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Health and Human Services Committee
March 15, 2007

[CONFIRMATION LR39]

The Committee on Health and Human Services met at 1:30 p.m. on Thursday, March 15, 2007, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LR39 and gubernatorial appointments. Senators present: Joel Johnson, Chairperson; Tim Gay, Vice Chairperson; Philip Erdman; Tom Hansen; Gwen Howard; Dave Pankonin; and Arnie Stuthman. Senators absent: None.

SENATOR JOHNSON: Well, we've got a quorum so let's go ahead and get started here this afternoon. I'm Senator Joel Johnson from Kearney, the 37th Legislative District. And first of all let me tell you this is the Health and Human Services Committee, and what we'll be dealing with mostly this afternoon is confirmation hearings. But first let me start with...I always start on my right so I'll start on my left here today, and Senator Howard from Omaha, Tom Hansen from North Platte, the late Arnie Stuthman (laughter) from Platte Center.

SENATOR ERDMAN: Rest in peace, Arnie; rest in peace.

SENATOR JOHNSON: We have Erin Mack to my immediate left who is our committee clerk. Then let's go to the far end here is Senator Pankonin from Louisville, as opposed to Loo-a-ville (phonetic); and Senator Erdman from Bayard; and last is Senator Tim Gay from Papillion, and he's the Vice Chair; and most important probably of anybody up here is Jeff Santema, our legal counsel. We don't have as many people here today but those that leave their cell phones on and they go off, we still shoot you. (Laughter) The next thing is, this is all recorded testimony so please speak clearly and please, when you give our name, if you would also spell it so that the record can be completed accurately. Other than that, I can't think of much else that we need to go through today, and let's go ahead with the confirmation hearings then. And the first group that we would go through are the appointees to the Health and Human Services System, and Scot Adams can we start out with you? And Scot, if you would just kind of give us an opening statement here telling us a little bit about yourself and that sort of thing, why, it kind of gets off to the right start.

SCOT ADAMS: Thank you very much. I appreciate that, sir, and good afternoon, Senator Johnson and members of the Health and Human Services Committee. My name is Scot Adams, S-c-o-t, one t, and A-d-a-m-s, and I began as director of the Department of Health and Human Services on March 12. I'm honored and very grateful that Governor Heineman appointed me to this position and I will appreciate your confirmation this afternoon. I've had an opportunity to work with HHS in the past, including a practicum experience when I was still young in Adult Protective Service. I know that our staff served people facing some of the most difficult moments in their lives. I'm proud to be associated with colleagues who care deeply about our neighbors. For a social worker like me, this really is a chance for a job of a lifetime. I look forward to

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working with CEO Chris Peterson in providing leadership to the Department of Services. Having this opportunity to shape policy on how services are delivered is really a very humbling opportunity. Let me share a little bit about my background and work. I served as executive director of Catholic Charities in the Archdiocese of Omaha for 13 years and have been associated with different social service organizations for more than 31 years that serve families in areas of substance abuse treatment and poverty. I have experience in strategic planning and operations, fund-raising, and public relations. I began my work career in providing individual group and family therapy services in the area of substance abuse services. I've also taught social work and social justice courses at Creighton University, Metro Community College, Methodist College, and the University of Nebraska at Omaha. I'm a licensed mental health practitioner and a certified master social worker on inactive status, a member of the National Association of Social Workers in Catholic Charities USA. I was an appointed member of the Community Corrections Council for the past several years. My bachelor's degree is in sociology and philosophy with a certificate of social work from Creighton University. My master's degree in social work is from the University of Nebraska at Omaha, and my doctorate is in community and human resources from the University of Nebraska-Lincoln. On a personal note, my wife Rita and I were high school sweethearts at Ryan High School. I'm not sure that was relevant but we closed the high school immediately after we graduated. We've been married since 1975 and have four children, Rebecca, Brian, Katie, and Emily. Over the next few months I hope to visit offices across the state, get to meet as many of the employees as I possibly can. My goal is to work with everyone to ensure that together we can move forward to help people access services for which the agency is responsible. In light of the signing today, I look forward to the transition in that, as well. I look forward to working to improve the quality of life in Nebraska through our mission of helping people live better lives through effective health and human services, and I'd be happy to respond to any questions that you might have at this time. Thank you. [CONFIRMATION]

SENATOR JOHNSON: Scot, thank you very much. Let's start out with Senator Howard. [CONFIRMATION]

SENATOR HOWARD: Thank you, Chairman Johnson. Well, welcome to our committee. [CONFIRMATION]

SCOT ADAMS: Thank you, Senator. [CONFIRMATION]

SENATOR HOWARD: In reading through the information they provided to us, it's like going back in time for me. I see Tom Perkins' name, Carol Hemmingway's name, Jim Garrett from the Graduate School of Social Work quite a long time ago now, but it's...I... [CONFIRMATION]

SCOT ADAMS: Well, you didn't have to add that part in, but, yes. [CONFIRMATION]

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SENATOR HOWARD: Well, you graduated just really not that long after I graduated from the Graduate School of Social Work, but I'm very excited that you are taking this position. And people tell me that you're not afraid to be creative,... [CONFIRMATION]

SCOT ADAMS: Well, thank you. [CONFIRMATION]

SENATOR HOWARD: ...which I think is wonderful and I would really encourage you to do that. I'm glad to hear too that you plan to get out and meet the case managers, the direct service case managers. And I would personally encourage you to really keep open communications with them. They would really appreciate it. [CONFIRMATION]

SCOT ADAMS: Well, I appreciate that very much. I took the opportunity before I actually had assumed the position earlier this week to stop in the Columbus office, and had a wonderful opportunity and visit with the staff there. A great group of people doing good work and focused work, and it was a good, good visit, so I look forward to more of that. [CONFIRMATION]

SENATOR HOWARD: What a nice positive attitude. Thank you. [CONFIRMATION]

SCOT ADAMS: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Any other...? Yes, Senator Pankonin. [CONFIRMATION]

SENATOR PANKONIN: Thank you, Senator Johnson. Scot, obviously I've just had for the first time an opportunity to meet you this morning upstairs at the signing but I did look at the resume last night and was very impressed, as well. Our age group, I'm a little bit older, but having getting on this committee with basically a small business background and local public service, mayor and city council-type things, this committee obviously has been an eye-opening experience from the breadth of the topics that HHS covers, from licensure to foster care, just there's a broad set of issues. And you said you were honored and grateful; well, I'm grateful that you're willing to take on this challenge and try to make it better. I'm hoping to be on here for four or eight years, and committed to helping making it better, and if we have some questions, we'll prod and poke and little bit, it's all for an ultimate better solution for folks' needs and done in an efficient and fair manner. And I, we look forward to having you serving and appreciate it. [CONFIRMATION]

SCOT ADAMS: Well, Senator, thank you very much for that. I appreciate that too, and I hope I'm here for four to eight years, as well. And more to the point, I'd like to encourage your comment about the comments about poke and probe and that kind of thing. I fully understand we have different roles and very important functions. I was mentioned to Chris before the committee that, here we are, and we do this instead of

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shooting one another as they do in other countries. And so we're going to have difference of opinion. We're going to have challenges, we're going to have hair-pulling times, and I expect those, but I absolutely expect a positive working relationship with the Health and Human Services Committee. I expect us to air differences honestly and clearly, and I have no doubt that we're all on the same side, working for the citizens.

