Introduced by Hansen, 26, Chairman Enrollment and Review

1. Strike the original sections and all amendments thereto and insert the following new sections:

Section 1. Sections 1 to 14 of this act shall be known and may be cited as the Nebraska Strengthening Families Act.

Sec. 2. The Legislature finds that every day a parent makes important decisions about his or her child’s participation in activities and that a caregiver for a child in out-of-home care is faced with making the same decisions for a child in his or her care.

The Legislature also finds that, when a caregiver makes decisions, he or she must consider applicable laws, rules, and regulations to safeguard the health and safety of a child in out-of-home care and that those laws, rules, and regulations have commonly been interpreted to prohibit children in out-of-home care from participating in extracurricular, enrichment, cultural, and social activities.

The Legislature further finds that participation in these types of activities is important to a child’s well-being, not only emotionally, but in developing valuable life skills.

It is the intent of the Legislature to recognize the importance of making every effort to normalize the lives of children in out-of-home care and to empower a caregiver to approve or disapprove a child’s participation in activities based on the caregiver’s own assessment using a reasonable and prudent parent standard.

Sec. 3. For purposes of the Nebraska Strengthening Families Act:

(1) Age or developmentally appropriate means activities or items that are generally accepted as suitable for a child of the same chronological age or level of maturity or that are determined to be developmentally appropriate for a child, based on the development of
cognitive, emotional, physical, and behavioral capacities that are
typical for an age or age group and, in the case of a specific child,
activities or items that are suitable for the child based on the
developmental stages attained by the child with respect to the cognitive,
enhancement of the child; (2) Caregiver means a foster parent with whom a child in foster care
has been placed or a designated official for a child-care institution in
which a child in foster care has been placed; (3) Child-care institution has the definition found in 42 U.S.C.
672(c), as such section existed on January 1, 2016, and also includes the
definition of residential child-caring agency as found in section
71-1926; (4) Department means the Department of Health and Human Services; (5) Foster family home has the definition found in 42 U.S.C. 672(c),
as such section existed on January 1, 2016, and also includes the
definition as found in section 71-1901; and (6) Reasonable and prudent parent standard means the standard
characterized by careful and sensible parental decisions that maintain
the health, safety, and best interest of a child while at the same time
encouraging the emotional and developmental growth of the child that a
caregiver shall use when determining whether to allow a child in foster
care under the responsibility of the state to participate in
extracurricular, enrichment, cultural, and social activities.

Sec. 4. Every child placed in a foster family home or child-care
institution shall be entitled to participate in age or developmentally
appropriate extracurricular, enrichment, cultural, and social activities.

Sec. 5. Each caregiver shall use the reasonable and prudent parent
standard in determining whether to give permission for a child to
participate in extracurricular, enrichment, cultural, and social
activities. When using the reasonable and prudent parent standard, the
caregiver shall consider:
(1) The child’s goals and input;

(2) To the extent possible, the input of the parent of the child;

(3) The child’s age, maturity, and developmental level to maintain the overall health and safety of the child;

(4) The potential risk factors and the appropriateness of the extracurricular, enrichment, cultural, or social activity;

(5) The best interests of the child, based on information known by the caregiver;

(6) The importance of encouraging the child’s emotional and developmental growth;

(7) The importance of providing the child with the most family-like living experience possible;

(8) The behavioral history of the child and the child’s ability to safely participate in the proposed activity;

(9) The child’s personal and cultural identity; and

(10) The individualized needs of the child.

Sec. 6. (1) The department shall ensure that each foster family home and child-care institution has policies consistent with this section and that such foster family home and child-care institution promote and protect the ability of children to participate in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities.

(2) A caregiver shall use a reasonable and prudent parent standard in determining whether to give permission for a child to participate in extracurricular, enrichment, cultural, and social activities. The caregiver shall take reasonable steps to determine the appropriateness of the activity in consideration of the child’s age, maturity, and developmental level.

(3) The department shall require, as a condition of each contract entered into by a child-care institution to provide foster care, the presence onsite of at least one official who, with respect to any child placed at the child-care institution, is designated to be the caregiver.
who is authorized to apply the reasonable and prudent parent standard to
decisions involving the participation of the child in age or
developmentally appropriate activities, and who is provided with training
in how to use and apply the reasonable and prudent parent standard in the
same manner as foster parents are provided training in section 7 of this
act and who is required to consult whenever possible with the child and
staff members identified by the child in applying the reasonable and
prudent parent standard.

