

Transcript Prepared by Clerk of the Legislature Transcribers Office
Health and Human Services and Urban Affairs Committees September 18, 2026
Olmstead Report, LB737

HARDIN: Welcome to the joint hearing of the Health and Human Services and Urban Affairs Committee. I'm Senator Brian Hardin, I represent the Banner, Kimball, and Scotts Bluff Counties of the 48th Legislative District in western Nebraska. I serve as chair of the Health and Human Services Committee. And I'll start by having members of the HHS committee introduce themselves, starting on my far left, with Senator Riepe.

RIEPE: Thank you, Chairman. Merv Riepe, I represent Omaha and District 12. I feel like I almost need to stand up. Most of our hearing rooms don't have this little cliff, if you will, so I feel I'm a little guy hiding down here behind it. I apologize for that. But we're glad to have such a big crowd here today, and thank you very much. Thank you, Chairman.

BALLARD: Good morning. Beau Ballard from District 21 in northwest Lincoln and northern Lancaster County.

QUICK: Dan Quick, District 35: Grand Island.

HARDIN: Senator Clouse, would you--

CLOUSE: Yes. Senator Stan Clouse from District 37, which is in Buffalo County, Kearney, Shelton, and Gibbon. And we have just one-- on the Urban Affairs Committee, and we have one member.

ROUNTREE: Good morning. Senator Victor Rountree, District 3, representing Bellevue and Papillion, Urban Affairs Committee. It's good to see everyone this morning.

CLOUSE: And I screwed up because Dan Quick is on both of these. So he's on ours too.

HARDIN: OK, he does double duty. Assisting the committee today to my left is our research analyst, Bryson Bartels, and our committee clerk, Cori Bierbaum. Joel would you introduce yourself?

JOEL HENSON: My name is Joel, I'm from here Lincoln.

HARDIN: Awesome, thank you. Today's hearing will be invited testimony only. If you've been invited to testify, please fill out a green testifier sheet located at the side of the room and hand it to the

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page when you come up to testify. Written material may be distributed to the committee members as exhibits only while testimony is being offered. Please have at least 12 copies. Hand them to the page for distribution when you come up to testify. We do not accept oversized exhibits, CDs, thumb drives, or other electronic exhibits, as they cannot be transcribed. To better facilitate today's hearing, I ask that you abide by the following procedures. Please silence your cell phones. When you come to testify, please state and spell your first and last name for the record before you testify. We'll be using a three-minute light system. When you begin, the light on the table will be green. Yellow will mean you have one minute remaining. The red means you need to wrap up your final thought and stop. Questions from the committee may follow, but do not count against your time. With that, we will open with me. This is for the LB737 Olmstead hearing. Pursuant to Nebraska Revives Statute Section 81-6,122, (4) (a) from the newly passed LB737, the Health and Human Services Committee and the Urban Affairs Committee are required to hold a joint hearing to assess the progress of the Olmstead plan and potential legislative solutions. Today's first hearing will focus on LB737, the progress of the Olmstead Plan. At the conclusion of the LB737 hearing, we will take a 10-minute break to allow the Urban Affairs Committee members to exit and then begin with Senator Rountree's LR404 hearing. And with that, we are ready for the following testifiers. Mr. Tony Green, welcome.

TONY GREEN: Good morning. So good morning, Chairman Hardin and Vice Chair Clouse, and members of the Health and Human Services and Urban Affairs Committees. My name is Tony Green, T-o-n-y G-r-e-e-n, and I'm the director of the Division of Disability and Aging in the Department of Health and Human Services. I appreciate the opportunity to provide an update on Nebraska's Olmstead plan and the department's ongoing efforts to support Nebraskans with disabilities in the most integrated, community-based settings appropriate to their needs. Nebraska's Olmstead plan has its foundation in Nebraska Revised Statute 81-6,121 and 81-6,122. The Legislature first established these provisions in 2016 with subsequent amendments in 2019 and 2026. The statutory framework is based on the United States Supreme Court's 1999 decision, *Olmstead v. L.C.* This ruling established at its core that unjustified institutionalization of people with disabilities violates Title II of the Americans with Disabilities Act. The Legislature specifically recognized that the Department of Health and Human Services, in partnerships with other state agencies, should develop a

comprehensive strategic plan to provide services to qualified persons with disabilities in the most integrated, community-based settings pursuant to the Olmstead decision. The statute established both a process and an accountability structure for the plan requiring DHA to just work in collaboration with other state agencies, including the Department of Correctional Services, Economic Development, Labor, Transportation, and Veterans Affairs, as well as the State Department of Education, the University of Nebraska, and the Equal Opportunity Commission to engage and-- and to also engage an Olmstead Advisory Committee in the planning process. DHHS developed the state's first strategic plan for disability services in 2019 and submitted it to the Legislature. The statute also requires DHHS to arrange for an independent consultant to assist with the continuing analysis and revision of the plan to determine whether its benchmarks, deadlines and timeframes are in substantial compliance with the department, reporting to the Legislature every three years on the progress and plans or changed revisions. Nebraska has followed this process consistently with evaluations conducted by the technical assistance collaborative, or TAC, in 2019 and 2021, and by Partners for Insightful Evaluation, or PIE, in 2024. PIE is again under contract with the department, and the next independent evaluation will be completed in 2027. These evaluations have supported subsequent revisions to the plan in 2024 and 2025 based on recommendations from these independent consultants and the Olmstead Advisory Committee. The next evaluation will be submitted to the Legislature in December of 2027. That evaluation will be somewhat different from the 24 eval, as Nebraska has moved from a three-year planning cycle to a six-year strategic plan. The 2024 evaluation informed the development of the current plan which extends through 2032. As a result, the 2027 evaluation will serve primarily as a midpoint assessment of the current plan, rather a development of an entirely new three-year plan. The 2024 evaluation provides a useful baseline for understanding where Nebraska is today. Liz Gebhart-Morgan, the principal investigator with, with Partners for Insightful Evaluation, will be presenting after me, and she can provide much of the detail into the plan and the progress that the plan has made thus far. Looking ahead, the department will focus on implementing the current plan through 2032, continuing to engage stakeholders, improve our outcome measures, strengthening inter-agency coordination, and preparing for the 2027 independent evaluation. We'll continue working with the Olmstead committee to assist in the review and development of any subsequent

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updates to the plan. The committee continues to meet quarterly and has several work groups that are focused on specific areas of the plan. The participation of individuals with disabilities, families, advocates, providers, state agencies, and other stakeholders is an important strength of the Nebraska's approach to Olmstead planning. At the same time, while the advisory committee and its work groups provide advice, expertise, and recommendations, ownership of the plan and responsibility for its implementation rests with the state. The committee is an advisory body. It does not replace the state's responsibility to establish priorities, allocate resources, implement programs, and continue advancing the goals of Olmstead to serve and support individuals in their homes and communities. Nebraska is committed to community integration. We've established a planning process, an advisory structure, an independent evaluation, and legislative oversight. We've also made meaningful progress, including eliminating the Developmental Disability Registry waitlist in 2025. We will continue to build on that progress, be honest about where the system still falls short, and use Olmstead plan-- the Olmstead plan as a practical tool for incremental improvements to the outcomes for Nebraskans with disabilities. I thank you for your time, and I'd be happy answer any questions for this hearing.

HARDIN: Thank you, Director Green. Questions from the committee?
Senator Riepe.

RIEPE: Thank you, Chairman. And thank you for being here, Mr. Green.

TONY GREEN: You're welcome.

RIEPE: My question would be this is, the next formal review from the external consultant is in 2027. Given the issues at hand, I'm concerned about expanding this up to six years instead of the three. And did-- was there consideration given to the idea, given the issues to back this up to '26? Because, you know, I was trying to speed-read this thing, but it looked to me like it could be two years as-- well, two to three years to take a look at it in-- at this time, as opposed to waiting. Time is of the essence, it seems. And so can you respond to that, please?

TONY GREEN: Yeah, I sure can. So and, and certainly when PIE is up here and kind of talking about the process we went through to move from a three-year plan to a longer-term, more strategic plan that

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involved the committee and, and all of their input as well, I would agree that time is always of the essence. We always have something in, in front of us that needs to be addressed. And enhanced and strengthened. I think what you'll also find as you hear more about the details of the plans, these are generally very long-term fixes, right? That it-- we'll take housing as an example. Housing is one of the goals that is in the Olmstead plan that we want to increase and make sure that we have safe, affordable housing for folks with disabilities. That's a, a long-term thing that has to continually be worked on and fixed. It's not something that would lend itself to a one-year will solve that issue, but there certainly are incremental steps that can be made along the way in the overarching strategic plan. And so it was a recommendation of the consultants after evaluating several other states and their Olmstead plans and kind how they structure them, and with the committee's approval, move to a six-year plan.

RIEPE: Is there some opportunity for adjustment if issues change significantly to come back and say our six-year plan has gone awry and we need to go back and take a look at it after maybe three years, four years, whatever?

TONY GREEN: Yeah. I mean, I would--

RIEPE: Some flexibility in there?

TONY GREEN: Yes, yes. I mean, the, the state can kind of determine how long it wants the plan to run at a time, but I would tell you that regardless whether it's a three-year plan or a six-year plan, there is ongoing regular meetings of the committee, as well as all of the subgroups, who are working on many of the more granular steps to achieve those overarching goals. The plan is really-- it has goals that are quite lofty, right, around housing or transportation, things like that. The work that's done on a regular and much more routine basis by the committee, as well as those work groups, and all of the other partners that I mentioned at the state agencies, that's an ongoing piece of work. But there are certainly opportunities that as things change or a new strategy needs to be put in to address one of those overarching seven goals, that can certainly happen.

RIEPE: Just seems to me that in health-- human services, including health care and the whole of Bailiwick, six years is a long time

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anymore with any kind of strategic planning. It's, you know, almost planned for the next month. But thank you, Chairman. Thank you, Tony.

TONY GREEN: You're welcome.

HARDIN: Senator Quick.

QUICK: Yeah, thank you, Chairman. And I probably should know this, but are there any federal requirements that we stay within, or does each state get to decide how their, their plan works?

TONY GREEN: There, there is not. In fact, it's, it's not necessarily even a requirement that states have an official Olmstead plan. Many do as ways to, to show their efforts to comply with the, the ruling from 1999, but it's not a mandate, or there isn't any set structure to how that has to happen.

QUICK: So we just follow whatever is-- we have it in a statute, so we have to follow what's in there and then--

TONY GREEN: Yeah, so our, our statute in Nebraska requires the creation of a plan.