[CONFIRMATION]

SENATOR PANKONIN: With the same ultimate goals, yes. [CONFIRMATION]

SENATOR JOHNSON: Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Johnson. Scot, welcome again.
[CONFIRMATION]

SCOT ADAMS: Thank you, sir. [CONFIRMATION]

SENATOR HANSEN: I'm a freshman senator, and Senator Pankonin and Senator Gay are too, and with term limits we know we're not going to be here more than eight years at the very outside. We have gotten together as freshman and decided that we were going to be here for as long as our constituents say we can, and we want to be on this committee. We would really like to, you know since you're new and we're new, learn together and learn HHS together. And I think it's important, Gwen has been here for a few years and Senator Erdman too, and the late Arnie (laugh). But we really need to learn about who we're talking. There were some things said on the floor this week, and I don't know if you were listening or heard, but we're the only ones on the floor of the freshman class that do sit on the committee so we are very willing to learn about the agency and we're looking forward to that. [CONFIRMATION]

SCOT ADAMS: The learning curve for me, Senator, has not been a steep one; it's been straight up. (Laughter) And I found out today that there are 910 functions that are charged to Health and Human Services. That's an extraordinary array of responsibility, and, no, I don't know them but I do have a list of them. And I do look forward to learning that and I appreciate the extension of learning it together and I appreciate that very much. [CONFIRMATION]

SENATOR HANSEN: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Tim. [CONFIRMATION]

SENATOR GAY: Scot, I've had the pleasure of working with you a little but, watching your career, as well, has been outstanding and I was kind of surprised when you decided to try something new but you ended up at a... [CONFIRMATION]

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SCOT ADAMS: Mid-life will do that to you. [CONFIRMATION]

SENATOR GAY: Well, you know, but it's a...I think it will be a...it's a great opportunity for you and a great opportunity...well, it's just very good to see you wanting to take on the challenge because you've heard some of the frustration, I guess, and that's not to anybody in this room. That's what we just did to help alleviate that. But I guess I wanted to ask you, on this position, why...you know, to take it on? That's a big challenge. What drove you to take it on? You were doing very well where you were, and no you want to do this. What are you looking forward to, I guess, and how can we help you because we'd like you to help us, as Senator Hansen just said--well, everybody on the committee is that way. We'd like to be a little more involved in helping you have success. But what are you looking forward to achieving while you are here or what do you want to get out of it in eight years, let's say? [CONFIRMATION]

SCOT ADAMS: Well, again, thank you for the offer. The opportunity and the extension of the friendship and the cooperation is just a wonderful moment and I don't want to let that pass without comment. I know that things are not always that way and that we'll disagree, and so I just want to affirm the moment and celebrate that time. So thank you again to all of you for extending that, those warm welcome and wishes of success. I think that some of the things that I hope to accomplish: behavioral health reform is still in process, clearly, and that's an important moment for the state of Nebraska. Related to that are issues related to community corrections. We have some issues with residential services that the state operates. I think the issue of the proper role of the state institutions in relationship to the private sector are also issues that deserve attention and consideration and thoughtful review. So those are some of the topical areas that I hope to be involved with. As for what can the committee do, I think absolutely be honest with me and direct in every question and concern that you have. I can...I just...I don't read minds; none of us do. And it is most helpful to have direct, clear communication as quickly and as soon as possible when a concern raises. One of the things that I've learned in my experience is that there are just multiple sides to every issue. No matter how much you think you've got a lock on truth, gosh, there's just another point of view that comes up, and so we have to find the truth as the result of those multiple points of view and what can be useful and to be worked on, moving forward. So your clarity and communication with me would be very much appreciated. [CONFIRMATION]

SENATOR JOHNSON: Scot, thank you very much. One of the things that I think, and you've kind of touched on it here, is I think the committee, there are many obvious things that we need to still work on and get better on. Foster care is certainly one of them, and I think many of us, even from the discussion at noon here, feel that we're half done with the mental health reform and we would be better off not having started if we don't go to completion with this. So we look forward to working with you and I think we look at it as a mutual job with you and look forward to it. [CONFIRMATION]

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SCOT ADAMS: That's great. I'm happy to hear you say that. Thank you very much.
[CONFIRMATION]

SENATOR JOHNSON: All right. No other questions. Thank you very much, Scot.
[CONFIRMATION]

SCOT ADAMS: Thank you, sir. [CONFIRMATION]

SENATOR JOHNSON: Are there any other people that would like to, I guess the word is support, his application this morning? Okay, great. Did I say this morning? This afternoon. [CONFIRMATION]

CHUCK STEPANEK: Yes, you did. This afternoon [CONFIRMATION]

SENATOR JOHNSON: All right. [CONFIRMATION]

CHUCK STEPANEK: Good afternoon, Senator Johnson and members of the committee. My name is Chuck Stepanek, S-t-e-p-a-n-e-k, and it's my day off so I'm representing myself today. Many of you know me as the executive director of the National Alliance on Mental Illness-Nebraska, and I come here today to speak in support of not only Mr. Adams but also the subsequent appointments that we're going to hearing very soon because I've had the chance to observe Health and Human Services systems for the last 20 years and to observe the things that have happened. I've had the chance to observe Chris Peterson for the last ten, and only had the chance recently to make the connection with Mr. Adams, but what I sense here, what I have seen is transformation. We've heard the work transition but I think what we're seeing here is some transformation with some important elements of healthcare. Those include the spiritual element, the faith element, the important reference to looking at our community corrections systems, the elements of behavioral health and being able to make sure that our transformation is complete. The creativity and also the work that I have been seeing in terms of the connections that Chris has been making, I think we are on the verge of greatness here in terms of transformation in a very large sense within the state of Nebraska. And I think these are some very good steps that are being made and I feel very, very positive about our future. With that I'd be happy to respond to any questions that you may have. [CONFIRMATION]

SENATOR JOHNSON: Any questions of Chuck? [CONFIRMATION]

CHUCK STEPANEK: And I'll be sure to fill out my sheet. [CONFIRMATION]

SENATOR JOHNSON: All right, we will certainly have you do that. I've known him for awhile, and with that wonderful voice I always like to tease him a little bit about what a

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wonderful radio face he's got. (Laughter) [CONFIRMATION]

CHUCK STEPANEK: I know I need a haircut. [CONFIRMATION]

SENATOR JOHNSON: Chuck, thanks very much. [CONFIRMATION]

