

E AND R AMENDMENTS TO LB 732

Introduced by Wishart, 27, Chairman Enrollment and Review

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

3           Section 1. Section 43-4203, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           43-4203 (1) The Nebraska Children's Commission shall work with  
6 administrators from each of the service areas designated pursuant to  
7 section 81-3116, the teams created pursuant to section 28-728, local  
8 foster care review boards, child advocacy centers, the teams created  
9 pursuant to the Supreme Court's Through the Eyes of the Child Initiative,  
10 community stakeholders, and advocates for child welfare programs and  
11 services to establish networks in each of such service areas. Such  
12 networks shall permit collaboration to strengthen the continuum of  
13 services available to child welfare agencies and to provide resources for  
14 children and juveniles outside the child protection system. Each service  
15 area shall develop its own unique strategies to be included in the  
16 statewide strategic plan. The Department of Health and Human Services  
17 shall assist in identifying the needs of each service area.

18           (2)(a) The commission shall create a committee to examine state  
19 policy regarding the prescription of psychotropic drugs for children who  
20 are wards of the state and the administration of such drugs to such  
21 children. Such committee shall review the policy and procedures for  
22 prescribing and administering such drugs and make recommendations to the  
23 commission for changes in such policy and procedures.

24           (b) The commission shall create a committee to examine the Office of  
25 Juvenile Services and the Juvenile Services Division of the Office of  
26 Probation Administration. Such committee shall review the role and  
27 effectiveness of out-of-home placements utilized in the juvenile justice

1 system, including the youth rehabilitation and treatment centers, and  
2 make recommendations to the commission on the juvenile justice continuum  
3 of care, including what populations should be served in out-of-home  
4 placements and what treatment services should be provided at the centers  
5 in order to appropriately serve those populations. Such committee shall  
6 also review how mental and behavioral health services are provided to  
7 juveniles in residential placements and the need for such services  
8 throughout Nebraska and make recommendations to the commission relating  
9 to those systems of care in the juvenile justice system. The committee  
10 shall collaborate with the University of Nebraska at Omaha, Juvenile  
11 Justice Institute, the University of Nebraska Medical Center, Center for  
12 Health Policy, the behavioral health regions as established in section  
13 71-807, and state and national juvenile justice experts to develop  
14 recommendations. The recommendations shall include a plan to implement a  
15 continuum of care in the juvenile justice system to meet the needs of  
16 Nebraska families, including specific recommendations for the  
17 rehabilitation and treatment model. The recommendations shall be  
18 delivered to the commission and electronically to the Judiciary Committee  
19 of the Legislature annually by September ~~December~~ 1.

20 (c) The commission may organize committees as it deems necessary.  
21 Members of the committees may be members of the commission or may be  
22 appointed, with the approval of the majority of the commission, from  
23 individuals with knowledge of the committee's subject matter,  
24 professional expertise to assist the committee in completing its assigned  
25 responsibilities, and the ability to collaborate within the committee and  
26 with the commission to carry out the powers and duties of the commission.  
27 No member of any committee created pursuant to this section shall have  
28 any private financial interest, profit, or benefit from any work of such  
29 committee.

30 (d) The Title IV-E Demonstration Project Committee created pursuant  
31 to section 43-4208 and the Foster Care Reimbursement Rate Committee

1 created pursuant to section 43-4212 are under the jurisdiction of the  
2 commission.

3 (3) The commission shall work with the office of the State Court  
4 Administrator, as appropriate, and entities which coordinate facilitated  
5 conferencing as described in section 43-247.03. Facilitated conferencing  
6 shall be included in statewide strategic plan discussions by the  
7 commission. Facilitated conferencing shall continue to be utilized and  
8 maximized, as determined by the court of jurisdiction, during the  
9 development of the statewide strategic plan. Funding and contracting with  
10 mediation centers approved by the Office of Dispute Resolution to provide  
11 facilitated conferencing shall continue to be provided by the office of  
12 the State Court Administrator at an amount of no less than the General  
13 Fund transfer under subsection (1) of section 43-247.04.