QUICK: OK.

TONY GREEN: The statute also directs the frequency of the evaluation. That, that independent evaluation is every three years. And those, those would be the two things in statute that are, are more clearly defined.

QUICK: OK. All right, thank you.

HARDIN: Senator Rountree.

ROUNTREE: Thank you so much, Chair Hardin. Thank you, Mr. Green, for your opening and testimony. Regarding the housing, one of the questions that I had in the previous time with you in previous brief, and looking at the slides as part of Urban Affairs and working with our Olmstead members regarding housing, we're trying to determine how much housing we have available for our disabled community. How do you track that and how do you determine what's available? Do you work with builders through this commission to determine that need more or what

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we have is sufficient? How do you track that to get to the number needed?

TONY GREEN: Yeah, I think that, that's a, a great question. And you've pointed out a significant challenge for our state in, in really trying to identify what is that number. And, and it often sometimes is, is tricky in the definitions, right? Affordable to one is not affordable to to another, and so and even accessibility, right, can, can vary widely. And so that has been a challenge that the committee, as well as the work groups who are kind of focusing on housing, have been challenged with. We do not today, that I'm aware of, have a-- like an inventory county by county or by state that says here's what we do have available in affordable housing. But I know it's something the committee is working on trying to establish.

ROUNTREE: So the plan then is a vibrant and living document. When those issues arise, you're able to resolve those and take care of those without waiting for us to get to maybe December 27th. We just kind of handle as we, as we get to those, is that correct? When I say that it's living and its vibrant and its alive, if an issue arises today, something that the committee identifies, you can implement--

TONY GREEN: Yes.

ROUNTREE: --measures today to fix those--

TONY GREEN: Yes.

ROUNTREE: --and continue to provide good life.

TONY GREEN: Yes. So those committees meet regularly to tackle kind of their part of the plan. And there are oftentimes in those meetings that, that current, real-time issues are brought to that committee and they try to formalize strategies or how they're going to tackle that to achieve that larger goal.

ROUNTREE: OK, thank you.

HARDIN: Senator Clouse.

CLOUSE: Thank you, Senator Hardin. A, a question along that line. To come up with that data, is it more important, or I guess we talked about that last year with the bill on larger cities, is it more

important to have it by cities or counties, or what, what's the best way just to kind of get a good feel?

TONY GREEN: Yeah, I don't know if there's a best. I think, you know, many of the com-- the communities, I mean, they have housing plans. Like Omaha and some of those larger communities, they may not always get into that granular level of detail that might be important to us, trying to find, you know, again, that safe, affordable and accessible housing. So, you know, certainly at a, at a community level, city level, or county level would be helpful.

CLOUSE: Thank you.

HARDIN: As you said before, defining the term "affordable" is a challenge. There are a few different situations, terms within Olmstead that are similar. So from a concept standpoint, can you just kind of share with us part of how that process of wrestling with the defining of various terms happens? What are the benchmarks that are used to develop, what the intended outcomes? It's, it's possible, for example, to know what it is you're, you're looking for. Can you give us a sense of what the process looks like as you're wrestling with things like affordability across the state, as you are looking at what is safety, what is safe for one may not be safe for someone else and so forth? Those are concepts that have to be wrestled with with a fair amount of individual consideration. But can you kind of tell us how the department kind of approaches that moving target?

TONY GREEN: Yeah, so you're exactly right. It, it is hard to define that. We try to take at the committee level, and certainly in, in our evaluator that, that reviews all of the, the plans from across the country, we try to just tackle it as it's presented to the department, right? The-- we want to make sure that we're not minimizing anyone's voice at the table. But, but you are right, affordability is, is a term that can mean a lot of different things. Now generally for, for the work that we do, that often becomes a very finite amount of resources that folks have available to them who experience disabilities, right, either through Social Security and, and income as such. And so that becomes a very finite, limited amount of money, and that becomes your affordability and your reality. And that might look different for somebody else with a disability that, that maybe wouldn't be drawing Social Security, but still needs access to accessible and affordable housing. So I don't know if I've answered

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your question directly, but I think it, it is a challenge that the committees tackle in trying to take all of the data and the input that they have from stakeholders and create those strategies that will help move some of those larger goals that are identified in the plan.

HARDIN: Other questions for Director Green? Seeing none, thank you.

TONY GREEN: Thank you, sir.

HARDIN: Liz Gebhart-Morgan, welcome.

LIZ GEBHART-MORGAN: Good morning. Good morning, Chairman Hardman [SIC], members of the HHS Committee and Urban Affairs Committee. I am Liz Gebhart-Morgan, L-i-z G-e-b-h-a-r-t-M-o-r-g-a-n. I work at Partners for Insightful Evaluation and was the primary author of the Olmstead plan evaluation report submitted to the Legislature in December of 2024. And I really appreciate the opportunity to be here to talk to you today about that. As you know, Nebraska statute requires an independent evaluation of the Olmstead plan every three years, really to assess progress and identify opportunities for potential revision. PIE was responsible for evaluating the 2023 to 2025 Olmstead plan, primarily focused on fiscal year '23 and '24. So looking primarily at July 2022 through June of 2024, just given the nature of the timelines. Through our evaluation, we explored the progress that was made on the plan, any observed impacts and improvements, facilitators and barriers to that progress, and then opportunities for strengthening the plan. And we looked at that through a variety of data sources, including interviews, we conducted a survey for individuals with disabilities and their families, a survey with partners and advocates, and then also focus groups. Another aspect of our evaluation was actually doing a review of Olmstead plans or related documents from 22 states and the District of Columbia. There's additional information about those data sources in the handout for more context. As part of our review of the Olmstead plan, there were seven goals that we were looking into. And among those seven goals, there were 41 outcomes. Those are monitored by DHHS on an annual basis through benchmarks. Based on that data, the fiscal year '23 data indicated that 71% of those annual benchmarks had been achieved. The next fiscal year, 56% of those annual benchmarks have been achieved. It varied based on the topic area about the level of progress and the accomplishment scene, and there's qualitative context provided in the evaluation report and subsequent summaries that were

provided to each of the work groups so they could dive into the data a little bit more fully. We, we identified many different facilitators and successes. We consistently heard across the board, no matter what topic area, that limited funding, workforce shortages, and also just limited information and awareness about the Olmstead plan really prevented some of that progress. A review of other state plans was a really good starting point and kind of point of comparison for the state of Nebraska. On average, states seem to have seven priority or goal areas, which Nebraska was right in line with. But Nebraska had surprisingly way more outcomes compared to other states. Like I mentioned, Nebraska had 41 outcomes that they were measuring. On average, states tended to have 26 long-term outcomes that they monitoring over the course of the Olmstead plan. Based on these findings, one of our key recommendations was to modify it from a three-year plan to a six-year plan. And that was done for a variety of reasons. But the key one being that you can then use the required evaluation as an opportunity to do a midpoint assessment of your evaluation plan and have opportunity for thoughtful dialogue and course correction on the Olmstead plan. We also made recommendations to make the plan more manageable by reducing and refining, really, the number of outcomes that are included in the plan and combining similar goal areas to make it a little more streamlined. Again, I appreciate the opportunity to be here, and I'm open to any questions.

HARDIN: Thank you. Questions. Senator Clouse.

CLOUSE: Thank you, Senator Hardin. Thank you for being here. I'm probably the least knowledgeable than anybody up here on this. So excuse me. But when you're talking about reducing the number of outcomes, are we gonna have people falling to the crack or, or what type outcomes are we going to be, be losing?

LIZ GEBHART-MORGAN: We're not necessarily losing outcomes. I think we're being more thoughtful in what we're measuring, since we're also trying to balance the administrative burden of capturing all of that data and consistently monitoring it. And so we really tried to be intentional with each of the work groups about identifying the outcomes that were truly crucial to the vision of each of priority areas.

CLOUSE: Thank you.

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HARDIN: And Senator Ballard.

BALLARD: Thank you, Chair. Thank your being here. So we've heard today about the challenges presented in the, the evaluation. So talking about housing and transportation. What other challenges are we missing that aren't as well, well-known through the evaluation?

LIZ GEBHART-MORGAN: Specifically for the evaluation or--

BALLARD: Correct. Like some of the outcomes that we're, we're missing.

LIZ GEBHART-MORGAN: Big challenges were the limited funding. A lot of people talked about how people don't have a very good understanding of what the Olmstead plan is to know whether we're making progress. And I can provide follow-up information as well, since each of the work group areas got a summary of all the different barriers that were brought up through the qualitative findings and also the surveys that we conducted. So it varies by topic area, but definitely limited funding, workforce shortages, even with housing, like whether there are contractors available to build the affordable housing or accessible housing, and things of that nature.

BALLARD: OK, thank you.

HARDIN: Senator Quick.

QUICK: Thank you, Chairman. You know, on this-- on your handout, one of the handouts, you know, and you and you talked about it a little bit, but the 71% benchmarks in 2023 then dropped to 56. And is that because maybe you accomplished some of those in 2023, or what was the reasons for the drop?

LIZ GEBHART-MORGAN: Part of it, we treat it as a living document, very much so. And so what was challenging is that in one of the goal areas, we actually lost funding. And so the initiatives connected to some of the outcomes and benchmarks couldn't be accomplished. And so when funding changes or the political climate changes, it just makes it tricky to follow their own goals that are earmarked to things.

QUICK: I should know, but how does the, the funding-- is that through the state then, or is that funding from-- how does that work?

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LIZ GEBHART-MORGAN: It's through various departments, so--

QUICK: OK.

LIZ GEBHART-MORGAN: --I'd have to double check on which federal agency it was specifically for.

QUICK: Oh, it's federal funds then?

LIZ GEBHART-MORGAN: Probably.

QUICK: OK. All right, thank you.

HARDIN: Senator Riepe.

RIEPE: Thank you, Chairman. I, I just-- I want to build trust in your organization and such. And so I'd like to know a little bit did-- how long is your organization-- you're independent of DHHS?

LIZ GEBHART-MORGAN: Yes.

RIEPE: Is that correct? OK. And how long have you been serving in this, I'll call it a consulting role?

LIZ GEBHART-MORGAN: Yeah, I've been with Partners for Insightful Evaluation since 2020. And then before that was an evaluator with DHHS and then was in the state of Missouri.

RIEPE: OK, and do you have agreements with other states outside of Nebraska?

LIZ GEBHART-MORGAN: Yes, we do. Not specifically for Olmstead, but we also have agreements with the state of Maine, the state of Colorado, and I think we had one in North Carolina, I want to say. I'd have to double check on that with my--

RIEPE: OK, that's helpful to establish its credibility, at least to me.