CHUCK STEPANEK: We'll wheel and deal on that. [CONFIRMATION]

SENATOR JOHNSON: Appreciate it. Thank you very much. All right, any other proponents? Any opponents? I'm glad to see that there are none. Any neutral? All right, thank you very much. [CONFIRMATION]

SENATOR JOHNSON: Chris Peterson, could we...? Chris, could I ask you to do one thing, and that is that when you get done with your formal presentation, there were some comments made on the floor and I think yesterday, out of some frustration of people, and I actually thought of it as being constructive because it really told us all how important the work is that we're doing and, yes, we can do better. But would you address some of the issues and comments that were made there? [CONFIRMATION]

CHRIS PETERSON: (Exhibit 1) Sure. Yes, Senator, I have some of that my comments so I'll just go through this quickly and then go after this, specifically the overpayment one. Good afternoon, Senator Johnson and members of the Health and Human Services Committee. I'm Chris Peterson, P-e-t-e-r-s-o-n, and I'm honored to be here to continue in my role that would now be called Chief Administrative Officer based upon the confirmation of the Legislature. I was actually appointed Policy Secretary back in 1999 under then-Governor Johanns, and the role of the Policy Secretary facilitates all initiatives across the three agencies. In addition, I was responsible for all of the legislative activities. I coordinated budget research and data collection efforts within the agency with the agency directors, and then directly under me I had Human Resources; Communications, which has the legislative piece in it; and Support which has the mail, leases, and purchasing. And this really did give me an opportunity to look at the entire HHS System. One of the things that we've heard over and over, not just in the bill hearing, but in our Appropriations Committee and most specifically on the floor, is changing the culture of the system and is that possible to do. And I think I would say I've been fortunate to be involved in two major reforms that have done that, and they have done that because they are Governor initiatives with legislative oversight. And Scot mentioned one of those a little bit ago, and that's LB1083. That was a tremendous, wonderful change in culture, and I appreciate your comments, Senator Johnson, about where we're actually at in that process. But to look at the reduction in the beds that we have at the institutions and to put people out into the community, and it was all based on the road to recovery. There was the change in the philosophy that people with mental illness could recover and move into the communities and have productive lives, and we've seen that. We're serving more than 900 new people every month because of

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that and there has been a tremendous outpouring of support from advocates, from providers. There are some glitches; we've got to work some of those. One of the things is we just see a lot more people needing services than we had anticipated. But to move away from that institutional setting into community-based service, that's a tremendous cultural change and I think we've been able to do that. Another big piece that people have talked about, and I would have to say is probably one of the top priorities, has to do with the child welfare system, foster care, state wards. The Governor asked the agency for several initiatives that he wanted placed on the hot burner, to move forward. And so based on that we have worked with our case workers, our supervisors, our managers, the service area administrators, the courts. We've had numerous meetings about how to make the case work better, how to make the appearances in the court better, how to work with the Foster Care Review Board better, how to collect the documentation better. And if you will look at the front, one of the things on that top sheet shows you of those initial kids, because when the Governor asked us to do this we took a point in time of the children that he specifically focused on, the zero from six that have never been removed from home and were state wards or had been back in home for six months and were still state wards, and to see why we weren't moving them to permanency, why were they still in our system. And so we reviewed all of the...every service area administrator made sure that those cases were reviewed every month, and then we determined the movement on that. Was it our fault? Did we do poor case work? Did we not file in the right way? Did (inaudible) to address a termination? We tried to identify everything we could. And as you do that, you start doing better work. When things have light shown upon them, you can really move mountains and you can see there, the number of states wards has dropped because at the time we had the highest number of state wards in out-of-home placement of any state in the United States. We've dropped significantly. And in addition, as we dropped on that number, we also were able to have more kids leave our system than were coming in, and I think that's on the next page, where for the first time those lines crossed the other way. Usually we had more kids coming into the system than were leaving. So I think it's a good example of how a culture can change and how you can work in a collaborative effort with the Foster Care Review Board. We're now having our case workers, our supervisors, administrators, attend every Foster Care Review Board hearing across the state. That's critical. That's where the cases are discussed. That's where we have the opportunity to interact with the public on that. We're working with Foster Care Review Board to look at our 12-month hearings, the permanency hearings, because that's when we really have the opportunity to make a point in time in a child's life. We're working with the courts not only through the ongoing action that we have on a regular basis but through the initiatives through the AG's Office, Chief Justice Heavican, and the Governor on the commission called Through the Eyes of a Child. There are some wonderful collaborative efforts going on. So those would be the two things that I would say, yes, you can change the culture. There is the opportunity to do that. I would say in my personal life I was a teacher and then I ran the leadership program for Hall County for about ten years. One of the people that I would point out with outstanding success is Senator Ray

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Aguilar. That's how I met Ray and we are good friends, and I like to think that helped him make a decision to go into public office. My husband and I have been married 32 years. We have two children. Our daughter is in Chicago, and her husband--I have to remember to say that always, and then our son is in San Francisco. So when we do go visit them, we travel a lot. I would be glad to answer any questions. The first thing I would like to do though is take a moment and tell you about the overpayment situation, and let me just say that we did a poor job of explanation for the amount of dollars that we put into that claims bill. We have, in the system, the responsibility that anytime money is paid that should not be paid to somebody, we have to collect it back, and we have different ways of doing that and there are many people watching that. The feds watch it; that's called our food stamp error rate, if we pay out too much and then we have to collect it back. But we also have other programs where people actually get cash, and if we have an overpayment then we have to collect that; it is our responsibility to get the money back. Back in 1994, we started the process, the system started the process--actually that was when there was still the five agencies--every case worker was responsible for seeing if there was an overpayment, and then at that time, for the ones who worked with it, when N-Focus came into line, all those paper documents were transferred over to the N-Focus system which has approximately 30 different programs in it. It's our eligibility system. When somebody comes in to apply for one service, it will automatically put you into other services, and Senator Howard could probably explain this much better than I. What we found though was that all the documents were clearly articulated there. Sometimes we didn't have as good as records as we have, but once it went into the system and it was tagged as an accountable receivable, every month automatically a billing statement is sent--every month. So we've been billing people back to 1994 and every month that billing statement went out. So when we found the number of past the statute of limitations, the decision was at that time that we would make a conscious effort to get those old records off the books. We went back and reviewed every single one of them. If they were a certain limit, then we sent them a demand letter from legal. If they weren't, we sent them the regular monthly billing statement, and if we didn't receive that response that those were the ones that we worked with DAS on to write off as a claim. I do want to say again, there was never a time that we weren't continuing to bill. Now, did we go out and collect? No, we didn't. The agency has not done that as a policy. I think they did originally with a system called MAXIMUS, and that was an unfortunate situation. There was legislation passed after that, that said that the agency can't contract with a, on a contingency basis, with the collection agency. Be that as it may, we instituted a new policy after we, in the last couple of months working on moving forward, which was we will keep up to date on our files. We will still continue to do the monthly billing statement. We will do a series of collection letters, four of them. We will finally have legal send out a final demand for payment. And then beyond that, anything over \$1,500, we would go after and file a claim on. And if it was under that, we wouldn't just because in the aggregate there was a point at which the cost benefit ratio didn't work for us where we had to have the papers served. We implemented that and this was, in essence, cleaning up all those