(4) The department shall also require, as a condition of each
contract entered into by a child-care institution to provide foster care,
that all children placed at the child-care institution be notified
verbally and in writing of the process for making a request to
participate in age or developmentally appropriate activities and that a
written notice of this process be posted in an accessible, public place
in the child-care institution.

Sec. 7. The department shall adopt and promulgate rules and
regulations regarding training for foster parents so that foster parents
will be prepared adequately with the appropriate knowledge and skills
relating to the reasonable and prudent parent standard for the
participation of the child in age or developmentally appropriate
activities, including knowledge and skills relating to the developmental
stages of the cognitive, emotional, physical, and behavioral capacities
of the child and knowledge and skills related to applying the standard to
decisions such as whether to allow the child to engage in
extracurricular, enrichment, cultural, and social activities, including
sports, field trips, and overnight activities lasting one or more days
and to decisions involving the signing of permission slips and arranging
of transportation for the child to and from extracurricular, enrichment,
cultural, and social activities.

Sec. 8. A caregiver is not liable for harm caused to a child who
participates in an activity approved by the caregiver or by a child who
participates in an activity approved by a caregiver if the caregiver has
acted in accordance with the reasonable and prudent parent standard. This
section may not be interpreted as removing or limiting any existing
liability protection afforded by law.

Sec. 9. (1) Nothing in the Nebraska Strengthening Families Act or
the application of the reasonable and prudent parent standard shall
affect the parental rights of a parent whose parental rights have not
been terminated pursuant to section 43-292 with respect to his or her
child.

(2) To the extent possible, a parent shall be consulted about his or
her views on the child’s participation in age or developmentally
appropriate activities in the planning process. The department shall
document such consultation in the report filed pursuant to subsection (3)
of section 43-285.

(3) The child’s participation in extracurricular, enrichment,
cultural, and social activities shall be considered at any family team
meeting.

Sec. 10. The department shall document in the report pursuant to
subsection (3) of section 43-285 the steps the department is taking to
ensure that:

(1) The child’s caregiver is following the reasonable and prudent
parent standard;

(2) The child has regular, ongoing opportunities to engage in age or
developmentally appropriate activities;

(3) The department has consulted with the child in an age or
developmentally appropriate manner about the opportunities of the child
to participate in age or developmentally appropriate activities; and

(4) Any barriers to participation in age or developmentally
appropriate activities are identified and addressed.

Sec. 11. (1) At every dispositional, review, or permanency planning
hearing, the juvenile court shall make a determination regarding:
(a) The steps the department is taking to ensure the child’s foster
family home or child-care institution is following the reasonable and
prudent parent standard;

(b) Whether the child has regular, ongoing opportunities to engage
in age or developmentally appropriate activities; and

(c) Whether the department has consulted with the child in an age or
developmentally appropriate manner about the opportunities of the child
to participate in such activities.

(2) In making this determination, the juvenile court shall ask the
child, in an age or developmentally appropriate manner, about his or her
access to regular and ongoing opportunities to engage in age or
developmentally appropriate activities. If the child, the guardian ad
litem, the caregiver, or a party to the proceeding believes that the
child has not had regular, ongoing opportunities to engage in such
activities, the juvenile court may make appropriate findings or orders to
ensure the child has regular, ongoing opportunities to engage in age and
developmentally appropriate activities. In making such findings or
orders, the court shall give deference to the caregiver in making
decisions within the reasonable and prudent parent standard.

Sec. 12. The department and the courts shall work collaboratively
to remove or reduce barriers to a child’s participation in age or
developmentally appropriate activities.