14 (4) The commission shall gather information and communicate with  
15 juvenile justice specialists of the Office of Probation Administration  
16 and county officials with respect to any county-operated practice model  
17 participating in the Crossover Youth Program of the Center for Juvenile  
18 Justice Reform at Georgetown University.

19 (5) The commission shall coordinate and gather information about the  
20 progress and outcomes of the Nebraska Juvenile Service Delivery Project  
21 established pursuant to section 43-4101.

22 (6) The commission shall develop a system-of-care plan beginning  
23 with prevention services through treatment services for the child welfare  
24 system based on relevant data and evidence-based practices to meet the  
25 specific needs of each area of the state. Such system-of-care plan shall  
26 include services that are goal-driven and outcome-based and shall  
27 evaluate the feasibility of utilizing performance-based contracting for  
28 specific child welfare services, including the feasibility of additional  
29 contractual requirements for service providers requiring services to all  
30 children without an option to deny service.

31 (7) The commission shall analyze case management workforce issues

1 and make recommendations to the Health and Human Services Committee of  
2 the Legislature regarding:

3 (a) Salary comparisons with other states and the current pay  
4 structure based on job descriptions;

5 (b) Utilization of incentives for persons who work in the area of  
6 child welfare;

7 (c) Evidence-based training requirements for persons who work in the  
8 area of child welfare and their supervisors; and

9 (d) Collaboration with the University of Nebraska to increase and  
10 sustain such workforce.

11 Sec. 2. Section 43-4207, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 43-4207 The Nebraska Children's Commission shall provide a written  
14 report to the Governor and an electronic report to the Health and Human  
15 Services Committee of the Legislature of its activities during the  
16 previous year on or before December 1, 2015. If the commission is  
17 continued by the Legislature as provided in section 43-4202, the  
18 commission shall provide such report on or before September ~~December~~ 1 of  
19 each year the commission is continued.

20 Sec. 3. Section 43-4218, Revised Statutes Supplement, 2017, is  
21 amended to read:

22 43-4218 (1)(a) The Normalcy Task Force is created. On July 1, 2017,  
23 the Normalcy Task Force shall become the Nebraska Strengthening Families  
24 Act Committee.

25 (b)(i) Beginning July 1, 2016, until July 1, 2017, the Normalcy Task  
26 Force shall monitor and make recommendations regarding the implementation  
27 in Nebraska of the federal Preventing Sex Trafficking and Strengthening  
28 Families Act, Public Law 113-183, as such act existed on January 1, 2016.

29 (ii) On and after July 1, 2017, the Nebraska Strengthening Families  
30 Act Committee shall monitor and make recommendations regarding the  
31 implementation in Nebraska of the federal Preventing Sex Trafficking and

1 Strengthening Families Act, Public Law 113-183, as such act existed on  
2 January 1, 2017, and the Nebraska Strengthening Families Act.

3 (2) Until July 1, 2017, the members of the task force, and on and  
4 after July 1, 2017, the members of the committee shall include, but not  
5 be limited to, (a) representatives from the legislative, executive, and  
6 judicial branches of government. The representatives from the legislative  
7 and judicial branches shall be nonvoting, ex officio members, (b) no  
8 fewer than three young adults currently or previously in foster care  
9 which may be filled on a rotating basis by members of Project Everlast or  
10 a similar youth support or advocacy group, (c) a representative from the  
11 juvenile probation system, (d) the executive director of the Foster Care  
12 Review Office, (e) one or more representatives from a child welfare  
13 advocacy organization, (f) one or more representatives from a child  
14 welfare service agency, (g) one or more representatives from an agency  
15 providing independent living services, (h) one or more representatives of  
16 a child-care institution as defined in section 43-4703, (i) one or more  
17 current or former foster parents, (j) one or more parents who have  
18 experience in the foster care system, (k) one or more professionals who  
19 have relevant practical experience such as a caseworker, and (l) one or  
20 more guardians ad litem who practice in juvenile court.

