officer with specialized skills regarding information management;
 - That the Department of Children Services utilize a system-of-care approach based on the principles of inter-agency collaboration, individualized, strength-based care practices, cultural competence, community-based services and accountability;
 - An independent entity specializing in medicaid analysis conduct a cross-system analysis of current services and funding sources to identify general fund and federal utilization, funds for effective

services for at-risk children for home-based and school based intervention, and expanding federal funds to reduce general fund expenditures on such services; and

- The Department of Children Services shall begin providing services July 1, 2013.
- LB 821 shall create the Nebraska Children's Commission. The Commission will develop a statewide strategic plan for reform of child welfare, programs for the welfare of children and children services in the state. The commission shall:
 - Provide a permanent forum for collaboration among state, local, community, public, and private stakeholders in child welfare programs.
 - Consist of twenty-six members representing the three branches of government and a wide array of public and private stakeholders, including:
 - The executive committee of the Nebraska Children's Commission is created. Members of the executive committee shall include the chief executive of the DHHS/Department of Children's Services, the Governor, the Chief Justice, the Chair of HHS Committee and Chair of Judiciary Committee;
 - The executive committee of the Nebraska Children's Commission shall advise the commission regarding the interaction among the three branches of government related to child welfare programs and services. The members of the executive committee shall each represent his or her own branch of government, and no member of the executive committee shall participate in actions that could be deemed to be the exercise of the duties and prerogatives of another branch of government or that improperly delegate the powers and duties of any branch of government to another branch of government.
 - The Nebraska Children's Commission shall work with service area administrators, the 1184 teams, local foster care review boards, child advocacy centers, the teams created pursuant to the Nebraska Supreme Court's Through the Eyes of the Child Initiative, community stakeholders, and advocates for child welfare services and programs to establish community networks. Community networks shall permit community collaboration to strengthen the continuum of services available to child welfare agencies and to provide resources for persons outside the child protection system for the wellness of children.
 - Each service area shall develop its own unique strategies to be included in the statewide strategic plan.
 - The Nebraska Children's Commission shall create a statewide strategic plan for child welfare program and service reform in Nebraska considering, but not be limited to:
 - The potential utilization of lead agencies: In collaboration with community networks; maximizes their strengths, experience, skills, and continuum of care; and eliminates financial incentives that may conflict with the best interests of the children, or result in a reduction of necessary and appropriate services; in addition to geographical lead agency examples from other states lead agency models shall include focus on evidence-based programs for target populations of children and youth within communities; and service coordinators as brokers for coordination of services;
 - Provision of leadership, by the Commission and the Department of Children's Services, in intentional strategies to support high-quality evidence-based prevention and early intervention services that reduce risk and enhance protection for children;
 - Realignment of service areas to be coterminous with the judicial districts;
 - A system wide evaluation by a national entity with expertise in evaluation of child welfare systems;
 - Identification of the type of information needed for a clear and thorough analysis of progress on child welfare indicators;
- DHHS shall implement a process to obtain and utilize data analytics, business intelligence, or similar information technology for accessing real time data in order to foster better decision making with the goal of better outcomes relating to services to children and families.

Principal Introducer: _____

Senator