

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Jim Pillen, Governor

December 31, 2023

Mr. Brandon Metzler
Clerk of the Legislature
State Capitol Room 2018
Lincoln, NE 68509

Subject: Annual Developmental Disabilities Court-Ordered Custody Act Report

Dear Mr. Metzler:

Per Neb. Rev. Stat. § 71-1134, the Division of Developmental Disabilities (DDD) is submitting this communication as the Developmental Disabilities Court-Ordered Custody Act (DDCOCA) annual report for fiscal year 2022/2023.

When an individual has been adjudicated and found needing court-ordered custody and treatment under the DDCOCA, the Department of Health and Human Services (DHHS) is required to evaluate the individual, and develop a plan to support in the least restrictive alternative. When a court approves a plan involving custody and treatment, it is ordered by that court, and will continue until that same court holds an annual review hearing. At that annual hearing, depending on circumstances, the court may decide whether the plan should continue, be revised, or be discontinued.

During the 2022/2023 fiscal year, \$12,399,924 was spent by the Division to provide services to individuals affected by DDCOCA. Attached is a summary of those cases, as well as historical data on this Act since its implementation in fiscal year 2014/2015.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tony Green".

Tony Green, Director
Division of Developmental Disabilities

Attachment

Division of Developmental Disabilities

Developmental Disabilities Court-Ordered Custody Act Report

December 2023

Neb. Rev. Stat. § 71-1134

Developmental Disabilities Court Ordered Custody Act Report July 1, 2022 to June 30, 2023

	County	DDCOCA Begin Date	DDCOCA End Date	DD Eligible	Funding Source	Current Residence/Service Setting	2022 - 2023 Fiscal Year Cost	Case Status
1	Lancaster	08/29/2009		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$ 209,884	Plan implemented and monitored by court
2	Lancaster	04/05/2010	07/12/2022	Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$11,726	Plan implemented and monitored by court
3	Lancaster	03/24/2011		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$130,217	Plan implemented and monitored by court
4	Lancaster	05/02/2011		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$241,115	Plan implemented and monitored by court
5	Douglas	05/12/2011		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$ 216,282	Plan implemented and monitored by court
6	Lancaster	12/07/2011		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$ 248,953	Plan implemented and monitored by court
7	Lancaster	05/29/2014		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$284,539	Plan implemented and monitored by court
8	Saunders	05/29/2014		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$239,170	Plan implemented and monitored by court
9	Madison	06/09/2014		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$216,203	Plan implemented and monitored by court
10	Gage	04/14/2015		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$243,164	Plan implemented and monitored by court
11	Otoe	01/12/2016		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$203,875	Plan implemented and monitored by court
12	Sarpy	06/13/2016		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$242,262	Plan implemented and monitored by court
13	Phelps	07/19/2016		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$282,384	Plan implemented and monitored by court
14	Madison	11/21/2016		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$269,481	Plan implemented and monitored by court
15	Douglas	03/02/2017		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$228,245	Plan implemented and monitored by court
16	Cheyenne	06/28/2017		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$232,336	Plan implemented and monitored by court
17	Sarpy	03/27/2018	04/10/2023	Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$154,211	Plan implemented and monitored by court
18	Sarpy	07/18/2018	03/16/2023	Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$104,722	Plan implemented and monitored by court
19	Sarpy	11/07/2018		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$501,014	Plan implemented and monitored by court
20	Washington	02/14/2019		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$240,130	Plan implemented and monitored by court
21	Colfax	05/23/2019		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$308,425	Plan implemented and monitored by court
22	Otoe	05/29/2019		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$307,141	Plan implemented and monitored by court
23	Madison	07/29/2019		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$238,646	Plan implemented and monitored by court
24	Sarpy	08/12/2019		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$230,008	Plan implemented and monitored by court
25	Sarpy	08/15/2019	09/26/2022	Yes	HCBS Waiver	Independent Living w/DD Community Based Provider	\$ -	Plan implemented and monitored by court