21 (3) On or before July 1, 2016, the Nebraska Children's Commission  
22 shall appoint the members of the task force. On July 1, 2017, the members  
23 of the task force shall become members of the committee, shall serve the  
24 amount of time remaining on their initial terms of office, and are  
25 eligible for reappointment by the Nebraska Children's Commission. Members  
26 shall be appointed for terms of two years. The commission shall appoint a  
27 chairperson or chairpersons of the committee and may fill vacancies on  
28 the committee as such vacancies occur.

29 (4) The committee shall provide a written report with  
30 recommendations regarding the initial and ongoing implementation of the  
31 federal Preventing Sex Trafficking and Strengthening Families Act, as

1 such act existed on January 1, 2017, and the Nebraska Strengthening  
2 Families Act and related efforts to improve normalcy for children in  
3 foster care and related populations to the Nebraska Children's  
4 Commission, the Health and Human Services Committee of the Legislature,  
5 the Department of Health and Human Services, and the Governor by  
6 September 1 ~~December 15~~ of each year. The report to the Health and Human  
7 Services Committee of the Legislature shall be submitted electronically.

8 Sec. 4. Section 43-4513, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 43-4513 (1) On or before July 1, 2013, the Nebraska Children's  
11 Commission shall appoint a Bridge to Independence Advisory Committee to  
12 make recommendations to the department and the Nebraska Children's  
13 Commission regarding the bridge to independence program, extended  
14 guardianship assistance described in section 43-4511, and extended  
15 adoption assistance described in section 43-4512. The Bridge to  
16 Independence Advisory Committee shall meet on a biannual basis to advise  
17 the department and the Nebraska Children's Commission regarding ongoing  
18 implementation of the bridge to independence program, extended  
19 guardianship assistance described in section 43-4511, and extended  
20 adoption assistance described in section 43-4512 and shall provide a  
21 written report regarding ongoing implementation, including participation  
22 in the bridge to independence program, extended guardianship assistance  
23 described in section 43-4511, and extended adoption assistance described  
24 in section 43-4512 and early discharge rates and reasons obtained from  
25 the department, to the Nebraska Children's Commission, the Health and  
26 Human Services Committee of the Legislature, the department, and the  
27 Governor by September 1 ~~December 15th~~ of each year. By December 15, 2015,  
28 the committee shall develop specific recommendations for expanding to or  
29 improving outcomes for similar groups of at-risk young adults. The report  
30 to the Health and Human Services Committee of the Legislature shall be  
31 submitted electronically.

1           (2) The members of the Bridge to Independence Advisory Committee  
2 shall include, but not be limited to, (a) representatives from all three  
3 branches of government, and the representatives from the legislative and  
4 judicial branches of government shall be nonvoting, ex officio members,  
5 (b) no less than three young adults currently or previously in foster  
6 care, which may be filled on a rotating basis by members of Project  
7 Everlast or a similar youth support or advocacy group, (c) one or more  
8 representatives from a child welfare advocacy organization, (d) one or  
9 more representatives from a child welfare service agency, and (e) one or  
10 more representatives from an agency providing independent living  
11 services.

12           (3) Members of the committee shall be appointed for terms of two  
13 years. The Nebraska Children's Commission shall appoint the chairperson  
14 of the committee and may fill vacancies on the committee as they occur.

15           Sec. 5. Original sections 43-4203, 43-4207, and 43-4513, Reissue  
16 Revised Statutes of Nebraska, and section 43-4218, Revised Statutes  
17 Supplement, 2017, are repealed.

18           2. On page 1, strike lines 2 and 3 and insert "amend sections  
19 43-4203, 43-4207, and 43-4513, Reissue Revised Statutes of Nebraska, and  
20 section 43-4218, Revised Statutes Supplement, 2017; to change reporting  
21 dates for the commission and committees appointed by the commission; and  
22 to repeal the original sections."