LIZ GEBHART-MORGAN: For sure.

RIEPE: Thank you, Chairman.

HARDIN: Any other questions? Senator Rountree.

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ROUNTREE: Thank you, Chairman Hardin. And thanks so much for your testimony. As you have been evaluating. And producing reports, one of the questions, or one of the oppositions to the bill that brought us here, was that we get the reports and nothing's ever done. There's no outcome from the reports. And I said our desire was that once we got the report and this update, if there are any shortfalls or areas that are missing that we can address legislatively, that will be a desired outcome. So as you have been evaluating and producing reports, has there been any viable legislation that has been brought forth based upon what you've determined?

LIZ GEBHART-MORGAN: That would be a really good area to explore as part of our next evaluation of the Olmstead plan. Off the top of my head, I can't think of any legislative solutions that would help modify that. But I think it's definitely worth noting to explore in our next evaluations.

ROUNTREE: Thank you. And second question, follow-up. We talked about limited funding, that's, that's the key thing. Has there been a change to funding? Has there been a decrease, drop in funding availability?

LIZ GEBHART-MORGAN: I would have to look into that. We just got the contract for this next Olmstead plan on September 1st. So I haven't had a chance to dive in to see what changes have happened since we submitted the last report.

ROUNTREE: All right, thank you.

HARDIN: Senator Quick.

QUICK: Yeah, thank you, Chairman. Along with doing the, the-- reviewing the plan then, do you also-- or doing the evaluation, do you also give recommendations then to the committee then? Or how--

LIZ GEBHART-MORGAN: Yes. Yep, we include recommendations in the full report, and then we present that to the Olmstead Advisory Committee. And I'll talk through each recommendation, how we came up with those recommendations. And ultimately, they decide which recommendations they want to pursue and which ones they want to hold on.

QUICK: OK. All right, thank you.

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HARDIN: Any other questions from the committee? Thanks for being here.

LIZ GEBHART-MORGAN: Yeah, thank you.

HARDIN: Appreciate it. Lindy Foley. Welcome.

LINDY FOLEY: Thank you. Good morning. My name is Lindy Foley, L-i-n-d-y F-o-l-e-y, and I am the administrator of Nebraska Vocational Rehabilitation. We are an office located within the Nebraska Department of Education. Nebraska VR's mission is to assist people with disabilities in finding, keeping, and advancing in employment, while also assisting businesses with recruitment, training and retention. Nebraska VR's mission and values, especially those related to supporting individuals with disabilities to live a meaningful life in the community they choose, align very closely with those outlined in Nebraska's Olmstead plan. I've had the privilege of serving on the Olmstead Advisory Committee for many years and, within the last couple years, took on the role as the facilitator for the Olmstead Advisory Committee Work Group for Employment. Though there is a history in my involvement with Olmstead, today I'm testifying to share progress from the previous year on behalf of the employment work group. This work group meets monthly. The agenda is created based on the goals and activities outlined in the employment section of the Olmstead plan. There are a variety of stakeholders who attend these meetings, representing state agencies, service providers, a subject matter expert, advocacy partners and individuals with lived experience. There are three employment goals listed in Nebraska's Olmstead plan in alignment with these goals. The work group is focusing on helping to ensure those who deliver supported employment services are those services available for individuals who, because of the nature and the severity of their disability, need intensive and individualized supports in order to access and engage the workforce. We want to make sure that we're utilizing evidence-based supported employment practices, we're striving to provide services in the most timely and individualized manner, and we're emphasizing the conversation about employment happening early and often. There are goals and accomplishments that we've, we've certainly seen this last past year, and those include, for goal one, across-agency and provider focus group convened to discuss current practices and common competencies for effective service delivery. We did a sampling of individuals who are currently receiving supported employment services or previously reserved services, who we interviewed and were given the opportunity

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to provide feedback on levels of satisfaction, meaningful services, and also areas of improvement. The work group also shared resources and trainings throughout the year to gain increased understanding of evidence-based practices. Under goal two, the employment work group generated a list of metrics to be studied in order to better understand timeliness and engagement of services and quality outcomes. As a result, VR created a supported employment data snapshot, and the work group studied the data together, asked questions, and offered recommendations. And finally, under goal three, the work group discussed and shared existing resources for students, families, and teachers, highlighting the benefits of employment and available supports. There was time dedicated in between meetings, and also as part of the monthly agenda, to learn more about business outreach and to brainstorm more coordinated ways to support businesses. In closing, the employment work group is a dedicated network with a focus on advancing the goals and activities outlined in Nebraska's Olmstead plan. Some members serve on the Olmstead Advisory Committee while others attend because they share a passion for ensuring all individuals have access to employment. This work group has advanced into a center of accountability and sharing. In order to maintain a momentum and drive impact, we must continue to discover new ways of engaging key partners. Some of these key partners are already identified and listed in the Olmstead plan. Others will be realized as the priorities evolve. This isn't work any one agency, office, provider or individual can do alone. The power of our plan is leveraging the collective interests, resources and determination to make things better for those impacted most by Nebraska's Olmstead plan. Thank you for the opportunity to testify today.

HARDIN: Thank you.

LINDY FOLEY: You bet.

HARDIN: Questions? Senator Rountree.

ROUNTREE: Thank you so much, Chairman Hardin. And thank you, ma'am, for the testimony and giving me some insight onto this particular part of the plan. Just a couple of questions. We talked about the timeliness of providing supportive services. How [INAUDIBLE] is it to get an hour of people into the workforce and also bring in new partners on board? I know that it's kind of spread across the board, but are we seeing new partners come on board where we have place to

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place our members for employment? And budgetarily, have you seen a decrease in availability of funding for providing those supportive workforce opportunities? I guess has anybody had to come out of the workforce because of funding?

LINDY FOLEY: OK. I'm not aware of anyone coming out of the workforce due to funding, so I'll start there. I will also mention that, specific even to Nebraska VR, we have dedicated business services staff who are constantly doing outreach to communities across the state to talk about businesses or talk to businesses about the benefits of hiring people with disabilities. We speak to hundreds of businesses and we have partnerships with them in order to support that. We also know that service providers across the state who are our partners in delivering supportive employment have business services staff and are out working in their communities to help spread the, the information about the benefits of hiring people with disabilities.

ROUNTREE: All right, thank you. So sometimes that supportive service could be one-on-one, like my son was going to go to work with Goodwill, but because he has apraxia and the inability to communicate effectively, we would have had to have one individual to come back and work with him in that setting in order to communicate for him. So we do have one-one-one services like that as well?

LINDY FOLEY: Yes, we're actually-- in supported employment, we want to make sure that our, our services are individualized. So part of what we consider when we're developing an employment plan is what those supports are, which may include a one-on-one such as a job coach.

ROUNTREE: OK. Thank you.

HARDIN: Senator Ballard.

BALLARD: Thank you, Chair. Thank you for being here. Thank you for your testimony. I'm curious about that, that workforce readiness between school and entering the workforce. What kind of resources do you provide to parents, teachers? Because there is a difference between the structure of school--

LINDY FOLEY: Yeah.

BALLARD: --and then going into the workforce. Can you talk a little about the resources you provide?

LINDY FOLEY: Sure. So specific to Nebraska VR, we have staff, VR staff, who are in all of the high schools across the state. So when I mentioned talking about employment early and often, as soon as 14 years old, our staff are available to start talking to students with disabilities and their families to set the expectation about the world of work. So early, we're trying to get to that planning to talk about services, regardless of the severity of a disability. And then we can provide that bridge then into adult services or to employment services. So we might be providing tours to youth so they learn about the workforce. They may be interviewing a business to learn more about the workforce, even going out and doing some work-based learning. So we're really trying to set the stage early while the student is still in high school, but then also helping to prepare family members and understanding what that support looks like once the high school experience is done.

BALLARD: OK, thank you.

LINDY FOLEY: You bet.

HARDIN: Senator Quick.

QUICK: Thank you, Chairman. Is there accessibility in rural areas, I mean, for like-- so, so adult services, so if you have someone with a traumatic brain injury-- injury or has a disability, is there locations throughout every county or is it within certain cities? And how does that work?

LINDY FOLEY: Again, specific to VR services, all counties are supported by 12 field offices across the state. So it would be a matter of connecting those individuals and those communities. Our staff do travel to those counties because again, we're working with businesses, we're meeting with individuals one-on-one to talk about employment.

QUICK: OK, thank you.

HARDIN: Senator Clouse.

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CLOUSE: Yeah, thank you, Senator Hardin. A question, and you just kind of alluded to that. Do you have any VR deserts, so to speak, across the state, or do you have areas that are significantly understaffed to provide those services?

LINDY FOLEY: We are actually fully staffed right now, so it isn't a matter of staffing. We do travel, so we're out on the road trying to make sure that our areas have the appropriate coverage. I think, maybe to part of your question, we see more referrals to employment services in some areas rather than others, and so we do track that data so we have a better understanding where we could be doing more outreach to those communities to increase the number of people served across the state and in those particular counties.

CLOUSE: OK, thank you.

HARDIN: Seeing no other questions. Thank you.

LINDY FOLEY: Thank you.

HARDIN: Tobias Orr. Welcome.

