

LEGISLATIVE BILL 660

Approved by the Governor April 2, 2014

Introduced by Krist, 10; Watermeier, 1; Mello, 5; Dubas, 34; Coash, 27.

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

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

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

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

(2) The department may contract with a lead agency for a case management lead agency model pilot project in the department's eastern service area as designated pursuant to section 81-3116. The department shall include in the pilot project the appropriate conditions, performance outcomes, and oversight for the lead agency, including, but not be limited to:

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

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

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

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

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

(3) ~~Prior to April 1, 2013, the Health and Human Services Committee of the Legislature shall review the pilot project and provide to the department and the Legislature recommendations, and any legislation necessary to adopt the recommendations, regarding the adaptation or continuation of the pilot project. In making the recommendations, the committee shall utilize:~~

~~(a) The evaluation completed pursuant to Legislative Bill 1160, One Hundred Second Legislature, Second Session, 2012; (b) the recommendations of the statewide strategic plan pursuant to Legislative Bill 821, One Hundred Second Legislature, Second Session, 2012; (c) the department's assessment of the pilot project; and (d) any additional reports, surveys, information, and data provided to and requested by the committee. If the pilot project continues past April 1, 2013, the Before June 30, 2014, the department may extend the contract for the pilot project described in subsection (2) of this section. The lead agency shall also comply with the requirements of section 43-4204.~~

Sec. 2. If the pilot project described in section 68-1212 is extended by the Department of Health and Human Services, an evaluation of the pilot project shall be completed by the Legislature prior to December 31, 2014. The Legislature shall utilize all necessary resources, including the hiring of a consultant if deemed necessary. The department and any child welfare entity which has contracted with the department shall provide all data and information to the Legislature to assist in the evaluation.

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

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