Sec. 13. (1) The plan as provided in subsection (2) of section
43-285 for any child in a foster family home or child-care institution
who has attained fourteen years of age shall include:

(a) A document that describes the rights of the child with respect
to education, health, visitation, and court participation, the right to
be provided with a copy of any consumer report pursuant to 42 U.S.C.
675(5)(I), as such section existed on January 1, 2016, and the right to
stay safe and avoid exploitation. The document shall also describe the
right of the child to be provided documents relating to his or her
education, health, visitation, court participation, and the right to stay
safe and avoid exploitation. The document shall also describe additional
rights of the child, including, but not limited to, the right to:

(i) Understand the system or systems in which the child is involved;
(ii) Have his or her voice heard in his or her case;
(iii) Maintain family connections;
(iv) Access personal information;
(v) Honest and clear communication;
(vi) Have his or her basic needs met;
(vii) Learn life skills needed to successfully transition to
adulthood; and
(viii) Live in the most family-like setting that is safe, healthy,
and comfortable and meets the child’s needs; and
(b) A signed acknowledgment by the child that the child has been
provided with a copy of the document described in this section and that
the rights contained in the document have been explained to the child in
an age or developmentally appropriate manner.

(2) The document shall be provided to the child in a hard copy and
offered to the child within seventy-two hours of being placed in a foster
family home or child-care institution and at every dispositional, review,
and permanency planning hearing.

(3) The department shall require, as a condition of each contract
entered into by a child-care institution to provide foster care, that the
child-care institution publicly post the document described in this
section in an accessible location.

Sec. 14. The department shall adopt and promulgate rules and
regulations to carry out the Nebraska Strengthening Families Act and
shall revoke any rules or regulations inconsistent with the act by
October 15, 2016.

Sec. 15. Section 43-272.01, Revised Statutes Supplement, 2015, is
amended to read:
43-272.01 (1) A guardian ad litem as provided for in subsections (2) and (3) of section 43-272 shall be appointed when a child is removed from his or her surroundings pursuant to subdivision (2) or (3) of section 43-248, subsection (2) of section 43-250, or section 43-251. If removal has not occurred, a guardian ad litem shall be appointed at the commencement of all cases brought under subdivision (3)(a) or (7) of section 43-247 and section 28-707.

(2) In the course of discharging duties as guardian ad litem, the person so appointed shall consider, but not be limited to, the criteria provided in this subsection. The guardian ad litem:

(a) Is appointed to stand in lieu of a parent for a protected juvenile who is the subject of a juvenile court petition, shall be present at all hearings before the court in such matter unless expressly excused by the court, and may enter into such stipulations and agreements concerning adjudication and disposition deemed by him or her to be in the juvenile's best interests;

(b) Is not appointed to defend the parents or other custodian of the protected juvenile but shall defend the legal and social interests of such juvenile. Social interests shall be defined generally as the usual and reasonable expectations of society for the appropriate parental custody and protection and quality of life for juveniles without regard to the socioeconomic status of the parents or other custodians of the juvenile;

(c) May at any time after the filing of the petition move the court of jurisdiction to provide medical or psychological treatment or evaluation as set out in section 43-258. The guardian ad litem shall have access to all reports resulting from any examination ordered under section 43-258, and such reports shall be used for evaluating the status of the protected juvenile;

(d) Shall make every reasonable effort to become familiar with the needs of the protected juvenile which (i) shall include consultation with
the juvenile in his or her respective placement within two weeks after
the appointment and once every six months thereafter, unless the court
approves other methods of consultation as provided in subsection (6) of
this section, and inquiry of the most current caseworker, foster parent,
or other custodian and (ii) may include inquiry of others directly
involved with the juvenile or who may have information or knowledge about
the circumstances which brought the juvenile court action or related
cases and the development of the juvenile, including biological parents,
physicians, psychologists, teachers, and clergy members;

(e) May present evidence and witnesses and cross-examine witnesses
at all evidentiary hearings. In any proceeding under this section
relating to a child of school age, certified copies of school records
relating to attendance and academic progress of such child are admissible
in evidence;