TOBIAS ORR: Good morning, Senators. Thank you for having me. My name is Tobias Orr, that's T-o-b-i-a-s, last name Orr, O-r-r. So I'm the director of the Nebraska Assistive Technology Partnership, also known as ATP. We are Nebraska's State Assistive Technology Act program, and we're located within Nebraska VR and the Department of Education. Our mission is to help Nebraskans with disabilities learn about and obtain the assistive technology they need to live, work and participate fully in their community. Since 2016, I've had the privilege of serving on the Olmstead Advisory Committee, and for the past several years I've chaired the housing work group. Today I'm here to provide an update on the work of the housing group and the progress we have made towards Nebraska's Olmstead housing goals. The housing workgroup brings together representatives from state agencies-- agencies, including DHHS, Department of Economic Development, Nebraska Investment Finance Authority, along with advocates, housing providers, individuals with lived experience. The group met monthly over the past several years and recently transitioned to a quarterly meeting schedule as our work has matured. Our primary responsibility is to monitor in advance the four housing goals identified in Nebraska's Olmstead plan. Over the past year, we've had significant progress and goals one, two, and

four, with work on goal three to begin next spring. Under goal 1, cross-listed resources to enhance access to affordable and accessible housing for individuals with disabilities, we're continuing to expand the use of nebraska.findhelp.com as a centralized housing resource. All Low-Income Housing Tax Credit properties and developments receiving Department of Economic Development funding are now listed on the platform. Also, accessibility information was enhanced by updating property surveys to include sensory and mobility accessibility features. These improvements make it easier for individuals with disabilities and service providers to identify housing options that meet their needs. To ensure the platform is widely used, training has been provided by NIFA to state agency staff, regional housing coordinators, housing authorities, property managers, educators and social workers. The impact of these efforts is clear. Between July of '25 and June of '26, nebraska.findhelp.com averaged nearly 4,850 searches per month, and approximately 65% of those related to housing. Under goal two, increasing housing access for individuals with serious mental illness, a review done by NIFA, Department of Behavioral Health and Department of Economic Development identified several barriers including communication gaps between agencies, administrative challenges, eligibility inconsistencies, and delays in connecting people with available housing. To reduce these barriers, action--actions such as trainings for DHHS divisions and rural behavioral health staff, increased outreach to housing developers and property managers and developing meeting cadence with NIFA, DED and DHHS to address housing needs are being implemented. One of the most significant accomplishments over the past years is the award of the HUD 811 Project Rental Assistance Funding to NIFA in partnership with DHHS. This award will provide 140 rental assistance vouchers for Nebraskans with disabilities. As of this month, NIFA has approved the first round of developments participating in the program, including six new construction projects utilizing 35 vouchers with units expected to become available by 2028. Under goal 4, supporting individuals with disabilities to remain in their home, ATP has improved its case management system to streamline projects and reduce delays. We've enhanced contractor management tools, improved financial tracking, and expanded our contractor network by adding 12 new contractors this year with 8 more currently in the onboarding process. In closing, the housing work group continues to demonstrate the power of collaboration. Through strong partnerships, consistent engagement, and a shared commitment to community integration, we're making

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meaningful progress towards increasing access to affordable, accessible housing for Nebraskans with disabilities. Thank you for the opportunity to testify.

HARDIN: Thank you. Senator Clouse.

CLOUSE: Yes, thank you, Senator Hardin. You made a comment that just kind of triggers my line of thinking when you're talking about economic development and the issues we've had. It's been widely publicized with the cuts and all the things happening at economic development. When you're partnership with them, how, how is that working in the last several months? And you know, if you're uncomfortable answering that, that's fine, I'll take that. I, I just want to get a good feel of how that relationship's working and what we're seeing in that department, and how does it impact what's going on here.

TOBIAS ORR: As far as the work group goes, they're, they're a valued partner. I can't speak to the finances. As far the goals go, they've been participating in, in the activities to move those forward. But as far as finances go, I can't--

CLOUSE: But you're getting the support you need?

TOBIAS ORR: I believe so, yes.

CLOUSE: OK, thank you.

HARDIN: Senator Rountree.

ROUNTREE: Thank you so much, Chair Hardin. And thank you, sir, for the testimony. It was quick. So I was trying to get some notes down.

TOBIAS ORR: Only gave me three minutes, so.

ROUNTREE: So the nebraska.findhelp, that's a first starting point that most people can use, and that's been successful. We've had 850 searches per month on that.

TOBIAS ORR: 4,850.

ROUNTREE: 4,000. OK, so that was quick, so I missed 4,000. OK, [INAUDIBLE] on that, so that does provide a lot of good opportunity or information back to those that are searching to find homes and have

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this needed-- OK. So then we talked about the mental health um illness and awareness training. Could you just hit that just one more time for me?

TOBIAS ORR: So as far as like for findhelp.com or, or the--

ROUNTREE: Yes, for findhelp.com and also for members being able to provide services or help with homes.

TOBIAS ORR: So as far as findhelp.com, so it's NIFA that heads that up.

ROUNTREE: OK.

TOBIAS ORR: And they've been doing trainings and presentations everywhere. I've run into John Turner consistently at every event talking about findhelp.com. And just to clarify, findhelp.com is a-- has various resources on it for individuals from housing to, to food to everything needed for living. We focus on the housing part, that's why they gave me the numbers that 65% of the searches on findhelp for nebraska are housing-related.

ROUNTREE: Housing, OK.

TOBIAS ORR: As far as serious mental illness, I know they've been doing training to regional behavioral health coordinators and other divisions, specifically pointing towards findhelp.com. And then I think just some other-- the barriers that they identified in their review, they're doing training to kind of overcome some of those.

ROUNTREE: OK, thank you. And about those HUD funding vouchers.

TOBIAS ORR: Yes.

ROUNTREE: Could you talk about those again?

TOBIAS ORR: As much as I can, yes.

ROUNTREE: As much as you can.

TOBIAS ORR: So yeah, so Nebraska was awarded the 811 housing vouchers. And I know 35 of the 140, I believe it was, have been issued. Just this month, I think, NIFA made that decision. So those will be

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attached to, I think it was-- can't remember how many projects it was. Let me find it real quick.

ROUNTREE: Maybe 60?

TOBIAS ORR: I don't have the number of the exact amount of projects, but they're moving forward. So these will be new, new builds, apartment complexes with the housing vouchers attached to specific units.

ROUNTREE: OK, outstanding. And we-- and [INAUDIBLE] the go before we had like 12 new contractors with 8 more on board--

TOBIAS ORR: Yes.

ROUNTREE: --to help address the housing need.

TOBIAS ORR: So specifically that's ATP. So we do a home modifications or accessible modifi-- modifications for all the waivers in Nebraska, as well as we work in Nebraska VR, some private foundations. One of our biggest challenges is contractor recruitment, because specifically when we're using waiver dollars, those contractors must be Medicaid providers, no different than a nurse or a doctor. And anybody knows a contractor knows they don't like paperwork. We also have background checks and things like that, so it is, it is difficult to recruit contractors. So we put a lot of effort and resources towards making that process as streamlined and easy as possible, and then just the marketing and the outreach to get them to come on.

ROUNTREE: All right, thank you so much. I appreciate it.

TOBIAS ORR: Thank you.

HARDIN: Senator Quick.

QUICK: Yeah, thank you, Chairman. Do you find that there's any challenges more in rural areas for housing and versus, you know, like an Omaha or Lincoln or even a Grand Island?

TOBIAS ORR: I would say rural, yes, there's, there's more challenges there, just because you have less apartment complexes, just less units available. As far as like the, the waiver programs and home mods that we do, we can serve any community. And so we can work on single-family

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homes just as easy in rural as we can in urban. But I'd say overall the housing challenge, I think rural has a bigger hill to climb just because of the lack of units, lack of affordable housing, things like that.

QUICK: Yeah. And you were talking about the contractors, and do they travel to rural areas then to do some of that work then?

TOBIAS ORR: Yes, yes, they do. They travel quite a bit. But we're always-- our bigger struggle with contractors probably is more rural, I'd say. But we have some great ones out west. Our biggest struggle right now really is on the east side of the state. We just don't have enough for the, the sheer amounts of referrals we're receiving.

QUICK: OK. Thank you.

TOBIAS ORR: Welcome.

HARDIN: Thank you for being here.

TOBIAS ORR: All right, thank you, senators.

HARDIN: Appreciate it. Kristen Larsen. Welcome.

KRISTEN LARSEN: Hi. Good morning. Yes, so my name is Kristen Larsen, and that's spelled K-r-i-s-t-e-n L-a-r-s-e-n, and I'm here representing the Nebraska Council on Developmental Disabilities today. And I just want to give you a little bit of background about the council. Although we're demonstrated by DHHS and, and our members are appointed by the Governor, we operate independently. So our statements don't necessarily reflect the, the views of the Governor or the department. We're federally mandated, and we're an independent body comprised of individuals who have developmental disabilities, their family members, community providers, and agency representatives, and we all advocate for systemic changes and quality services. And the federal DD Act authorizes state DD councils to pride-- to provide information to state policymakers to, to address these issues in a nonpartisan way. So the council is very supportive of the Olmstead movement and the decision of-- in 1999. And we're so grateful that Nebraska's Unicameral helped make it possible for Nebraska to have the first Olmstead plan. I also want to historically let you know that the council put a pretty significant investment in 2018 to fund the contractor TAC who created the first employment-- or Olmstead plan. I

serve on the advisory committee, and I'm also on the employment work group and other additional work groups. Our council staff actually are involved with four work groups. Today, I'm just gonna focus on employment. First of all, I want to thank Lindsey [SIC] Foley for her leadership as the employment work group chair and facilitator. I think we're making a lot of progress. Can-- we have invested quite heavily in employment. So you're receiving an executive summary from Dr. Lisa Mills, who we contracted with in our past state plan to look at ways we could improve employment for those with intellectual and developmental disabilities. And her work in 2015 came up with this really great report, so the executive summary is there. And then in addition, we hired her for an additional year. She helped us facilitate a supported employment work summit and then create a coordinated, supported employment work plan. And as a result of that, we hired an in-state subject matter expert to con-- continue that work plan, and we've made a lot of progress. And we're really happy that some elements of the work plan-- Dr. Mills' recommendations and the Olmstead-- or the work plan have been incorporated into the new Olmstead employment goals. So here's just a few things I want to stress the importance to keep the movement going. We need to prioritize meaningful employment and data sharing. Clear data communicates what Nebraska values, and Nebraska VR has really made strong improvements in that area by releasing some of the outcomes specific to disability groups. The next thing I want to stress is that we need to ensure that DHHS and Nebraska VR share data on waiver participants who are referred to and ultimately receive services from VR. Both agencies must collect and share the data on the number of transition age youth, those youth that are leaving high school, and are they deciding to use VR services, or are they going into waiver day services, which really is more expensive in the end.

HARDIN: Ms. Larsen, we're over three minutes. [INAUDIBLE].

KRISTEN LARSEN: OK, I knew I might. Yes. And there's additional recommendations. You can see that. But bottom line, I think it's been alluded to that every work group needs to have the key agency partners there. And without key agency partners, it's really hard to make progress on. And we need a more detailed plan to ensure that we're making-- meeting deadlines and not missing deadlines and that sort of thing.

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HARDIN: Well, thank you.

KRISTEN LARSEN: So I know it's a lot. I'm sorry, I tried to get it under three minutes. But hopefully-- yeah.

HARDIN: Senator Rountree.

ROUNTREE: Thank you so much, Chair Hardin. And thank you so much for this testimony, and for the spreadsheet here. As we look at the sharing-- collecting and sharing of data, has there been any difficulty in getting data back and forth, or [INAUDIBLE]?