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past-due accounts receivable that we had had no payment on back to 1994. So it was from 1994 to 2001 that we no longer had the ability to go after because of the statute of limitations that we asked for the claims. We are still moving forward on the others: billing, demanding letters, and then filing a claim. In the regional centers, there are two groups that we have. We have the regional centers, and we hired a staff person, I believe it was in 2002, to file suit on any of the people that came in there that need services, and we still have those, and some of those are the write-offs that you see. And then the other programs we have are aid to the aged, blind and disabled; the ADC payment, aid to dependent children; child care; and foster care. And every month that accounts receivable is billed to those people, and the determination was made, after the statute of limitations, whether to work with them or not. I had a conversation with the Governor yesterday, and he announced this morning at the bill hearing that there will be a new process. We will continue to do the monthly billing statements and the N-Focus does that automatically. It just goes out. N-Focus trolls at night through all the databases we have, and if a person has any earned income that would show up in any of the new hire or the Social Security, it will literally find the person that we serve, send a tickler to the worker and say there's an overpayment here, and then we file an accounts receivable and start billing them for that overpayment. So we'll continue to do that. The second letter that will go out, instead of going out from legal as it does now--we have series of five of those now--will come from the director of the division and it will say here is your demand, here's the amount you owe us and we're making a demand for it. I visited with the AG's Office. Tomorrow the third letter will come from the Attorney General's Office; it will be another demand letter. And then after that we will work with the collection agency similar to what the Department of Revenue does, to go after those assets...to get back the money that the state of Nebraska has paid out for someone's care. So that's the new policy the Governor announced this morning. We will also be looking at tax intercepts with the people that will have the ability to file a tax return. [CONFIRMATION]

SENATOR JOHNSON: Thank you. I've got two little things. One that comes to mind is this, is would it be possible to take the committee over to where these business transactions take place? I think it's over on Ninth Street or something like that, where it will show the funds coming in, say, from a father that... [CONFIRMATION]

CHRIS PETERSON: Yes. The state dispersal unit that the Treasurer has which is... [CONFIRMATION]

SENATOR JOHNSON: Yes. I found it to be quite interesting. [CONFIRMATION]

CHRIS PETERSON: Yes, the collection. We would love to. [CONFIRMATION]

SENATOR JOHNSON: So I think the committee would enjoy going over there. [CONFIRMATION]

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CHRIS PETERSON: Having Scot come on board in the last, what is it? It seems like a week but it's only been three days. When I took over as Acting Director seven months ago when Nancy left and then when Dick Nelson retired, having Scot come on board with his enthusiasm and his openness, I mean the way I see the way you change a culture is through accountability and accessibility, and he has that exact same mind-set. You have to look at it as a positive move because, I think as Senator Gay said, we all want the same thing. And the fact that you are, what you said on the floor about you want to be educated, we would love to educate you on the system. Too often we have to put Senator Howard in the position of saying, tell them about the agency, tell them about the agency. And so we...that would just be great; that would be just be great. The more that we can be helpful to you and the more you understand our process, I think it was very good to have the conversations that were on the floor. I think it's very helpful to have, on record, the concerns there are about the system as you move forward. That gives you the ability to do that. [CONFIRMATION]

SENATOR JOHNSON: One of the things along that line is, both on the floor and subsequent to that, there have been some discussions about is there any place here for an outside evaluation as we get into the new system, that we do ask for some outside consultations as to the directions that we might go on (inaudible). Do you have any thoughts on them? [CONFIRMATION]

CHRIS PETERSON: I do. I talked to Senator Johnson right after that because one thing that came through loud and clear is what are the goals, what are the benchmarks, what are you performance measurements going to be. We have a variety of ways that we capture data. Actually when we do our budget request, every single program has on it performance measurements that we're required to give to the Appropriations Committee, and we can get a copy of those. We have federal benchmarks that we have to make. So I think what would be especially interesting would be to have a conversation between the agency and the program people and the Legislature, whomever, to say, let's try to define what we're talking about, come to a common understanding of what benchmarks are. We look at them one way, which is, many times, output: We feed this many people; we pay this many dollars. The Legislature might have another way of looking at: How many people stay out of the system because you did this; what do you see as your success rates. I think that's a critical conversation to have right off the bat. Then in terms of outside entities, in each one of our programs, especially our federal programs, we do have professional organizations, advocacy organizations, that I think would welcome the chance to have a discussion. Now, if you're asking me, can I scrounge up money? No, I can't find any at all. [CONFIRMATION]

SENATOR JOHNSON: We'll help you look. [CONFIRMATION]

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CHRIS PETERSON: Okay. [CONFIRMATION]

SENATOR JOHNSON: Any other questions? Senator Erdman. [CONFIRMATION]

SENATOR ERDMAN: Chris, thank you for being here and thank you for your continual willingness to serve the state in a number of capacities, but now as the Chief Administrative Officer should we confirm you. I guess I'm taking the bait from some of my colleagues, and I guess here's where I'm at: I've been in this Legislature for seven years; I'm not an expert in anything. I'm kind of like the Platte River. I'm usually about an inch deep and a mile wide, and that's how most senators, as you are aware, understand the issues, but there are a few channels that I have kind of forged in this process. One of the things that I have appreciated greatly is the opportunity to work in different committees with different agencies to try to figure out how we can better serve Nebraskans. As I looked at some of the testimony before the Business and Labor Committee on some of the claims, and I compared that with what I was hearing on the floor from some of the committee members from that committee, I found a disconnect. And as I have learned as a member of the Legislature, I think at times you have to go through the process to understand how the things are connected. One of the bills that you had brought to me this session that ended up going to the Judiciary Committee that we actually ended up working on after they killed the bill the same day it was introduced and didn't give us a chance to work on it, and actually some of the members who voted to kill that bill were some of the members that have expressed concerns about the write-offs, if you will. I did some quick figuring, and not that this is the actual number but this is what would have been eligible to have been recovered should the department have been notified, as what I believe LB102 would have allowed them to do, is approximately \$123,409.91. As I do the quick math, going back in what you have done over the past ten years in trying to clean up your books, it's roughly a million dollars is what the total is, and you've, I think, adequately explained both in writing and here today about some of those issues in detail. It seems to me that if there is a desire by members of the Legislature to have that type of efficiencies and benchmarks in accountability, then we need to give you the tools. And if 11.4 percent of the write-offs potentially could have been avoided by simply timely notice and making sure that the department knew when estates were being settled and doing some of those things to help recovery, I think that's also part of this discussion. It's not just simply about trying to rearrange and try to do a better job with the authority that you already have, but at times what I have seen and I have appreciated is the opportunity the work with the department and any other group of people in this state that see that there are things that need to be addressed. And if there are tools that are needed, I've seen a great willingness in this committee over the past seven years that I've been, and generally as a member of the Legislature, to try to work with folks to make sure that we are being accountable and that we are addressing the issues and concerns. But I found the disconnect. I was handed a pile of papers and said, here, you need to look at this like it was some type of gotcha politics. And I've been here for seven years and I don't plan to play gotcha.