(f) Shall be responsible for making written reports and
recommendations to the court at every dispositional, review, or
permanency planning hearing regarding (i) the temporary and permanent
placement of the protected juvenile, (ii) the type and number of contacts
with the juvenile, (iii) the type and number of contacts with other
individuals described in subdivision (d) of this subsection, (iv) the
child’s access to regular, ongoing opportunities to engage in age or
developmentally appropriate activities and any barriers to the child’s
participation in such activities, (v) whether the guardian ad litem has
discussed with the child, if applicable pursuant to section 13 of this
act, the rights of the child, in an age or developmentally appropriate
manner, including inquiring of the child if the child believes any of his
or her rights have been violated, (vi) the efforts to involve or engage
the child in the development of his or her case plan pursuant to
subdivision (1)(g) of section 43-1312 and, if applicable, his or her
transition proposal, pursuant to subsection (4) of section 43-1311.03,
(vii) the efforts to prepare the child to participate in court, in an age
or developmentally appropriate manner, if the child desires to participate in court, (viii) whether the transition proposal includes the services needed to assist the child to make the transition from foster care to adulthood, if applicable pursuant to section 43-1311.03, (ix) the requirements of subsection (4) of section 43-1312, if applicable, and (x) any further relevant information on a form prepared by the Supreme Court. As an alternative to the written reports and recommendations, the court may provide the guardian ad litem with a checklist that shall be completed and presented to the court at every dispositional or review hearing. A copy of the written reports and recommendations to the court or a copy of the checklist presented to the court shall also be submitted to the Foster Care Review Office for any juvenile in foster care placement as defined in section 43-1301;

(g) Shall consider such other information as is warranted by the nature and circumstances of a particular case; and

(h) May file a petition in the juvenile court on behalf of the juvenile, including a supplemental petition as provided in section 43-291.

(3) Nothing in this section shall operate to limit the discretion of the juvenile court in protecting the best interests of a juvenile who is the subject of a juvenile court petition.

(4) For purposes of subdivision (2)(d) of this section, the court may order the expense of such consultation, if any, to be paid by the county in which the juvenile court action is brought or the court may, after notice and hearing, assess the cost of such consultation, if any, in whole or in part to the parents of the juvenile. The ability of the parents to pay and the amount of the payment shall be determined by the court by appropriate examination.

(5) The guardian ad litem may be compensated on a per-case appointment system or pursuant to a system of multi-case contracts. Regardless of the method of compensation, billing hours and expenses for
court-appointed guardian ad litem services shall be submitted to the

court for approval and shall be recorded on a written, itemized billing

statement signed by the attorney responsible for the case. Billing hours

and expenses for guardian ad litem services rendered under a contract for

such services shall be submitted to the entity with whom the guardian ad

litem contracts in the form and manner prescribed by such entity for

approval. Case time for guardian ad litem services shall be scrupulously

accounted for by the attorney responsible for the case. Additionally, in

the case of a multi-lawyer firm or organization retained for guardian ad

litem services, the name of the attorney or attorneys assigned to each

guardian ad litem case shall be recorded.

(6) The guardian ad litem shall meet in person with the juvenile for

purposes of the consultation required by subdivision (2)(d) of this

section unless prohibited or made impracticable by exceptional

circumstances, including, but not limited to, situations in which an

unreasonable geographical distance is involved between the location of

the guardian ad litem and the juvenile. When such exceptional

circumstances exist, the guardian ad litem shall attempt such

consultation by other reasonable means, including, but not limited to, by

telephone or suitable electronic means, if the juvenile is of sufficient

age and capacity to participate in such means of communication and there

are no other barriers preventing such means of communication. If

consultation by telephone or suitable electronic means is not feasible,

the guardian ad litem shall seek direction from the court as to any other

acceptable method by which to accomplish consultation required by

subdivision (2)(d) of this section.

Sec. 16. Section 43-285, Revised Statutes Supplement, 2015, is

amended to read:

43-285 (1) When the court awards a juvenile to the care of the

Department of Health and Human Services, an association, or an individual

in accordance with the Nebraska Juvenile Code, the juvenile shall, unless
otherwise ordered, become a ward and be subject to the legal custody and
care of the department, association, or individual to whose care he or
she is committed. Any such association and the department shall have
authority, by and with the assent of the court, to determine the care,
placement, medical services, psychiatric services, training, and
expenditures on behalf of each juvenile committed to it. Any such
association and the department shall be responsible for applying for any
health insurance available to the juvenile, including, but not limited
to, medical assistance under the Medical Assistance Act. Such custody and
care shall not include the guardianship of any estate of the juvenile.

(2)(a) Following an adjudication hearing at which a juvenile is
adjudged to be under subdivision (3)(a) or (c) of section 43-247, the
court may order the department to prepare and file with the court a
proposed plan for the care, placement, services, and permanency which are
to be provided to such juvenile and his or her family. The health and
safety of the juvenile shall be the paramount concern in the proposed
plan.