	County	DDCOCA Begin Date	DDCOCA End Date	DD Eligible	Funding Source	Current Residence/Service Setting	2022 - 2023 Fiscal Year Cost	Case Status
26	Saunders	09/17/2019		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$213,603	Plan implemented and monitored by court
27	Johnson	10/07/2019		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$308,368	Plan implemented and monitored by court
28	Platte	04/21/2020		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$223,921	Plan implemented and monitored by court
29	Douglas	06/11/2020		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$213,286	Plan implemented and monitored by court
30	Saunders	08/20/2020	03/27/2023	Yes	HCBS Waiver	Department of Corrections	\$ -	Plan implemented and monitored by court
31	Butler	09/08/2020		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$177,179	Plan implemented and monitored by court
32	Scottsbluff	09/11/2020		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$547,419	Plan implemented and monitored by court
33	Douglas	11/10/2020		No	DDAID	Shared Living Provider w/DD Community Based Provider	\$283,620	Plan implemented and monitored by court
34	Colfax	12/15/2020		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$311,761	Plan implemented and monitored by court
35	Lancaster	01/07/2021		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$216,591	Plan implemented and monitored by court
36	Douglas	01/13/2021		No	DDAID	Group Home w/DD Community Based Provider	\$245,342	Plan implemented and monitored by court
37	Douglas	05/04/2021		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$298,730	Plan implemented and monitored by court
38	Madison	07/28/2021		No	DDAID	Shared Living Provider w/DD Community Based Provider	\$237,599	Plan implemented and monitored by court
39	Lancaster	10/28/2021		Yes	HCBS Waiver	Beatrice State Development Center	\$616,531	Plan implemented and monitored by court
40	Sarpy	11/05/2021		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$630,441	Plan implemented and monitored by court
41	Cass	03/07/2022		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$300,529	Plan implemented and monitored by court
42	Madison	04/21/2022		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$625,780	Plan implemented and monitored by court
43	Sarpy	05/17/2022		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$492,015	Plan implemented and monitored by court
44	Douglas	05/24/2022		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$222,258	Plan implemented and monitored by court
45	Douglas	07/08/2022		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$40,520	Plan implemented and monitored by court
46	Sarpy	07/19/2022		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$244,212	Plan implemented and monitored by court
47	Jefferson	08/09/2022		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$207,969	Plan implemented and monitored by court
48	Dodge	08/17/2022		Yes	HCBS Waiver	Shared Living Provider w/DD Community Based Provider	\$158,117	Plan implemented and monitored by court
49	Douglas	05/30/2023		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$ -	Plan implemented and monitored by court
50	Lancaster	05/30/2023		Yes	HCBS Waiver	Group Home w/DD Community Based Provider	\$ -	Plan implemented and monitored by court
51	Douglas	06/12/2023		Yes	HCBS Waiver	Beatrice State Development Center	\$ -	Plan implemented and monitored by court

Historical Data DDCOCA Participant Cost Report

Fiscal Year	New Cases	Closed Cases	Total Served	EOY Carryover	Total Expense	Cost per Participant
2014/15			13	13	\$ 1,605,487	\$ 123,499
2015/16	3	0	16	16	\$ 1,974,495	\$ 123,406
2016/17	5	2	21	19	\$ 2,277,701	\$ 108,462
2017/18	5	3	24	21	\$ 3,836,720	\$ 159,863
2018/19	4	0	25	25	\$ 5,497,334	\$ 219,893
2019/20	8	2	33	31	\$ 7,701,890	\$ 233,391
2020/21	8	1	39	38	\$ 8,337,020	\$ 213,770
2021/22	7	1	45	44	\$ 7,983,140	\$ 177,403
2022/23	7	5	51	46	\$ 12,399,924	\$ 243,136

*Costs in 2022/2023 increased largely due to a 26% rate increase to DD Providers