KRISTEN LARSEN: No, actually-- well, it hasn't-- it was a little delayed, but I'm very pleased that Nebraska VR has been able to share that data and they've been able to break it out into specific disability groups. So we've been unable to see the data of how many people they're serving who have intellectual and development disabilities, traumatic brain injury, autism, mental health-- serious mental health issues. So that's helpful. Really, we want to look at the IDD population because the data across the nation, and I'm, I'm sure it will reflect in the state, is the IDD population is severely under-unemployed or under, under-- they're either not employed or, if they're employed, it's just very little.

ROUNTREE: So how would you propose to increase unemployment rate? What would you look at?

KRISTEN LARSEN: I think one of the barriers, Senator Rountree, is that, you know, I'm a person with lived experience.

ROUNTREE: Yes, ma'am.

KRISTEN LARSEN: I had a son that went through the education system, and employment wasn't even a-- it wasn't even a topic in his IEPs. It was like, he's too severe, we're just going to send him to a day program. And really, he, he could work, and it's been proven that many people can work. But families don't know that. And I think we're doing a better job now that VR is in schools, but what happens is that transition period comes and they might qualify for DD waiver services. And so the, the family just doesn't know what to do, and they oftentimes end up going directly into waiver services instead of pursuing employment. Because-- the, the transition isn't as seamless, and I think that has something to do with the Nebraska VR staff are

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not the staff that will follow them as they come into adult services. But a lot of that is just on information sharing and helping families understand benefits planning, and really raising expectations for youth with intellectual and developmental disabilities.

ROUNTREE: Thank you.

HARDIN: Senator Riepe.

RIEPE: Thank you, Chairman. I, I guess my question would be, as Executive Director of the Nebraska Council on Developmental Disabilities, what kind of staff do you have to support you in your effort?

KRISTEN LARSEN: I have, it's myself and two full-time staff that do the work, a lot of the work. But then our council is made up of 25 members, and we're a collective council, so collectively we do work. And it's important to highlight that we have top agency people on our council, including Director Green, who's been a very strong partner to work with over the years. But it is a lot. We have-- we're a minimum allotment state too, so we have all this work that the DD Act says we're supposed to do, but not as much funding, so we're-- we do what we can.

RIEPE: So you have, correct me, you have three--

KRISTEN LARSEN: Three full-time staff.

RIEPE: --salaried types of folks. OK, thank you very much.

KRISTEN LARSEN: And we're 100% federally funded.

RIEPE: OK, thank you.

HARDIN: Senator Quick.

QUICK: Yeah, thank you, Chairman. You mentioned on that last-- on Senator Rountree's question about the, the VR staff doesn't follow them into adult services. How--

KRISTEN LARSEN: Well, I think they're still there for folks, but I think there's a different referral process. Like they've been working specifically with, with, with people who are serving as pre-ETs or pre-employment specialists with the VR staff. And then, but those

folks stay with the schools, with the high schools of transition programs. They're not necessarily gonna be the ones that help them out into the community. So I think there's just some systemic issues there that we don't quite have that-- it just, it'd be easier if I know I'm working with my job coach here, and that job coach is going to continue working with me as I go into adult services. But it-- the system is just not, in Nebraska, it's not set up that way. We have hired a contractor or a sub-- subrec-- subrecipient, Sean Roy from TransCen. He's been doing a lot of work with us that you can see on our website. And he actually visited with me, and he said, you know, it being-- one of the ideas is if this VR could hire the supported employment providers that they ultimately use when, when folks are through transition to work with them in the schools instead of the VR pre-ET staff doing that job coaching work, if they could hire this supported employment staff that are going to do the work anyway as they-- then they can follow them along, and it's a more seamless process.

QUICK: I should have asked you. I, I've visited like our Goodwill in Grand Island, and they do a lot of work with people with disabilities, and actually do some job training there. Is that just an added resource, or is that something that's through the--

KRISTEN LARSEN: That-- I-- my understanding is that Goodwill of Greater Industries, they are a supported employment provider. So they get re-- there's a payment system that's set up with Nebraska VR, and they're very passionate about meeting those demand-- or helping people work. The, the concern systematically is that when people start working, there is this milestone. And once they are employed, like, for 90 days or something like that, once they reach successful employment, then the VR job coach will step, step back. But as we all know, employment can change. We can have a new manager, we can have-- the economy can have some struggles, we could have COVID. I mean, we would-- they need that coach to come in, not all the time. But there needs to be a process for long-term supports. And our system right now doesn't have that set up really well. Those supports really should be coming from the DD waiver system. And it's just because funding is so tight, budgets are tight, it's-- we haven't figured out a better way to address that so that, that it's supporting people and keeping their jobs. Because what happens? They lose their job and, you know what, they have to go back to VR, have another referral, and they have to restart that process all over again. So the cycle starts over again,

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and that's-- that doesn't make sense. Why are we not having a system that provides the job coaching when they need it after VR has faded, and we've got supported employment wa-- and folks that work for like Goodwill Industries and others across the state?

QUICK: I know this would be really tough, but is there a way that we can edu-- help educate some maybe parents so they would know, you know, what direction for their child once they're out of school and--

KRISTEN LARSEN: Yes, I, I think collectively as our work group, we're passionate about that. How do we reach families? And you know, but we have to have other partners at the table, like the Department of Ed, like how do we-- how are we getting that information to the transition teachers who then get it to the families? We funded Sean Roy from TransCen to do an elevating family expectations grant where he did do some training specifically with families and at some transition conferences. So we're getting information out there. But like, you know, when you're a small staff and you only have so much money to do contract work, it's really hard to address the concerns that family members have. And I'm also going to clarify that, you know, employment's not the answer for everybody. There are some folks with sev-- very severe disabilities or medically complex situations where employment really isn't something they want to do. We just want to support their qual-- quality of life with good, sustainable waiver services, so they're having meaningful days.

QUICK: Thank you.

HARDIN: Seeing no other questions, thank you.

KRISTEN LARSEN: Thank you.

HARDIN: Kathy Hoell. Good morning.

KATHY HOELL: It's, it's a process.

HARDIN: OK.

KATHY HOELL: Thank you. So you'll just have to be patient. First of all, as a person with a disability, I'm requesting an accom-- accommodation of a lack of the light system. Because of my voice

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impairment, I do not consistently talk. And so I just need a little flexibility here.

HARDIN: We look forward to hearing what you have to present.

KATHY HOELL: What?

HARDIN: We look to hearing what you have to present.

KATHY HOELL: I'm not sure everybody is, but OK. My name is Kathy Hoell, it's K-a-t-h-y H-o-e-l-l, and I serve as one of the co-chairs of the Olmstead Advisory Committee. I want to begin by thanking Senator Rountree, who is now not here. And I also want to thank Disability Rights of Nebraska for helping with a recent survey that you have all received copies of. [INAUDIBLE] sent out. You've been hearing from some of the working groups, there's going to be more. And they will talk about the progress which they have made. But it's important to remember Olm-- the Supreme Court Olmstead decision was and remains a binding precedent. The Americans with Disabilities Act and Section 504 of the Rehabilitation Act also remain law. So while the current federal administration has chosen to take a narrow view that does not eliminate Nebraska's responsibility, and Nebraska's had to recognize the importance of supporting people with disabilities and families and since 1981, nine years before the birth, Americans with Disabilities Act was passed, the Unicameral passed LB389, the Disabled Persons and Family Support Act. Funding in that bill described the state's commitment to supporting disabled people, strengthening families, and promoting independent living. What's important to realize is that disability does not discriminate. Any person from any income, ethnicity, or location can enter this minority group at any time. A prime example is me. I was 27 years old, a practicing registered nurse, a wife of an individual in the Air Force, and the mother of a two-year-old son, and we were living in Madrid, Spain. I developed flu symptoms. However, they didn't improve. By the end of a week, I was in the hospital. They did multiple tests, couldn't find out what was wrong with me. I continued-- I was moved to the intensive care unit. That probably should have been my first clue. Anyway, I went to bed one night, and I woke up two weeks later. And I was paralyzed from the neck down and on a ventilator. So that's why I'm so adamant about Olmstead. My-- I became a second-class citizen over-- essentially overnight for me. I spent two years in the hospital and in nursing homes. That included being put to bed at 4:00 at night,

or in the afternoon, however you want to look at it. Eating on their schedule and, yeah, everything was done to meet the staffing needs, not to meet my needs. Thankfully, my family remained intact, and I have, I have the benefits and the resources that have allowed me to continue living at home. But not everybody is as lucky as I am. Recently, Disability Rights and I conducted a survey that went out to people with disabilities, family members, friends, and allies, asking people how they thought Nebraska was doing on Olmstead. I have sent the full 98-page copy of the survey and all the responses to each of you. But you did receive today a highlighted version that we developed of just some of the responses because I thought it was so important. I thought one of the survey responses there, it-- might show that I need to focus on Nebraska needs to invest in community-based services in a way that makes true choice and community integration possible. It is not enough to say that individuals have a choice to live in the community if the services, workforce, funding, housing, transportation, other supports needed to make this possible, are not available. This response reflects a broader concern. Nebraska has invested substantial resources in institutions while failing to provide supports and services necessary for a strong home and community-based system. This includes a lack of oversight into what DHHS does. DHHS establishes [INAUDIBLE] community's funding, sets provider rates, has oversight of quality. And it feels-- if there's an appeal, it goes to DHHS. This is like asking the fox to guard the chicken house. I'm sorry. It just doesn't work. We do not have an adequate system to ensure the health and safety of an individual in our long-term care system. Nor do we have a true person-centered system. Because the chair of the Transportation Committee recently moved, I'm just gonna briefly touch on a few of the things that I know. Transportation is not physically or programmatically accessible. Paratransit services, while they're available in some-- like Omaha, Lincoln, some of the smaller suburb towns, and they're available on Grand Island, Kearney, but when we get to the really rural areas, it's not available. And it has to be booked anywhere from 24 to a week and-- 24 hours to week in advance. So I know for here in Lincoln, it is a week. Omaha, I think, is 24 hours, so that's a little bit better. Anyway, we do not require taxis, Ubers, or Lyfts to be accessible. And I have had a lot of issues over that. And I, I'm not going to bore you with the details right now. There is a small percentage that you decide to be, be accessible. I know a friend of mine has been working with Uber and she has an accessible van, so it makes it easier. But