(b) The department shall provide opportunities for the child, in an
age or developmentally appropriate manner, to be consulted in the
development of his or her plan.

(c b) The department shall include in the plan for a child who is
fourteen sixteen years of age or older and subject to the legal care and
custody of the department a written independent living transition
proposal which meets the requirements of section 43-1311.03 and, for
eligible children, the Young Adult Bridge to Independence Act. The
juvenile court shall provide a copy of the plan to all interested parties
before the hearing. The court may approve the plan, modify the plan,
order that an alternative plan be developed, or implement another plan
that is in the child's best interests. In its order the court shall
include a finding regarding the appropriateness of the programs and
services described in the proposal designed to help the child prepare for
the transition from foster care to a successful adulthood. The court shall also ask the child, in an age or developmentally appropriate manner, if he or she participated in the development of his or her plan and make a finding regarding the child’s participation in the development of his or her plan assist the child in acquiring independent living skills. Rules of evidence shall not apply at the dispositional hearing when the court considers the plan that has been presented.

(d e) The last court hearing before jurisdiction pursuant to subdivision (3)(a) of section 43-247 is terminated for a child who is sixteen years of age or older shall be called the independence hearing. In addition to other matters and requirements to be addressed at this hearing, the independence hearing shall address the child’s future goals and plans and access to services and support for the transition from foster care to adulthood consistent with section 43-1311.03 and the Young Adult Bridge to Independence Act. The child shall not be required to attend the independence hearing, but efforts shall be made to encourage and enable the child's attendance if the child wishes to attend, including scheduling the hearing at a time that permits the child's attendance. An independence coordinator as provided in section 43-4506 shall attend the hearing if reasonably practicable, but the department is not required to have legal counsel present. At the independence hearing, the court shall advise the child about the bridge to independence program, including, if applicable, the right of young adults in the bridge to independence program to request a court-appointed, client-directed attorney under subsection (1) of section 43-4510 and the benefits and role of such attorney and to request additional permanency review hearings in the bridge to independence program under subsection (5) of section 43-4508 and how to request such a hearing. The court shall also advise the child, if applicable, of the rights he or she is giving up if he or she chooses not to participate in the bridge to independence program and the option to enter such program at any time between nineteen
and twenty-one years of age if the child meets the eligibility requirements of section 43-4504. The department shall present information to the court regarding other community resources that may benefit the child, specifically information regarding state programs established pursuant to 42 U.S.C. 677. The court shall also make a finding as to whether the child has received the documents as required by subsection (9) of section 43-1311.03.

(3) Within thirty days after an order awarding a juvenile to the care of the department, an association, or an individual and until the juvenile reaches the age of majority, the department, association, or individual shall file with the court a report stating the location of the juvenile's placement and the needs of the juvenile in order to effectuate the purposes of subdivision (1) of section 43-246. The department, association, or individual shall file a report with the court once every six months or at shorter intervals if ordered by the court or deemed appropriate by the department, association, or individual. Every six months, the report shall provide an updated statement regarding the eligibility of the juvenile for health insurance, including, but not limited to, medical assistance under the Medical Assistance Act. The department, association, or individual shall file a report and notice of placement change with the court and shall send copies of the notice to all interested parties at least seven days before the placement of the juvenile is changed from what the court originally considered to be a suitable family home or institution to some other custodial situation in order to effectuate the purposes of subdivision (1) of section 43-246. The court, on its own motion or upon the filing of an objection to the change by an interested party, may order a hearing to review such a change in placement and may order that the change be stayed until the completion of the hearing. Nothing in this section shall prevent the court on an ex parte basis from approving an immediate change in placement upon good cause shown. The department may make an immediate
change in placement without court approval only if the juvenile is in a harmful or dangerous situation or when the foster parents request that the juvenile be removed from their home. Approval of the court shall be sought within twenty-four hours after making the change in placement or as soon thereafter as possible. The department shall provide the juvenile's guardian ad litem with a copy of any report filed with the court by the department pursuant to this subsection.

(4) The court shall also hold a permanency hearing if required under section 43-1312.

