

AMENDMENTS TO LB1078

Introduced by Crawford, 45.

1           1. Insert the following new section:

2           Section 1. Section 43-1303, Revised Statutes Supplement, 2017, is  
3 amended to read:

4           43-1303 (1) The office shall maintain the statewide register of all  
5 foster care placements occurring within the state, and there shall be a  
6 weekly report made to the registry of all foster care placements by the  
7 Department of Health and Human Services, any child-placing agency, or any  
8 court in a form as developed by the office in consultation with  
9 representatives of entities required to make such reports. For each child  
10 entering and leaving foster care, such report shall consist of  
11 identifying information, placement information, the plan or permanency  
12 plan developed by the person or court in charge of the child pursuant to  
13 section 43-1312, and information on whether any such child was a person  
14 immune from criminal prosecution under subsection (5) of section 28-801  
15 or was considered a trafficking victim as defined in section 28-830. The  
16 department, the Office of Probation Administration, and every court and  
17 child-placing agency shall report any foster care placement within three  
18 working days. The report shall contain the following information:

19           (a) Child identification information, including name, date of birth,  
20 gender, race, religion, and ethnicity;

21           (b) Identification information for parents and stepparents,  
22 including name, address, and status of parental rights;

23           (c) Placement information, including (i) initial placement date,  
24 (ii) current placement date, (iii) and the name and address of the foster  
25 care placement, (iv) if a relative placement or kinship placement,  
26 whether the foster care placement is licensed, and (v) whether the foster  
27 care placement has received a waiver pursuant to section 71-1904 and the

1 basis for such waiver;

2 (d) Court status information, including which court has  
3 jurisdiction, initial custody date, court hearing date, and results of  
4 the court hearing;

5 (e) Agency or other entity having custody of the child; and

6 (f) Case worker, probation officer, or person providing direct case  
7 management or supervision functions.

8 (2)(a) The Foster Care Review Office shall designate a local board  
9 to conduct foster care file audit case reviews for each case of children  
10 in foster care placement.

11 (b) The office may adopt and promulgate rules and regulations for  
12 the following:

13 (i) Establishment of training programs for local board members which  
14 shall include an initial training program and periodic inservice training  
15 programs;

16 (ii) Development of procedures for local boards;

17 (iii) Establishment of a central record-keeping facility for all  
18 local board files, including foster care file audit case reviews;

19 (iv) Accumulation of data and the making of annual reports on  
20 children in foster care placements. Such reports shall include, but not  
21 be limited to, (A) personal data on length of time in foster care, (B)  
22 number of placements, (C) frequency and results of foster care file audit  
23 case reviews and court review hearings, (D) number of children supervised  
24 by the foster care programs in the state annually, (E) trend data  
25 impacting foster care, services, and placements, (F) analysis of the  
26 data, and (G) recommendations for improving the foster care system in  
27 Nebraska;

28 (v) Accumulation of data and the making of quarterly reports  
29 regarding the children in foster care placements;

30 (vi) To the extent not prohibited by section 43-1310, evaluation of  
31 the judicial and administrative data collected on foster care and the

1 dissemination of such data to the judiciary, public and private agencies,  
2 the department, and members of the public; and

3 (vii) Manner in which the office shall determine the appropriateness  
4 of requesting a court review hearing as provided for in section 43-1313.

5 (3) A local board shall send a written report to the office for each  
6 foster care file audit case review conducted by the local board. A court  
7 shall send a written report to the office for each foster care review  
8 hearing conducted by the court.

9 (4) The office shall report and make recommendations to the  
10 Legislature, the department, the Office of Probation Administration, the  
11 courts, local boards, and county welfare offices. Such reports and  
12 recommendations shall include, but not be limited to, the annual judicial  
13 and administrative data collected on foster care pursuant to subsections  
14 (2) and (3) of this section and the annual evaluation of such data. The  
15 report and recommendations submitted to the Legislature shall be  
16 submitted electronically. In addition, the Foster Care Review Office  
17 shall provide copies of such reports and recommendations to each court  
18 having the authority to make foster care placements. The executive  
19 director of the office shall also provide, at a time specified by the  
20 Health and Human Services Committee of the Legislature, regular  
21 electronic updates regarding child welfare data and information at least  
22 quarterly, and a fourth-quarter report which shall be the annual report.  
23 The executive director shall include issues, policy concerns, and  
24 problems which have come to the office and the executive director from  
25 analysis of the data. The executive director shall recommend alternatives  
26 to the identified problems and related needs of the office and the foster  
27 care system to the committee. The Health and Human Services Committee  
28 shall coordinate and prioritize data and information requests submitted  
29 to the office by members of the Legislature. The annual report of the  
30 office shall be completed by December 1 each year and shall be submitted  
31 electronically to the committee.

1           (5) The executive director of the office or his or her designees  
2 from the office may visit and observe foster care facilities in order to  
3 ascertain whether the individual physical, psychological, and  
4 sociological needs of each foster child are being met.

5           (6) At the request of any state agency, the executive director of  
6 the office or his or her designees from the office may conduct a case  
7 file review process and data analysis regarding any state ward or ward of  
8 the court whether placed in-home or out-of-home at the time of the case  
9 file review.

10          2. Renumber the remaining sections and amend the repealer  
11 accordingly.