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politics in my last year and a half. Now, as I read the tea leaves, about 12 percent of what was asked to be written off could have been avoided had we given you the tools. What I'm hopeful is that as we see this transformation process that Chuck talked about, that what we do is we continue those types of discussions, and it is an educational process. It took awhile for me to understand what it is you were asking of us as a Legislature to do specifically in this area. Now I see it coming back in clear light as to how that would have been of benefit had it been in place. It's not. We're a year later now. There may be scenarios that down the road we would have wished would have had LB102 past this year, and I think we should have had it passed in '94. So I think this is an educational process. I think it's of value to have accountability. We have not always agreed on the policy that the state has put forward and I think that's healthy. But as Scot pointed out, we don't go out and shoot somebody, even if their cell phone does ring in front of the Health Committee; we don't do that. We have those discussions and generally the discussions have been healthy. I have no ill will against anybody that says anything on the floor about what should be improved. That is our right; that is our responsibility. You did it as a senator. We're doing it now. But the ultimate question that has to be asked is, are we accomplishing a goal? You can give great speeches but you have to have actions. And so I am hoping, with all of the concerns that we've heard on the record...and I've never heard anybody say that the reorganization is a solve-all problem...that's a beginning and that has to be the basis for going forward with additional changes, but that is we give great speeches about our concerns that we're willing to come to the table and accept the tools that help to solve those concerns. And so there's no response necessary. Mainly it's probably some frustration on my part of seeing the disconnect, not a condemnation of anybody but just simply a recognition of if we are willing to speak up about the concerns that we have, we should be just equally as willing to step up and to put our vote where our mouth is in making sure that we're helping you to make the system better, not just for the Legislature and the administration of the programs, but for the people of the state of Nebraska. Just because you're no longer a senator, it doesn't mean you don't have that responsibility that we all do, and that is making the best decision that we can for the citizens. And I think, and again although we haven't always agreed, I think you have tried to do that. And I think your experience of being a state senator and understanding this process is of value for us in the policy making process. And while there's some ironies in the example that I give you, hopefully those become more rare and that we're able to figure out ways as we move forward with LB296 and other proposals that are going to be before the Legislature, that we're able to shine that light to make those kinds of changes that we need and to move forward together. [CONFIRMATION]

CHRIS PETERSON: Thank you, Senator. What I would like to say is I think everybody...you asked Scot about why he would do this...I think everybody likes to make things better for people. I have never had any problem; if there's a better way to do something, I hold no claim it's my way or not at all. What the Senator is referring to with some of those claims had to do with regional centers, and we have three ways of

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claiming them, of not having the claim being enforceable: bankruptcy, and so if it was a Chapter 7 that doesn't leave you any room, and there were 11 of those I believe; and then there were deaths. And not only do the state senators as well as the taxpayers, the feds also watch us because that's federal money. Everything we do has a federal match to it, and they expect us to go out and collect it. And so when we asked the bill to be introduced about letting us know, the personal representative, let us know if their person had died, we did that because, yes, we do go through newspapers; yes, we do get the report of the deaths in Nebraska and we try to match them up with that machine. Several of those regional center bills we were not able to go after because the date had already passed for probate and we weren't part of it, and so we did lose those funds. So, yeah, we try to...we try to do what we can. Thanks. [CONFIRMATION]

SENATOR JOHNSON: Excuse me. Senator Howard. [CONFIRMATION]

SENATOR HOWARD: Thank you, Chairman Johnson. Good afternoon, Chris, and I want to thank you for calling me yesterday and personally coming over and bringing that report regarding the case load standards. And I'm going to spend time this weekend in really giving it some in-depth reading. But there were three areas I'd like to bring up with you. I'd like to get your input on the New Future for Nebraska's Children program that I was able to pass in LB264 the first year I was down here. I know you are very supportive of the program and the early intervention, and it goes right along the lines of the creativity and keeping children from entering our system. So if you could reflect on that for a few moments. [CONFIRMATION]

CHRIS PETERSON: One of the things that has been a learning experience for me, and the senator and I have talked about this before, is I don't have a child welfare background. And one of the hardest things I have had to do when I had my seven months as director of services, was to get involved with any type of foster care situation. And the state, when we take over the state wardship of a child, we in essence become the parents, so we have to look at how that child is taken care of through the eyes of a parent. And what I have found is, if we can keep them from the system, if we can keep them from the system that's the best thing to do, whether it's home visitations or education. And so we have tried to work within the parameters that we have because have funding where we're able to use some of the funds that are required for educational purposes, for prevention purposes, and we've done that successfully with some of the pilot programs we've had. But I've told the senator that the discussions that you have to have about terminating parental rights or removing a child from a foster family, those are the most complex and heart-wrenching things you will have to do, and it's really changed in how I look and what can the system do to not have to be in that situation. [CONFIRMATION]

SENATOR HOWARD: Well, I appreciate that. I think you and I are certainly in unison that a family that can be worked with before a situation becomes a crisis is really an

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opportunity to keep a child from coming into foster care and I appreciate your commitment. [CONFIRMATION]

CHRIS PETERSON: Even on the hearings afterwards, anytime the agency...because we're not along. We work with a variety of different people and once they're in there we have the guardian ad litem, law enforcement, all of those. So any of those connections that we can make beforehand, especially as we're doing now with the Foster Care Review Board, those all help. [CONFIRMATION]

SENATOR JOHNSON: Senator Hansen. Oh, excuse me. [CONFIRMATION]

SENATOR HOWARD: There are just two more issues that I'd like to just touch on. And you're aware, as am I, that case load turnover is high and it's problematic, and I know the numbers don't always reflect what I have seen and the stories that I've been told about the turnover rate. One of the really severe areas of that is in terms of, and this is the other end of the spectrum from intervention, is the termination of parental rights. Because when there is a high turnover rate, you lose the continuation of the case management that's done with a family and the documentation and the factual information that's necessary to go into juvenile court to seriously address a termination of parental rights. So I would really ask you to seriously commit to looking at the issue of case management turnover and doing what it takes to bring that down and promoting longevity within the system, and institutional knowledge, as we all appreciate here. And then the third issue that I would like to comment on is the child support issue, and you kind of jarred something with me when you brought up the connection between the systems which I think is very, very vital, is that I would encourage you to look at a mechanism whereby child support information is either relayed or readily available to ongoing case managers. And I especially look at this in terms of termination of parental rights because there have been situations, and I've had some of them, where there was an absent father, and lo and behold when we were doing the search, there's actually the information on that individual at the Child Support Office. So that would be a method that could be utilized to speed up that parental rights issue. [CONFIRMATION]

