

I've had several questions come up since the vote on the last...on the last bill, and if there are questions regarding the policy on this I'd be happy to answer them. The a...again, just to review it, that the claim file indicated that the claimant was a teacher at a school here in Lincoln. She took custody of a state ward. The state ward stole coins from her, used the coins. She submitted a claim to her insurance company. The insurance company paid her everything but her deductible. We're talking about a \$250 claim. The a...she submitted only that portion of the claim, only that \$250 to the state. The State Claims Board denied it for the reason due to the fact that she was aware of the ward's pattern of stealing. They recommend the claim not be paid. Again, I...I think going back I guess to what Senator Morrissey said a little bit earlier, I think this is a way of discouraging foster parents if the foster parents knows that, regardless of what action...what actions the ward takes, that foster parent can end up bearing the loss. I don't think that is a good policy for this state to have. I think that the Legislature should adopt a policy rather which would say if somebody does all reasonable efforts, which I think has occurred in this case, to limit that loss. I'm also not a fan of exposing the state to a great deal of expense. I don't think that's necessary and I don't think that's what we're trying to do and I guess I'm, to an extent, trying to make a little bit of a legislative record here. It's not an intent to open this up to subrogation claims from insurance companies or anything like that. Just merely, in this type of case at least where the claimant did all she could to try to have other sources pay for the claim and presents a very reasonable, very limited amount of claim, I think it's in the best interest of the state and of the foster care program to approve that claim. I'd urge the adoption of the amendment.

PRESIDENT: Thank you. Senator Coordsen, please.

SENATOR COORDSEN: Thank you, Mr. President, members of the body, again, I think we've discussed this at some length. I won't call on anybody to answer whether the Department of Social Services has that capability to look at and settle claims that arise from foster parents' losses that evolve from their caring for wards of the State of Nebraska. Again, as Senator Lindsay indicated in his testimony, rather than be talking just about the \$250 that was involved in this claim, which I think all of us agree is a fairly insignificant amount except to the person who incurred the loss, we are talking about a policy direction