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this lack of accessible transportation makes it impossible for people to work. Because transit-- paratransit systems are limited by city or county lines. So for example, this happened a few years ago, Offutt Air Force Base tried to set up a employment process with a program in Omaha, and it had to be canceled because they could not find a way to get those people to work because you would have to cross county lines. And that's unacceptable in my opinion. And the other thing-- I just wanted to tell you one quick story of an, an individual who lives in Omaha who was doing an internship with a company in-- or a nonprofit in Lincoln. And they had to have a meeting with her in person, so to arrange transportation, it cost \$700 to go from Omaha to Lincoln. Thankfully, the [INAUDIBLE] paid that \$700, but then they had their meeting, but the transportation company who was supposed to pick her up at the end of the business day at 5:00 and they didn't show. She ended up sitting on the street till 7:00 in the evening before they finally showed up. The Department of Transportation has worked diligently on the things that they're responsible for, like their website, making their public meetings accessible, but they have not-- there's some legislative fixes that are going to be needed because of the chance of the-- you hear [INAUDIBLE] it costs thousands of dollars to go across the state if you don't have your own van or whatever. In 2025, LR251 was introduced to look at the state transportation system. Excuse me. However, this was introduced into the full body, but the chair of the Telecommunication and Transportation Committee refused to have a hearing on it. Nebraska has a responsibility to make sure our state is constantly working to provide home and community-based services to our citizens, to those that currently have disabilities, and to those who may not have them yet. Because the national average said 1 out of 4 people will become disabled in this country. According to the Developmental Disabilities Act, disability is a normal part of the human experience. No one should have to leave their home or community just to get service, or get stuck in a nursing home or a hospital with no way out. I have gone through four governor's terms trying to get Olmstead [INAUDIBLE] because in most states, the governor are the ones that push this forward. But Johanns, Heineman and Ricketts and Governor Pillen will not do it. So I want to thank the Unicameral for eventually seeing the light and introducing the bill and passing the bill. Anyway, disability should not be political. It's a bipartisan issue, and I call on the Legislature to prove that

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people with disabilities matter. And if there are any questions, I'd be glad to answer them.

HARDIN: Thank you, Ms. Hoell. Questions?

ROUNTREE: I do.

HARDIN: Senator Rountree.

ROUNTREE: Thank you so much, Chairman Hardin. And thank you, ma'am, for this really inspiring testimony. But it tells life like it is. And I appreciate that.

KATHY HOELL: Yeah. And that's what I tried to do, is to focus on what people are really facing out there versus all the pretty words that you're getting from everybody else.

ROUNTREE: Yes, and we are-- we're just one breath away from dying. We're just one step away from being disabled ourselves. And that is something that we can never forego is the compassion and the understanding. Our society is only as strong as the effort that we put in to taking care of our citizens. And all of us together, taking care of one another, definitely can make this state a better state and better place for all of our citizens.

KATHY HOELL: Thank you, and you missed it. I did thank you.

ROUNTREE: Yes, you did. But it's all right, so you and I have a conversation, so I appreciate that, but this is good information here about the \$700 to get from Omaha to Lincoln and then not getting picked up. These are the realities of what we deal with, and sometimes if you have everything that you need, we tend to forget about those who may have lack or not have what they need. So we want to keep our focus on that too. So I thank you for what you shared. And as you work with the Olmstead committee, we've heard a lot of testimony today, which I appreciate it. But I like to see as we come together and continue to put good policies and procedures and practices in place, so we can continue to lift one another up. So I just wanted to make a comment on that. Thank you.

HARDIN: Senator Cavanaugh, did you have a question? OK, seeing no others, thank you. We appreciate it.

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KATHY HOELL: Oh, OK. And you're gonna hear from me again.

HARDIN: Joni Thomas will be next.

JONI THOMAS: A little tight in here.

HARDIN: Welcome.

JONI THOMAS: Thank you. Hang on one second. You know, of the reader age-- reader glasses. OK, I think I'm ready. My name is Joni Thomas. I want to thank you, Chairman and members of the Urban Affairs and Health and Human Services Committee. My name Joni Thomas, J-o-n-i T-h-o-m-a-s, and I am the chair of the community supports work group for the Nebraska Olmstead Plan. I'll be direct, community supports is not making the progress it should. It's not for lack of trying. It is because the people with the authority and responsibility to move this work forward are not at our table. The housing work group has John Turner, as you heard earlier, whose professional responsibilities align with many of that work group's goals. Transportation has providers, and Jodi Gibson from the Nebraska Department of Transportation. Employment has, as you've heard, Lindy Foley. And they're doing a great job. Community supports does not have regular participation from the key partners named in the Olmstead plan. I did hand out our portion of the Olmstead goal, so you didn't have to read all the whole thing if you just wanted to know about us. But and on that, our goal one, you can see that our key partners are mainly state, state departments, the Department of Behavioral Health, the Department of Medicaid and Long-Term Care. Various things like that. Certified Community Behavioral Health Clinics, CCBHCs, are one of our community partners. But they're located throughout Nebraska and have a range of services. Are we expected to contact every one of them to try and find a person that can represent them? The managed care organizations are also named as our key partners. I have personally asked two of them more than once to send a representative. No one has attended or responded. I have repeatedly asked for the names of people responsible for these areas, I have sent emails and received no response. Some state contacts respond only when I include another Olmstead committee chair with mine. I'm a volunteer chair. That should, that should not be how this works. The community support goals are broad. They include transitions between health care and adult services, access to home and community-based services, coordination-- thank you. My printer printed on both sides-- state systems, the

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direct support workforce, data collection, communication access, and self-advocacy. We cannot address goals that broad without the state agencies and other organizations responsible for those systems to participate in the work. I am asking these committees to hold DHH-- this committee, sorry-- to hold DHHS accountable for implementing the community supports portion of the Olmstead plan. Require the agency's divisions other key partners named in the plan to attend our meetings regularly. Identify who is responsible for each activity, respond to our questions, and report measurable progress. Until the reasonable partners are at the table-- the responsible partners-- this work group cannot do the job Nebraska has asked it to do. Thank you, and I am happy to answer any of your questions.

HARDIN: Thank you. Questions? Senator Rountree.

ROUNTREE: Thanks so much, Chairman Hardin. And thank you so much, ma'am, for your testimony. I'm just trying to get my hands wrapped around how we can have the vacancies in the areas that are needed to participate and how with your communication outreach, non-responsiveness, and we haven't been able to cover that gap.

JONI THOMAS: I would like to know that too. We, you know, as you can see on our goals, they're just big. I mean, the-- it, it states the Department of Medicaid long-term care. That's a huge division. Who in there can help us with goal one? Behavioral health, we have had people, Jessica McDevitt was wonderful. She did come and taught us a lot about the system. But, but she wasn't the person that could give me the data that we needed. And it just has been very difficult to, you know, and HHS is saying they can't make the Department of Behavioral Health come to the meeting, or they can't make, you know, some other division come to the meeting. But supposedly, I mean, I've been with this project from the beginning and everybody was there, everybody knew they were going to end up in the Olmstead plan. But yet we don't have any identified person to give us the data we need or give us the information that we can even do anything with it. Does that make sense?

ROUNTREE: It makes all the sense. I'm just figuring out how to, how to resolve and allocate the statutory tack that we need to handle, then maybe in our area we'll go back and look at it.

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JONI THOMAS: Well, and we were meeting monthly, but we weren't getting any-- there just wasn't any point, you know, because our goals are big and they're broad and they are long, and so we meet quarterly now.

ROUNTREE: OK.

JONI THOMAS: But--

ROUNTREE: So is it something then that needs to be broken down like into subunits, or something of that nature, to make it more manageable and maybe encourage participation?

JONI THOMAS: I think at least giving-- getting someone-- someone has to encourage participation by the key partners. You know, one of our, I think it's goal three, the biggest partner is the Commission for the Deaf and Hard of Hearing. And it's very centered, we had originally modified that goal to include a, a communication for everyone, not just people who are deaf.

ROUNTREE: Yeah, yeah.

JONI THOMAS: And, and it didn't get in the plan. So our committee is hoping that at the three-year point we can modify that goal. But we haven't been able to-- we did get-- I will say Kim Davis did give us some information about the number of licensed interpreters in the state. So we did give that, but--

ROUNTREE: All right, thank you.

HARDIN: Senator Quick.

QUICK: Yeah, thank you, Chairman. How many people are-- make up like your-- the committee that you chair?

JONI THOMAS: Our committee, well, we have about 20 people listed on our committee as-- that receive the notifications of meetings, the minutes, things like that. I have to admit, I wasn't great about getting-- about doing minutes for a while, but we have kind of gotten into a system. But there's probably 6 to 10 that come regularly. You know, people that they see that we're not accomplishing anything, they don't want to take an hour out of their day to just come and find out

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we don't know anything more than we did before. That's also why we went to a quarterly meeting.

QUICK: OK. And do the meetings move, or are they in, in one location, like in--

JONI THOMAS: We're all virtual, it's the same--

QUICK: Over--

JONI THOMAS: We're the third Wednesday of every month at 11:00 a.m.

QUICK: OK. So really, there's no reason people can't attend. It's, it's a zoom meeting, right?

JONI THOMAS: Yeah.

QUICK: Yeah.

JONI THOMAS: Well, you know, I mean, they all have jobs, too, so.

QUICK: Yeah.

JONI THOMAS: But yeah, we make it pretty easy.

QUICK: Yeah, well, I think the input from everybody is important, like you say, to, to complete the goals that you want to do.

JONI THOMAS: Right.

QUICK: And do you have like bylaws or something that regulates here?

JONI THOMAS: No, no.

QUICK: OK, all right.

JONI THOMAS: We do have a lot of individuals with lived experience on our committee because it's community support, so you know, it brings a lot people. But we don't have the representation from the state departments that we need.

QUICK: OK, and then once you're, like for your meetings then, does that go back to the full committee then eventually?

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JONI THOMAS: We, yeah, all of the committee chairs report at the advisory council. Yeah.

QUICK: Is that something that comes up though? I, I'm guessing maybe that happens with other committees too.

JONI THOMAS: Oh, I bring it up every time.

QUICK: OK.

JONI THOMAS: Yeah.

QUICK: All right.

JONI THOMAS: Yes.

QUICK: Thank you.

HARDIN: Any other questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chairman. Thanks for being here. You mentioned that you don't get a response from the state agencies unless you CC another committee chair.

JONI THOMAS: Yeah, [INAUDIBLE] you all.

J. CAVANAUGH: Does [INAUDIBLE].

JONI THOMAS: Kristen Larsen. Yeah.

J. CAVANAUGH: Are they then participating in some of these other committees and just not [INAUDIBLE]?

JONI THOMAS: Kathy's on our committee. Kristen is on our committee when she, when she can.

J. CAVANAUGH: I mean the folks who you're not getting participation from.

JONI THOMAS: Oh, no.