CHRIS PETERSON: Did you just give me this as a softball, because we just got a grant for that. [CONFIRMATION]

SENATOR HOWARD: Well, I think we're in agreement on these issues. It's just so many things that can be done that would seem very logical sometimes. We just have so many things. [CONFIRMATION]

CHRIS PETERSON: Right. We just received a federal grant, one of the 12 that were received in the nation, which partners now child support enforcement workers with protection safety workers because for child support enforcement you have to have a paternity decision made. And many times what we were finding in our child welfare

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cases, we couldn't identify the father, and so this was, well, if he is paying, you have the paternity over here, why don't you work with this hand so that you can make the announcements and then decide if he will terminate parental rights. So we have that pilot project going now. [CONFIRMATION]

SENATOR HOWARD: Absolutely. Thank you. [CONFIRMATION]

SENATOR JOHNSON: Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Johnson. Chris, it's good to have you over here again. [CONFIRMATION]

CHRIS PETERSON: Thanks. [CONFIRMATION]

SENATOR HANSEN: You sat on this side of the table for awhile and from your perspective what does that bring to your new position? [CONFIRMATION]

CHRIS PETERSON: Thank you. That I think is a good question for me because one of the things I've learned is when I sat on the side that you are sitting on now, who came to you about the agency? It's a lot different than who comes to the agency. You are hearing from people that are upset, they have had a child taken, they have had a bad medical thing happen to them. Something has happened and they are in a time of their lives when they need help. They are angry, they're hurt, they're frustrated, they're sad, and they're coming to you. So my point of view has always been, first of all, the agency needs to be open and honest about every single thing we do. Confidentiality aside, I mean we can work with that, but you as senators have the ability to get the confidential information. We have to be as open and honest with you as we can. We have to educate you in what our processes are and what our limitations are in some of the things we can do, and we have to be willing to work with you and we can't be bureaucratic. It can't be, no, we don't do that. In fact, we were just having a meeting the other day when Scot was here and we brought in some of our regulatory people, and we had our Finance and Support people here and the Services people. And it was, like, one, two, three--three different opinions of how to do it. And so we have to have the ability to explain why the agency does something, defend why the agency does something, or change why the agency does something. [CONFIRMATION]

SENATOR HANSEN: Okay. A follow-up question of what Gwen was talking about, it must rub off down here at this end of the table, but you spoke earlier about the judicial system and what Chief Justice Heavican is doing Through the Eyes of a Child. The 15/22 rule is just baffling as can be with me. Why...how can a judge, at one end, sentence a parent to jail yet not count the jail time as part of the 15 months? And then on the other end, when we were talking about permanent placement, they'll say, well, jail time doesn't count, or institutional time, I don't believe, counts either. Is there any

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insight you could give me into the 15/22 rule? [CONFIRMATION]

CHRIS PETERSON: Probably not from that aspect. I could give it to you from the agency's aspect which is if that child has been out of home for 15 out of 22 months, making a decision at that time is not good planning on our part. When we first have the child come into our system, that's when we need to work more on the permanency planning. And to wait until a child has been out 15, 22 months, without having that planning in place, that's a disservice. Now, in terms of how the court reviews that, I really wouldn't even try to answer that, Senator. One of the things that we are required to do is make reasonable efforts at reunification, and some of these are the discussions that Senator Howard and I have had. But I will go back to her first question: The more we can do earlier, the more we can move the child to permanency quicker, that's what the agency need to be about because each child is...these aren't numbers. These are children who are in a horrible situation, and so whatever we can do to move them to permanence, from our angle, that's what our number one goal is. [CONFIRMATION]

SENATOR HANSEN: But some of those children...I don't want to be argumentative but... [CONFIRMATION]

CHRIS PETERSON: You're not. [CONFIRMATION]

SENATOR HANSEN: ...some of those children are not in a horrible situation; they are in a good situation. But they go to the juvenile court system and the judge says, well, disregarding the time that the parent spent in jail, that child has been with a parent 15 out of last 22 months, and so we're going to give that child back to a parent that, in some cases, should not happen. [CONFIRMATION]

CHRIS PETERSON: What I would say, Senator, is we are working very closely with the courts following the direction of, as I said, the AG's Office, the Governor, and the Chief Justice. In fact, I meet with the court administrator...now, Scot will be meeting with the court administrator on a bimonthly basis. There are several committees that are going out there. There's the Court Commission on Children. There are teams...if you were at the summit you saw that they set up teams around. Each judge had to have a team that we were involved in, in all of those. Those teams continue to meet. Judge Gendler is actively working that. Part of the discussions that have to be held are face-to-face discussions between differing philosophies between the system and the court system. We're having those. They are just going to take time. [CONFIRMATION]

SENATOR HANSEN: I realize now that being a senator for as long as I have been, that I appreciate you being a senator and now being an agency head because I think that would be a great experience for me. At least you will understand the dumb questions we ask. [CONFIRMATION]

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CHRIS PETERSON: No, I understand why you say something on the floor.
[CONFIRMATION]

SENATOR HANSEN: We're looking forward to working with you in the next four to eight years. [CONFIRMATION]

CHRIS PETERSON: Thanks. I really appreciate that. [CONFIRMATION]

SENATOR JOHNSON: Any other questions or comments? Senator Howard.
[CONFIRMATION]

SENATOR HOWARD: Chris, just one last comment, and you and I have talked about this issue. It really plays into the case worker turnover and the length of time that case workers stay with us in the agency, which has long been a concern of mine. As you know, the Graduate School of Social Work is very receptive to working with our agency--I still call it my agency too--in terms of training and providing that expertise, that social work knowledge that I think is so helpful when you are out in the field and you're working with a family, especially a family in crisis. And I would really encourage you to use them and take advantage of that offer at the Graduate School of Social Work to...
[CONFIRMATION]

CHRIS PETERSON: I appreciate that, and when we met yesterday I think Todd's (phonetic) comment was good about the recruitment. Let's not do exit surveys on the people that leave; let's do surveys on the people that are staying and ask them why. And as I told you, I have a meeting with Teresa (phonetic). We'll get a meeting scheduled with that too. [CONFIRMATION]

SENATOR HOWARD: I appreciate that so much. Thank you. [CONFIRMATION]

CHRIS PETERSON: You bet. Thank you. [CONFIRMATION]

SENATOR JOHNSON: Senator Gay. [CONFIRMATION]