(5) When the court awards a juvenile to the care of the department, an association, or an individual, then the department, association, or individual shall have standing as a party to file any pleading or motion, to be heard by the court with regard to such filings, and to be granted any review or relief requested in such filings consistent with the Nebraska Juvenile Code.

(6) Whenever a juvenile is in a foster care placement as defined in section 43-1301, the Foster Care Review Office or the designated local foster care review board may participate in proceedings concerning the juvenile as provided in section 43-1313 and notice shall be given as provided in section 43-1314.

(7) Any written findings or recommendations of the Foster Care Review Office or the designated local foster care review board with regard to a juvenile in a foster care placement submitted to a court having jurisdiction over such juvenile shall be admissible in any proceeding concerning such juvenile if such findings or recommendations have been provided to all other parties of record.

(8) The executive director and any agent or employee of the Foster Care Review Office or any member of any local foster care review board participating in an investigation or making any report pursuant to the Foster Care Review Act or participating in a judicial proceeding pursuant to this section shall be immune from any civil liability that would
otherwise be incurred except for false statements negligently made.

Sec. 17. Section 43-1311.03, Revised Statutes Cumulative Supplement, 2014, is amended to read:

43-1311.03 (1) When a child placed in foster care turns fourteen sixteen years of age or enters foster care and is at least fourteen sixteen years of age, a written independent living transition proposal shall be developed by the Department of Health and Human Services at the direction and involvement of the child to prepare for the transition from foster care to successful adulthood. Any revision or addition to such proposal shall also be made in consultation with the child. The transition proposal shall be personalized based on the child's needs and shall describe the services needed for the child to transition to a successful adulthood. The transition proposal shall include, but not be limited to, the following needs and the services needed for the child to transition to a successful adulthood:

(a) Education;
(b) Employment services and other workforce support;
(c) Health and health care coverage, including the child's potential eligibility for medicaid coverage under the federal Patient Protection and Affordable Care Act, 42 U.S.C. 1396a(a)(10)(A)(i)(IX), as such act and section existed on January 1, 2013;
(d) Behavioral health treatment and support needs and access to such treatment and support;
(e) Financial assistance, including education on credit card financing, banking, and other services;
(f) Housing;
(g) Relationship development and permanent connections; and
(h) Adult services, if the needs assessment indicates that the child is reasonably likely to need or be eligible for services or other support from the adult services system.

(2) The transition proposal shall be developed and frequently
reviewed by the department in collaboration with the child's transition team. The transition team shall be comprised of the child, the child's caseworker, the child's guardian ad litem, individuals selected by the child, and individuals who have knowledge of services available to the child. One of the individuals selected by the child may be designated as the child’s advisor and, as necessary, advocate for the child with respect to the application of the reasonable and prudent parent standard and for the child on normalcy activities. The department may reject an individual selected by the child to be a member of the team if the department has good cause to believe the individual would not act in the best interests of the child.

(3) The transition proposal shall be considered a working document and shall be, at the least, updated for and reviewed at every permanency or review hearing by the court. The court shall determine whether the transition proposal includes the services needed to assist the child to make the transition from foster care to a successful adulthood.

(4) The transition proposal shall document what efforts were made to involve and engage the child in the development of the transition proposal and any revisions or additions to the transition proposal. The court shall ask the child, in an age or developmentally appropriate manner, about his or her involvement in the development of the transition proposal and any revisions or additions to such proposal. The court shall make a finding as to the child’s involvement in the development of the transition proposal and any revisions or additions to such proposal.

(5) The final transition proposal prior to the child's leaving foster care shall specifically identify how the need for housing will be addressed.

(6) If the child is interested in pursuing higher education, the transition proposal shall provide for the process in applying for any applicable state, federal, or private aid.

(7) The department shall provide without cost a copy of any consumer...
report as defined in 15 U.S.C. 1681a(d), as such section existed on January 1, 2016, pertaining to the child each year until the child is discharged from care and assistance, including when feasible, from the child’s guardian ad litem, in interpreting and resolving any inaccuracies in the report.