J. CAVANAUGH: They're not participating in other committees?

JONI THOMAS: Oh, wait, I'm sorry. Ask me that again.

J. CAVANAUGH: I'm just-- so the folks who are not participating that you would like to get participating in community supports, are they participating in some of the other committees?

JONI THOMAS: Well, and I have to say, Voc Rehab does come to our community supports. Lindy was great about finding someone who could come to all of our meetings, and they come and they report to us what happens at the employment committee. That's the only one. We have somebody from the education committee too. So we have from other workgroups, but they're not the people that can give me the answers. They're not the people they can bring us information.

J. CAVANAUGH: I see. And do, I mean, are there-- I guess I'm trying to understand if the state agencies that you need to participate are participating in some other capacity in other places.

JONI THOMAS: I don't, I don't think that other work groups have like behavioral health on them. At least not in the ones that I sit on.

J. CAVANAUGH: OK. And is one of the problems--

JONI THOMAS: You know, the Depart-- sorry, the Department of Transportation is very involved. So that state agency is involved in the transportation committee.

J. CAVANAUGH: If, and I, I'm just brainstorming this is just a fact-finding mission, of course.

JONI THOMAS: Sure.

J. CAVANAUGH: If we were to just require that they make-- designate a point person who's responsible to communicate, would that, would that, you think-- because you-- it sounded like you said you don't even know who to talk to over there.

JONI THOMAS: Right. I don't, I don't have a name to reach out to. I did get a name, Matt Ahern, who used to be the director of Medicaid and Long-Term Care, he did come. And that was very helpful, and we got some things done. But then he left. And I did reach out to his predecessor, and he, I haven't heard from him, so I don't know.

J. CAVANAUGH: And I'm looking through the thing you gave us. Got kind of a list of the key partners in separate parts here. As-- would it be

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possible for us just to get a list of just who you need as you need a-- need to find a way to get involved?

JONI THOMAS: Sure. Yeah, I can send that to you.

J. CAVANAUGH: OK. Thanks.

JONI THOMAS: Key partners are under every goal, also.

J. CAVANAUGH: I assume not all of them are, are the ones that we're talking about. Is that right?

JONI THOMAS: But I'm just talking about community supports.

J. CAVANAUGH: Right.

JONI THOMAS: Yeah.

J. CAVANAUGH: But I mean, all of the key partners listed here are not the folks we're trying to arm-twist to get involved.

JONI THOMAS: Most of them are want-- are needing arm-twisting.

J. CAVANAUGH: Gotcha.

JONI THOMAS: Outside of vocational rehabilitation and education. Yes.

J. CAVANAUGH: Got it. All right, thank you.

HARDIN: Other questions? Seeing none, thank you.

JONI THOMAS: You bet.

HARDIN: Brad Meurrens. Welcome.

BRAD MEURRENS: Thank you. If I might ask for your indulgence, if I have water here. My-- I'm taking this medication, it dries out my mouth real fast. So might, might drink on that a little bit.

CLOUSE: I have a mint if you need one.

BRAD MEURRENS: Well, you know, I thought about it. That's not the [INAUDIBLE]. It's real. Thank you. Good morning, Senator Hardin and members of the committee. For the record, my name is Brad Muerrens, B-r-a-d M-u-e-r-r-e-n-s, and I am the public policy director at

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Disability Rights Nebraska. The designated-- we are the designated protection and advocacy organization for persons with disabilities here in Nebraska. Our main charge is to advocate for and protect the civil rights of persons with disability here in Nebraska. I want to thank you for the opportunity to speak to you today about Nebraska's Olmstead plan and the rights of people with disabilities to live in the community. The 1999 U.S. Supreme Court decision in Olmstead v. L.C., was a landmark decision. It affirmed the right of people with disabilities to live and thrive in their communities instead of being hidden away, warehoused in massive state institutions, as is so much the history and mistreatment of people with disabilities throughout, throughout history. I want to-- I also want to thank Senator Rountree and the Unicameral for calling this hearing, as this right is under attack. In June of '26, the U.S. Department of Justice issued a slip opinion warning that the department did not believe in, in the integration mandate and did not interpret Olmstead in the way that it has been for over 30-some years. And in July, it announced that it would not be enforcing this right. The department's slip opinion and memorandum, as Kathy had said earlier, are not legally binding. However, it is a clear and dangerous signal that the administration will not enforce the integration mandate or support programs that are essential to community living. For-- in the wake of Congress's enactment of H.R. 1, home and community-based services are already in the crosshairs of every state. As a result, people with disabilities will face fewer services, reduced in-- independence, and increased institutionalization. Combined with the presidential Executive Order 14321's call for institutionalizing people who are homeless because it assumed that they're all have a serious and persistent mental illness, the unsuccessful proposal to reduce compensated hours for caregiving under the Nebraska Medicaid waivers, recent statements bought-- recent statements by folks that the state of Nebraska will still advocate for HCBS services, but will not hesitate to promote institutions. The importance of Nebraska's commitment to fulfill the obligation and promise of Olmstead and its decision and to enable Nebraska's disabilities to actualize their right to live in the community has never been more precarious or urgent. I sense more and more the responsibility to ensure this right will increasingly be left to the states to handle. One of my mentors many years ago had a saying that, that is pertinent to this discussion today. That is, rights have responsibilities. In order to exercise your rights, there is a responsibility for the state or the administration to provide the

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means, methods, and mechanisms to exercise these rights. The message from the U.S. Department of Justice's decision to erase the established right of people with disabilities to live in their communities and to be free from being institutionalized, unnecessarily or against their will, leaves disabled Nebraskans with a civil right, but nothing to enforce that right. Essentially the same thing as not having the right at all. Thus, having a robust, comprehensive, and collaborative Olmstead plan will be critical for Nebraska policymakers to maintain their focus, direction, momentum, and fidelity to the spirit of Olmstead. Having a right to live where one chooses is fundamental, with the same gravitas as freedom of speech, due process rights, and equal protection. State leadership and commitments to provide sufficient resources to implement Nebraska's Olmstead plan will be instrumental. The federal government passed the 21st Century ROAD to Housing Act a, a few months ago, and this will provide funding for states and local governments to build affordable housing and to modify housing so it is accessible to persons with disabilities here in Nebraska. We are eager to work with other organizations and stakeholders to capitalize on this opportunity. The Olmstead plan will be helpful to identify projects that could benefit from these funds. I thank you for your time and attention today. I'll be happy to answer any questions you have.

HARDIN: Thank you. Questions? Senator Rountree.

ROUNTREE: Thank you so much, Mr. Chairman. Thank you, Mr. Meurrens, for your testimony today and a passionate testimony. Since the Department of Justice decision, or their statement, came out, how have you-- have we felt any differences in temperature? When I say differences in the temperature, maybe a propensity to not enforce Olmstead, but just a relax and see an erosion of potential protections.

BRAD MEURRENS: I think it's coming. Like it was said earlier, the, the Olmstead decision still is black-letter law. It's still precedent, and it still is in effect. It hasn't been overturned or overruled. However, I am very leery if-- that, that the government will not enforce the rights and will not do-- so basically, it's not having-- basically not having one at all. So if you can't, if you can't enforce it, it is kind of a roundabout way of, well, we don't have to erase the precedent. We could just say, we're not, we're not going to

enforce it. So it achieves the same end. I, I haven't seen anything in particular enacted that way, but I think it's coming.

ROUNTREE: All right, thank you. And then secondly, just a follow-up to that, the 21st Century ROAD to Housing Act, that provides additional funding for modifications in the more affordable, accessible housing. We heard good housing testimony earlier today. Things are in place. How do you see this as quickly-- because the issue has been timeliness-- but does this enhance the, or cut down on that period of being able to get funding out and getting accessible, affordable housing to the people who need it?

BRAD MEURRENS: Yeah, I, I think the Olmstead plan, as we have it now, will be instrumental in, like I said, identifying projects that could be funded by this federal legislation and federal funds that come down to the state and localities. I think it will play, I think it will play an important role in, in, in meshing with the funds that do come down and the purposes for those, for example, modifying houses, making them accessible, building affordable and accessible housing. It also talks about funding a study of accessible housing in persons with disabilities in-- across the nation. So I think the Olmstead plan, in conjunction with the ROAD to Housing, will play a synergistic effect and will be instrumental in afford-- in developing those affordable and accesible houses.

ROUNTREE: And then lastly, in the last legislation, I had proposed a bill dealing with our disability housing. A 5% for physical disabilities and a 2% for visual-hearing impaired. Do you think that's reasonable, does it put other restrictions out? Should there be more? Should be less? I mean, you're dealing with multi-- multiple units.

BRAD MEURRENS: Well, you know, I don't, I don't know if-- I don't have a specific number for a percentage. But, but I do believe that would be a good start, the 5% as we-- as you had introduced originally in your bill. You know, and, and I think that, I think that it-- this funding, if we can get stakeholders around the table and, and, and develop a package to apply for and receive these funds, we'll, we'll go very far in, in creating those affordable and accessible houses that people with disabilities need. It's a, it's a severe shortage. And I remember my friend Vince, who has a disability, and he was homeless for a while. And he, he literally had to hide behind dumpsters in the alley so he wouldn't get mugged on the streets of

Lincoln, Nebraska. I think KETV did a story on him and, and followed him around and tried to find the dumpster that he could, he could hide behind so he can get some sleep in his chair overnight. It, it was, it was a hair-raising story. And what they said back then was that, you know, homeless shelters are not usually accessible to persons who have a mobility impairment or, or a disability. So there-- he couldn't go to the homeless shelters. He couldn't-- he didn't have housing, so he basically lived on the streets for a while until he could get-- finally get some affordable, affordable and accessible housing, which took a while.

ROUNTREE: All right, thank you so much. Appreciate that.

HARDIN: Other questions? Seeing none, thank you.

BRAD MEURRENS: Sure.

HARDIN: Mary Phillips. Welcome.