SENATOR GAY: Thank you. Chris, more of a statement, I guess. Senator Erdman made a good point about we need to help you get these tools to work with, but a lot of times what I've found in my short time here is I guess you need to create more advocates for your cause. The other day when that was going on, on the floor, I think we need to be...and I think we're all willing to do this, is to say, hey, we're working on this, this, and this. I would just say communication with this committee. I know in your appointment it says at the request of the Governor. You have a boss but sometimes I've seen just in the short time there's a little frustration where we feel that we could be a better advocate for you if we knew more what was going on, and I have no complaints yet but I'm new. I've heard some things. So I would just urge you to make us, utilize us

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as a committee because we're all on the same page, I think. Maybe we won't be on certain issues but hopefully you will come and say, hey, we need help on this, and before we come to these hearings. So we're all working on that. But part of the, as Scot mentioned, 910 functions that are under your control. That is an awful lot for anybody. But I had been looking at, is there...will you be pursuing the fact that are there things that we don't need anymore or out of date? And I guess what I'm going to extend to you, this is a public record, we're here to discuss things, is any way that I can help and I think I can...I know others probably feel this way...that we can help you earlier to go get some efficiencies, find some better service delivery methods, whatever that case may be. I hope you utilize this committee a little more, and maybe you do, but being new that's what I would ask you right now and just say that, and I'm telling you right I'd love to be involved in things to help. I don't have any complaints at this point and I don't want to have any, but in all fairness to everybody, I've never come...I would never attack you. If you want to come and ask for our help, I'd love to give it, and I think everyone else would. So I would encourage you, now that we have this new pyramid in place, you're ultimately accountable now to make sure we help you achieve your goals is what I would say. So with that, I didn't have anything else, but...well, I do have one thing. It looks like sometimes in the short time I'm here we're looking at shorter term goals and a budget set...I mean, I think we need to be all-involved. We have eight years and we're done, maybe four for some, but what is the longer term goal and keep us informed of what's going on in your head. And as Scot said, you can't read minds, I understand that, but neither can we, so hopefully we can get a communication going. Dr. Schaefer has been great. I think our staff does a fine job, by the way. [CONFIRMATION]

CHRIS PETERSON: Oh, they're great. [CONFIRMATION]

SENATOR GAY: But let's keep that going, and I'm looking forward to seeing all the opportunities we have to work together. [CONFIRMATION]

CHRIS PETERSON: I appreciate that. One of the things that I think came out, again, as I said, was looking at a vision. And behavioral health reform I gave you as an example of how we can really change a culture, change people's attitudes. It also shows you how something can switch from the time momentum was picked up for that to finding then when we planned LB1083 we didn't have any of the issues of the sex offenders in that short period of time. So any time we have the ability to do a little visioning, a little strategic planning, it helps us. And, boy, you bet, we'll take you up on it. Absolutely. [CONFIRMATION]

SENATOR JOHNSON: Okay, thank you. I see no other questions. Chris, thank you very much. [CONFIRMATION]

CHRIS PETERSON: Thanks. [CONFIRMATION]

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SENATOR JOHNSON: Do we have anyone that would like to speak as a proponent or opponent for this confirmation? J. Rock, welcome. [CONFIRMATION]

J.ROCK JOHNSON: Thank you, Senator Johnson and members of the committee. My name is J. Rock Johnson; it's initial J., Rock, R-o-c-k, Johnson, J-o-h-n-s-o-n. And I wanted to echo a statement that Chris Peterson made earlier, which is the more that we can do, earlier, and I think that that's something that also applies to the behavioral health reform which I'm very interested in and involved in. I think in order to do more earlier we need to involve more people earlier in the process of the people who are directly affected. This is a concept that goes back to the model cities in the 1960s of having the people whose lives are affected, who are the ones who have the information, who live it, to be able to bring them into the process. And that includes providing supports, mileage, childcare stipends, but doing what must be done so that we can hear from the people so they can bring forth their ideas out of their lived experience so that we can make those changes and that we can make those changes earlier. Thank you. [CONFIRMATION]

SENATOR JOHNSON: Thank you. Any questions? Thank you very much. Any others? Seeing none, that will then close this part of the hearing on the Health and Human Services, and let's proceed on to the Rural Health Advisory Commission. I have Crystal Johnson first on the list. One of the things about proceeding from here on and that's this, when you come forward would you advise us whether you are a reappointment or new as part of the process. Crystal, welcome. [CONFIRMATION]

CRYSTAL JOHNSON: My name is Crystal Johnson. I am newly appointed to the Rural Health Advisory Commission. Crystal is spelled C-r-y-s-t-a-l, Johnson is J-o-h-n-s-o-n. I am serving as part of the nursing home administrator. I've only been an administrator for the state of Nebraska just a little bit over a year and a half. I'm delighted to be an advocate for the elderly. I work in St. Paul, Nebraska, for Heritage Living Center. It is owned by Vetter Health Service, Jack Vetter, which I am a proud to work for the company. My background, I have a bachelor's in accounting, just a financial area, and then kind of my second passion turned into healthcare. I was raised in just a rural community. I am familiar with the issues that arise in the rural areas and just delighted to be appointed to the commission. [CONFIRMATION]

SENATOR JOHNSON: Any questions? You're going to find out that from now on we're not going to beat up on you like we did those first two. They get paid for their work, see, so we really appreciate it. And really everybody from now on, you're all volunteers and essential volunteers, so we want you to know that. [CONFIRMATION]

CRYSTAL JOHNSON: Great. Well, it's my pleasure to meet all of you.
[CONFIRMATION]

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SENATOR JOHNSON: Thank you. [CONFIRMATION]

SENATORS: Thank you. [CONFIRMATION]

SENATOR JOHNSON: All right, fine. Thank you very much. Next we have Rebecca Schroeder. [CONFIRMATION]

REBECCA SCHROEDER: Good afternoon. [CONFIRMATION]

SENATOR JOHNSON: Welcome to you. [CONFIRMATION]

REBECCA SCHROEDER: Senator Johnson and members of the committee, my name is Rebecca Schroeder. I am a clinical psychologist in Curtis, Nebraska, which is Frontier County for those of you who may not know that. I am seeking my second appointment to the Rural Health Advisory Commission. It has been a very interesting last three years in learning and grasping all the various issues that affect rural medical and behavioral health. For those of you who don't know, the main purpose of the advisory commission is to the recruitment and the retention of quality health professionals in rural areas. And I feel like the commission does a good job at that, and right now we are specifically focusing on looking at integrated health and how that can be applied in rural areas, which I'm real excited about. I've lived in Curtis since about 1988; grew up in Minnesota. Moved to Nebraska after I received my doctorate degree at the University of Nevada, and I got here in '87 and I haven't left so I am definitely a Nebraskan now and look forward to serving another three years. [CONFIRMATION]

SENATOR JOHNSON: All right. Yes, Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: I have one quick comment. Thank you for coming today; I know Curtis is a few miles away. Do you also work out of North Platte at Cornerstone? [CONFIRMATION]

REBECCA SCHROEDER: I do. Yes, that's right. [CONFIRMATION]