(8 6) A child adjudicated to be a juvenile described in subdivision (3)(a) of section 43-247 and who is in an out-of-home placement shall receive information regarding the Young Adult Bridge to Independence Act and the bridge to independence program available under the act. The department shall create a clear and developmentally appropriate written notice discussing the rights of eligible young adults to participate in the program. The notice shall include information about eligibility and requirements to participate in the program, the extended services and support that young adults are eligible to receive under the program, and how young adults can be a part of the program. The notice shall also include information about the young adult's right to request a client-directed attorney to represent the young adult pursuant to section 43-4510 and the benefits and role of an attorney. The department shall disseminate this information to all children who were adjudicated to be a juvenile described in subdivision (3)(a) of section 43-247 and who are in an out-of-home placement at sixteen years of age and yearly thereafter until nineteen years of age, and not later than ninety days prior to the child's last court review before attaining nineteen years of age or being discharged from foster care to independent living. In addition to providing the written notice, not later than ninety days prior to the child's last court review before attaining nineteen years of age or being discharged from foster care to independent living, a representative of the department shall explain the information contained in the notice to the child in person and the timeline necessary to avoid a lapse in services and support.

(9 7) On or before the date the child reaches eighteen or nineteen
years of age or twenty-one years of age if the child participates in the
bridge to independence program, if the child is leaving foster care, the
department shall provide the child with:

(a) A certified copy of the child's birth certificate and
facilitate securing a federal social security card when the child is
eligible for such card; and

(b) Health insurance information and all documentation required for
enrollment in medicaid coverage for former foster care children as
available under the federal Patient Protection and Affordable Care Act,
42 U.S.C. 1396a(a)(10)(A)(i)(IX), as such act and section existed on
January 1, 2013;

(c) A copy of the child’s medical records;

(d) A driver's license or identification card issued by a state in
accordance with the requirements of section 202 of the REAL ID Act of
2005, as such section existed on January 1, 2016;

(e) A copy of the child’s educational records;

(f) A credit report check;

(g) Contact information, with permission, for family members,
including siblings, with whom the child can maintain a safe and
appropriate relationship, and other supportive adults;

(h) A list of local community resources, including, but not limited
to, support groups, health clinics, mental and behavioral health and
substance abuse treatment services and support, pregnancy and parenting
resources, and employment and housing agencies;

(i) Written information, including, but not limited to, contact
information, for disability resources or benefits that may assist the
child as an adult, specifically including information regarding state
programs established pursuant to 42 U.S.C. 677, as such section existed
on January 1, 2016, and disability benefits, including supplemental
security income pursuant to 42 U.S.C. 1382 et seq., as such sections
exited on January 1, 2016, or social security disability insurance
pursuant to 42 U.S.C. 423, as such section existed on January 1, 2016, if
the child may be eligible as an adult;

(j) An application for public assistance and information on how to
access the system to determine public assistance eligibility;

(k) A letter prepared by the department that verifies the child’s
name and date of birth, dates the child was in foster care, and whether
the child was in foster care on his or her eighteenth, nineteenth, or
twenty-first birthday and enrolled in medicaid while in foster care;

(l) Written information about the child’s Indian heritage or tribal
connection, if any; and

(m) Written information on how to access personal documents in the
future.

All fees associated with securing the certified copy of the child's
birth certificate or obtaining an operator's license or a state
identification card shall be waived by the state.

The transition proposal shall document that the child was provided
all of the documents listed in this subsection. The court shall make a
finding as to whether the child has received the documents as part of the
independence hearing as provided in subdivision (2)(d) of section 43-285.

Sec. 18. Section 43-1312, Revised Statutes Cumulative Supplement,
2014, is amended to read:

43-1312 (1) Following the investigation conducted pursuant to
section 43-1311 and immediately following the initial placement of the
child, the person or court in charge of the child shall cause to be
established a safe and appropriate plan for the child. The plan shall
contain at least the following:

(a) The purpose for which the child has been placed in foster care;

(b) The estimated length of time necessary to achieve the purposes
of the foster care placement;

(c) A description of the services which are to be provided in order
to accomplish the purposes of the foster care placement;
(d) The person or persons who are directly responsible for the implementation of such plan;

(e) A complete record of the previous placements of the foster child; and

(f) The name of the school the child shall attend as provided in section 43-1311;

(g) The efforts made to involve and engage the child in the development of such plan.

