

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 660

Introduced by Krist, 10.

Read first time January 08, 2014

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to children and families; to amend section
2 68-1212, Revised Statutes Cumulative Supplement, 2012; to
3 change provisions relating to a pilot project; to provide
4 for extension of a contract as prescribed; to provide for
5 an evaluation; to repeal the original section; and to
6 declare an emergency.

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

1 Section 1. Section 68-1212, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 68-1212 (1) Except as provided in subsection (2) of this
4 section, by April 1, 2012, for all cases in which a court has awarded
5 a juvenile to the care of the Department of Health and Human Services
6 according to subsection (1) of section 43-285 and for any noncourt
7 and voluntary cases, the case manager shall be an employee of the
8 department. Such case manager shall be responsible for and shall
9 directly oversee: Case planning; service authorization; investigation
10 of compliance; monitoring and evaluation of the care and services
11 provided to children and families; and decisionmaking regarding the
12 determination of visitation and the care, placement, medical
13 services, psychiatric services, training, and expenditures on behalf
14 of each juvenile under subsection (1) of section 43-285. Such case
15 manager shall be responsible for decisionmaking and direct
16 preparation regarding the proposed plan for the care, placement,
17 services, and permanency of the juvenile filed with the court
18 required under subsection (2) of section 43-285. The health and
19 safety of the juvenile shall be the paramount concern in the proposed
20 plan in accordance with such subsection.

21 (2) The department may contract with a lead agency for a
22 case management lead agency model pilot project in the department's
23 eastern service area as designated pursuant to section 81-3116. The
24 department shall include in the pilot project the appropriate
25 conditions, performance outcomes, and oversight for the lead agency,

1 including, but not be limited to:

2 (a) The reporting and survey requirements of lead
3 agencies described in sections 43-4406 and 43-4407;

4 (b) Departmental monitoring and functional capacities of
5 lead agencies described in section 43-4408;

6 (c) The key areas of evaluation specified in subsection
7 (3) of section 43-4409;

8 (d) Compliance and coordination with the development of
9 the statewide strategic plan for child welfare program and service
10 reform pursuant to Laws 2012, LB821; and

11 (e) Assurance of financial accountability and reporting
12 by the lead agency.

13 (3) ~~Prior to April 1, 2013, the Health and Human Services~~
14 ~~Committee of the Legislature shall review the pilot project and~~
15 ~~provide to the department and the Legislature recommendations, and~~
16 ~~any legislation necessary to adopt the recommendations, regarding the~~
17 ~~adaptation or continuation of the pilot project. In making the~~
18 ~~recommendations, the committee shall utilize: (a) The evaluation~~
19 ~~completed pursuant to Legislative Bill 1160, One Hundred Second~~
20 ~~Legislature, Second Session, 2012; (b) the recommendations of the~~
21 ~~statewide strategic plan pursuant to Legislative Bill 821, One~~
22 ~~Hundred Second Legislature, Second Session, 2012; (c) the~~
23 ~~department's assessment of the pilot project; and (d) any additional~~
24 ~~reports, surveys, information, and data provided to and requested by~~
25 ~~the committee. If the pilot project continues past April 1, 2013, the~~

1 Before June 30, 2014, the department shall extend the contract for
2 the pilot project described in subsection (2) of this section to
3 December 31, 2015. The lead agency shall also comply with the
4 requirements of section 43-4204.

5 Sec. 2. The pilot project described in section 68-1212
6 shall be evaluated by the same entity which conducted the evaluation
7 required pursuant to section 43-4409. The purpose of such evaluation
8 is to determine whether case management should be a duty of the
9 Department of Health and Human Services (1) performed by employees of
10 the department and not subject to contract with a private contractor
11 or (2) performed by a private entity pursuant to a contract with the
12 department. The evaluation shall specifically compare the performance
13 of case management by a private entity under contract with the
14 department in the eastern service area of the department as
15 designated pursuant to section 81-3116 to the performance of
16 employees of the department in all other services areas designated
17 pursuant to such section. The department shall provide to the
18 evaluator in a timely and cooperative manner all data and information
19 collected by and available to the department on the performance of
20 case management by employees of the department in such other services
21 areas. The report of the evaluation shall be presented concurrently
22 to the Health and Human Services Committee of the Legislature, the
23 chief executive officer of the Department of Health and Human
24 Services, and the Nebraska Families Collaborative, on or before
25 December 31, 2015.

1 Sec. 3. Original section 68-1212, Revised Statutes
2 Cumulative Supplement, 2012, is repealed.

3 Sec. 4. Since an emergency exists, this act takes effect
4 when passed and approved according to law.