MARY PHILLIPS: Hello. Good morning, Senators. My name is Mary Phillips. That's M-a-r-y P-h-i-l-l-i-p-s. I am here to testify as the co-chair of the education work group from the Olmstead Advisory Committee to share the progress of our education work group. The education work group is composed of both members and non-members of the Olmstead committee. The membership roster is attached to my testimony today. I represent the Arc of Nebraska on the advisory council, and I am also a retired director of special education for an educational service unit, ESU 6, by the way. And most importantly, I am a parent with lived experience having a 38-year-old daughter with developmental disabilities. The vision of the education work group is that Nebraskans with disabilities have equitable access to high-quality educational opportunities that prepare them for meaningful participation in their communities. We know that education is a fundamental right and a cornerstone of lifelong learning, independence, and engagement. It creates opportunities for students with disabilities to learn alongside peers, foster social development, reduces stigma. It also helps ensure that students are valued members of their school communities and they're prepared to contribute meaningfully to society. Nebraska is committed to ensuring that every student has access to a high-quality education and supports their full potential. The goals of our committee are listed there for you, and you'll notice the first two are bolded, because those are the two

goals that we're actually working on this year in our subgroup. We would like to strengthen the staffing capacity and equitable access to educational support statewide with targeted strategies for the rural schools. The ESU that I supported in special education were 16 rural districts, and I can tell you that there is a discrepancy in resources with the rural schools and the urban schools. I also spent 25 years in an urban school in various capacities as a special ed teacher, a building leader, a district leader. And so I see that there are different resources available depending on where you live. And the third goal is to increase parental engagement and knowledge of resources beyond schools and we plan to tackle that one in our, in our next series. So to reach our goals, the education work group is hosting an education leaders roundtable on October 16th in Omaha, and we want to discuss the current challenges and find solutions to the special ed workforce shortage facing Nebraska. Because without teachers and educators, we're not going to help these students in the ways that I described earlier. We seek rep-- we are seeking representation from the key stakeholders in, in state and higher education policy, training and service providers. And the rationale really is to address the negative trend line that we have been following in the special education workforce in Nebraska today. The data provided by the Nebraska Department of Ed, who are very powerful partners with us on our work group, are listed there for you. But the one that we're most concerned about now is still in '25-26, we have a 30% vacancy rate in special education in unfilled positions. That is a bit of an improvement from the 208 the year prior, but it's still-- 30% is still too high a number of missing special educators across the state. We have had some difficulties finding partners from education agencies who have the capacity to help us in our planning and to help us share-- get information and to share strategies with us because of the staffing shortages that we are actually concerned about. So they don't have the time to come and be a part of our monthly committee and to work with us for just that reason. So our committee participation is not continuous. People come when they can, and we, we miss that continuity of having ongoing folks. We just very recently received the complete list that we needed of all the ESU, all the ESU special ed directors that we were inviting to our workforce round table and a listing of all of the state college deans. We just recently received that. We've been asking for it for several, several weeks, a couple of months now. So another barrier that we have is that obviously there's no funding for Olmstead. And so we're planning a round table with zero

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dollars. So we're thankful for having partners like Midrow-Meyer who are, who are able to help us out with locations and, and with supporting this endeavor. We know that bringing highly qualified stakeholders together will help contribute to a plan to really help us and with recruitment, with training, with retention, to meet these workforce strategies that we're facing in Nebraska. And it is-- it's not a singular issue in a certain part of the state, it is across Nebraska, we're-- these workforce shortages. And we're not just talking special ed teachers either, we're also talking about related services staff, paraeducators, OTs, PTs, speech pathologists, nurses, all the folks that support these students to have meaningful educational opportunities. So I'm open to questions. Thank you for inviting me.

HARDIN: Questions? Senator Clouse.

CLOUSE: Thank you, Senator Hardin. I have, I have a few questions. ESU 6, where is that located?

MARY PHILLIPS: Milford.

CLOUSE: Milford, OK.

MARY PHILLIPS: Yeah.

CLOUSE: And then when we talk about these shortages, is it salaries, is it the, the work? Because it's, it's a lot of work?

MARY PHILLIPS: So that's really what the roundtable's job is to do, is to help us determine why are we not getting candidates, teacher candidates coming into these colleges, what where-- what retention strategies are being implemented right now? Why-- where are we finding shortfalls? We don't know the answers to these. So in light of not being able to have a robust committee meeting on a regular basis, we thought bringing people together in a roundtable might help us understand some of these barriers.

CLOUSE: OK. So what type of funding are you looking for? From where and who and all those things.

MARY PHILLIPS: Oh, well, you know where I'm looking for funding. We need to increase the, the amount of money that comes into special education, the reimbursement rates. We-- I mean, we can start talking

about that. But I, I personally think it would-- my professional opinion here would be it would be helpful to have some type of program for teachers or for students coming into the teaching field, whether it's student loan forgiveness or whether it some kind of a incentive pay stipend, something. And I, I know we're in a tight budget year, but teachers in Nebraska are 45th paid lowest in the country, and yet we have some of the highest outcomes for graduations and, and that kind of thing. But my focus truly is on special education. And when you hear about how interrelated this, this work group is with all the other work groups in the Olmstead, if we don't put out individuals who have meaningful work experiences and opportunities, then that's going to contribute greatly to waiver services because of not out in the workforce, even with supported employment. They're certainly not doing any customized employment opportunities because they haven't learned how to do that, because they're being segregated and, and warehoused in schools versus in a, in a universal design of learning where all the students are learned in an inclusive setting. All of this takes people, right? All of these takes teachers and, and people to support those students, and that's what's missing.

CLOUSE: Do you think the universities aren't targeting that?

MARY PHILLIPS: I will find out at the roundtable.

CLOUSE: Pardon?

MARY PHILLIPS: We'll find out at the roundtable.

CLOUSE: OK. Thank you.

MARY PHILLIPS: Yeah.

HARDIN: Senator Quick.

QUICK: Yeah, thank you, Chairman. And I know all school districts are different.

MARY PHILLIPS: Right.

QUICK: So you've got your rural schools and smaller schools. I'm guessing they face probably a lot of problems getting special ed teachers.

MARY PHILLIPS: ESUs do a tremendous job of meeting those needs. You know, when I, when I was at ESU 6 prior to my retirement, we provided all types of related services to all of our 16 districts. Most districts hired their own special ed teachers themselves, but all the related services, psychologists, mental health supports, all of those types of things for special education came through the ESUs. That continues to happen. We do have a few single-district ESUs with Lincoln and Omaha. And they, they use their ESU funds a little differently. Each of them use them differently as well. But out in the general ESU communities, special education is, is very much needed to support those rural districts.

QUICK: And so when you're, when you're committee meets, did you work directly with the ESUs to-- or Department of Education or is it through the ESUs or through-- or maybe all three school districts included?

MARY PHILLIPS: All. All. We work directly with the superintendents in the school districts, I worked in collaboration with the Department of Education, and the ESUs themselves are a tight-knit group that we share resources and training materials and all kinds of things.

QUICK: OK. And then one other question, and it's kind of related, and maybe you addressed it, I don't remember, in your testimony. But I know one of-- the working committee for housing had trouble getting everybody to come to the meeting.

MARY PHILLIPS: Mm-hmm.

QUICK: Do you face some of those same difficulties?

MARY PHILLIPS: We do, because they're working and there's a workforce shortage, and there are not subs for them to be released to come. Department of Ed, while the Director of, of Special Education in Nebraska hasn't been able to attend, she sends the transition specialist. And she's valuable, and she actually helped us get some of the data that we've been working off of. So we do have a strong partner with the Department of Ed. But we, we would like to see more partnerships with the higher ed community. We would to see even more partnerships even with the ESUs. And those are areas where it's just hard to get them to come because they're already working, you know, long jobs.

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QUICK: OK, thank you.

MARY PHILLIPS: Yeah.

HARDIN: Any other questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chairman. Thanks for being here. I'd just follow-up on Senator Quick's question about--

MARY PHILLIPS: Yeah.

J. CAVANAUGH: So in terms of getting folks that you need to attend, you said they don't-- they're not set up to be released to come. Does that mean they have to like take time off to come, as opposed to getting paid to go?

MARY PHILLIPS: I'm sure they're paid to come if they came, right? This would be underneath, under their umbrella of, of work experience. But it's more of we, we don't have any stipend to come, we don't offer any mileage to come, so they would have-- they would be at the mercy of their place of employment if they did come. But as Joni said, our meetings are virtual anyway. So we're not asking people to come to us, except for the roundtable, but we also will offer that virtual

J. CAVANAUGH: Thank you.

MARY PHILLIPS: Yes.

HARDIN: Other questions?

ROUNTREE: Yes, sir.

HARDIN: Senator Rountree.

ROUNTREE: Thank you, Chairman Hardin. And thank you so much, ma'am, for your testimony and your lived experience and professional experience. When you said there's inequities in resources that are in urban and rural areas, and I know that's pretty broad, how do we get those resources, the, the better resources out to the minimal areas and so forth? In those areas that want those resources, is there ever any pushback on certain things, as far as resources are concerned?

KRISTEN LARSEN: The resources are-- many of the resources come directly from the school districts themselves.

ROUNTREE: OK.

MARY PHILLIPS: And some of those school districts just don't have the funds. I've, I've had superintendents tell me, yes, I know I need a mental health specialist in my district, but second grade classroom desks are 20 years old. You know? Or my cinder track needs replaced. I hear those things, and then that tells me the priorities for that community are not a mental health professional in the school system.

ROUNTREE: OK. Thank you. That clarifies it for me.

MARY PHILLIPS: Yeah, that's just reality.

ROUNTREE: It is. Thank you.

MARY PHILLIPS: Yes.

HARDIN: Other questions? Seeing none, thank you. We appreciate it.

MARY PHILLIPS: You're very welcome. Before I go, I just would like to also recognize and thank my spouse, Major Don Phillips, for attending. This is his first hearing, and he came today to be my biggest cheerleader. So thank you, Major Phillips.

HARDIN: So this has, this has been atypical, this hearing has been atypical for the, for the Legislature. We don't normally have two committees come together, whether it's during the session or during the interim. And so this has been an enjoyable thing, I think, for us to be a part of. So I was just going to ask you, Vic, would you mind just, I mean, is this kind of what you envisioned when, when you thought about this? Because you and I sit in the front row and we, we kind of-- well, we ignore everybody behind us and we talk and so forth and, I mean, was this kind of what you were envisioning?

ROUNTREE: Chairman Hardin, yes, this is exactly what I envisioned. And it-- to me this is disproving the fact that we come together for a hearing and then nothing happens. I've taken a lot of notes And there's been a lot of things that we saw they call inefficiencies or deficiencies, things that need to be raised and on gaps that need to be filled. So that's what this testimony today has given us that jointly.

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So I've taken a lot of notes, and I think there's a lot of things that when the report is done that we can move forward, follow-up, make sure we can get people to the meetings that need be there. And the funding issue that was just raised, we can take a look at that too. So I don't think it'll just be the hearing for today and it drops. Something we can go forward with. So thank you so much. I appreciate it.

HARDIN: Thank you. So thank, thanks to all of you for making the effort and the time to come out today and, and make this happen. So appreciate it very much. That concludes our hearing today.