(2) If the return of the child to his or her parents is not likely based upon facts developed as a result of the investigation, the Department of Health and Human Services shall recommend termination of parental rights and referral for adoption, guardianship, placement with a relative, or, as a last resort, and only in the case of a child who has attained sixteen years of age, another planned permanent living arrangement. If the child is removed from his or her home, the department shall make reasonable efforts to accomplish joint-sibling placement or sibling visitation or ongoing interaction between the siblings as provided in section 43-1311.02.

(3) Each child in foster care under the supervision of the state shall have a permanency hearing by a court, no later than twelve months after the date the child enters foster care and annually thereafter during the continuation of foster care. The court's order shall include the determinations required by section 11 of this act and a finding regarding the appropriateness of the permanency plan determined for the child and shall include whether, and if applicable when, the child will be:

(a) Returned to the parent;

(b) Referred to the state for filing of a petition for termination of parental rights;

(c) Placed for adoption;

(d) Referred for guardianship; or
(e) In cases where the state agency has documented to the court a compelling reason for determining that it would not be in the best interests of the child to return home, (i) referred for termination of parental rights, (ii) placed for adoption with a fit and willing relative, or (iii) placed with a guardian.

(4) In the case of any child age sixteen years of age or older for whom another planned permanent living arrangement is the recommended or court-approved permanency plan:

(a) The permanency plan shall include the identification of significant, supportive connections with identified adults willing to be consistently involved in the child’s life as the child transitions to adulthood;

(b) The department shall document the intensive, ongoing, and, as of the date of the hearing, unsuccessful efforts made by the department to return the child home or secure a placement for the child with a fit and willing relative, a legal guardian, or an adoptive parent; and

(c) The court shall:

(i) Ask the child about the desired permanency outcome for the child;

(ii) Make a determination explaining why, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the child and the compelling reasons why it continued to not be in the best interests of the child to return home, be placed for adoption, be placed with a legal guardian, or be placed with a fit and willing relative; and

(iii) Make a determination that the department has met the requirements in subdivisions (a) and (b) of this subsection before approving a permanency plan of another planned permanent living arrangement for a child sixteen years of age or older.

Sec. 19. (1) The Normalcy Task Force is created. The Normalcy Task Force shall monitor and make recommendations regarding the implementation
of the federal Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183, as such act existed on January 1, 2016, in Nebraska.

(2) The members of the task force shall include, but not be limited to, (a) representatives from the legislative, executive, and judicial branches of government. The representatives from the legislative and judicial branches shall be nonvoting, ex officio members, (b) no fewer than three young adults currently or previously in foster care which may be filled on a rotating basis by members of Project Everlast or a similar youth support or advocacy group, (c) a representative from the juvenile probation system, (d) the executive director of the Foster Care Review Office, (e) one or more representatives from a child welfare advocacy organization, (f) one or more representatives from a child welfare service agency, (g) one or more representatives from an agency providing independent living services, (h) one or more representatives of a child-care institution, (i) one or more current or former foster parents, (j) one or more parents who have experience in the foster care system, and (k) one or more professionals who have relevant practical experience such as a caseworker.

(3) On or before July 1, 2016, the Nebraska Children’s Commission shall appoint the members of the task force. Members of the task force shall be appointed for terms of two years. The commission shall appoint a chairperson or chairpersons of the task force and may fill vacancies on the task force as such vacancies occur.

(4) The task force shall provide a written report with recommendations regarding the initial and ongoing implementation of the federal Preventing Sex Trafficking and Strengthening Families Act, as such act existed on January 1, 2016, and related efforts to improve normalcy for children in foster care and related populations to the Nebraska Children's Commission, the Health and Human Services Committee of the Legislature, the department, and the Governor by December 15 of each year. The report to the Health and Human Services Committee of the
Legislature shall be submitted electronically.

Sec. 20. This act becomes operative on July 1, 2016.

Sec. 21. Original sections 43-1311.03 and 43-1312, Revised Statutes
Cumulative Supplement, 2014, and sections 43-272.01 and 43-285, Revised
Statutes Supplement, 2015, are repealed.

Sec. 22. Since an emergency exists, this act takes effect when
passed and approved according to law.

2. On page 1, line 7, after the second semicolon insert "to provide
an operative date;".