SENATOR HANSEN: Okay. Very good. Thank you for coming. [CONFIRMATION]

REBECCA SCHROEDER: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Any other questions? Senator Gay. [CONFIRMATION]

SENATOR GAY: Chairman Johnson, thank you, but I want to thank you too. We just had a lunch and brought up some of these issues, so, and thank you. And for others that are testifying, if you're a reappointment I think now is a good time too, for newer senators, to tell us how it's going for you. If you've got any...and this goes for anybody, if

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you've got any improvements maybe we should know about, feel free to fire it off. But thanks for coming and being in front of us. But some of the questions that are what you mentioned, like I say, it's very important, so what you are doing is very important and we appreciate it and thanks for telling us a little bit about it. [CONFIRMATION]

REBECCA SCHROEDER: Well, sure. [CONFIRMATION]

SENATOR GAY: But if there's anything that we could do, again, to improve what's going on, feel free to let us know right here too. [CONFIRMATION]

REBECCA SCHROEDER: You better watch out when you say that (laugh) because we are looking at some financial dire straits coming up. [CONFIRMATION]

SENATOR GAY: Except that. [CONFIRMATION]

REBECCA SCHROEDER: Yeah. [CONFIRMATION]

SENATOR GAY: I'm teasing. Thank you. [CONFIRMATION]

SENATOR JOHNSON: Wait one second. This is very important question: Are you going to be for Nevada or Creighton tomorrow? [CONFIRMATION]

REBECCA SCHROEDER: Well, the University of Nevada was just graduate school; it was a long time ago. Definitely for Creighton. My husband went to law school there so I think I have to root for them. [CONFIRMATION]

SENATOR JOHNSON: All right. (Laugh) Thank you very much. Next is Dr. Michael Sitorius. [CONFIRMATION]

MICHAEL SITORIUS: My name is Michael Sitorius, S-i-t-o-r-i-u-s, and I'm up for reappointment. I'd like to tell you that I would know whether this was the fourth, fifth, or sixth time I'm up for reappointment but I'm not sure. Senator Johnson, members of the Health and Human Services Committee, good afternoon. And I really want to thank you and the Governor for the opportunity to continue to serve the state of Nebraska in the area of rural health on the Rural Health Advisory Committee. I could go into a long litany of things that we have accomplished, but more importantly are the things that we have ahead of us when we look at the needs of rural Nebraska. And what was said before about what our major tasks are, are tasks that we need to share with you and with the people of the state of Nebraska. We need quality health professionals throughout the state of Nebraska, and that's not just physicians, but importantly, technologists, mental health providers, pharmacists, dentists, nurses--and these are all some of the areas that we work on, on recruitment and retention. The committee has, in the time that I've worked with, made some tremendous, tremendous strides in trying to meet those

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needs. [CONFIRMATION]

SENATOR JOHNSON: Any questions of Dr. Sitorius? I think maybe it would be well to advise this committee that this is the chairman of the family practice department at UNMC. [CONFIRMATION]

MICHAEL SITORIUS: I guess I did forget to mention that. [CONFIRMATION]

SENATOR JOHNSON: And is, in large part, responsible for the, I think, the overall success of the placement of family practice physicians out of the metropolitan area, and so he is to be thanked for that. I've just got one question. Can you remember any surgical teachers along the way that had any particular positive influence on you? (Laugh) [CONFIRMATION]

MICHAEL SITORIUS: Is this a loaded question, Dr. Johnson? [CONFIRMATION]

SENATOR ERDMAN: You don't have to answer that if you feel it might affect your appointment. [CONFIRMATION]

SENATOR JOHNSON: In fact, I would just as soon... [CONFIRMATION]

MICHAEL SITORIUS: It would be sounding like I'm grubbing up to the committee and to the committee chair, but, yes, there is. There is one sitting directly across from me. [CONFIRMATION]

SENATOR JOHNSON: Well, let's not name him because I might be embarrassed for not being cowed down to here. Now this is a wonderful fellow here in front of us that I had the good pleasure of working with for many years, as well as his father before him. Thank you very much, Mike. [CONFIRMATION]

MICHAEL SITORIUS: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Okay. Roger Wells. [CONFIRMATION]

ROGER WELLS: Good afternoon. My name is Roger, R-o-g-e-r, Wells, W-e-l-l-s, and I thank you very much for allowing me to participate in community healthcare in our state. I am presently the chairman of the Rural Health Commission and have been on the Rural Health Commission approximately for four terms, two terms off, then back on two terms, and have never been before this committee. I've always opted out, but I thank you for allowing me to be here. You've heard the great number of wonderful plans for the Health and Human Services and you've had a great testimony this afternoon, specifically from Chris Johnson (sic-Peterson) who says the more we can, the earlier, and I would like to echo that. But I would like to discuss basic healthcare. A place where

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we would like to be able to do well-child exams, but they're not done; dental cavities so severe that only the base of the teeth are left in your patient; and insurance rates (inaudible) lower they are equal to those in the poverty areas in the city. Where are these? These areas (inaudible) rural healthcare in Nebraska. It's not attractive. It's not attractive. The residents; we're not filling residencies at this time. Telemed is not available because we don't have high speed. The EMS is not there because there's no technician. There's no access to mental health illness because they're on the phone 200 miles away. The full schedule, all day long, and you take call that night. The hospital is including medical staff, but when you are done with that you then you go to the safety committee at the school, then you at the nursing home supervisor. And when you do get home, you are not met with a family that's very happy for you to be home at 10 o'clock. Loans are bought out by larger facilities and so we don't get some of the individuals we would like to have come out to our areas, and the time constraints makes the wives or the spouses, in some cases the husbands, not want to come out. And there is some support from specialty individuals because it's just too far away and they are always such a wreck when they get there and it's already 5 o'clock and I want to go home. The Rural Health Commission writes to you every year, a plan of recommendations about what we can do to help rural healthcare, about the supplies, the providers, EMS, the electronic medical records, telemed, the use of medical dollars being spent by 15 percent of the population but 80 percent of the dollars go to these individuals. There is no additional rates that go up, however 37-43 percent of all medical dollars spent in the town stay in that town, so when we ask for money, as was just jokingly talked about, we actually save communities by having people placed in here because there is no other support in that facility. The committee I work with today, you, I really hope you listen to what we have to say to you because it is very, very, very concerning in my book when we do not fill the residency spots for family practice. We have dentists that are finally starting to come out but we have Dental Day that can treat over 10,000 people because they can't afford other healthcare. We are at a critical time in rural Nebraska. I hope that I am allowed to work with you, come to you and tell you the things that we need to do, and when we write a report that you remember that we were here and we do need things and we're happy to help you. I have a tremendous group of individuals from dentists to doctor in psychiatry, MDs, myself as a physician assistant, et cetera, that work on this committee--a whole host of individuals that are caring about one thing, just like you, our constituents. Thank you very much. [CONFIRMATION]

SENATOR JOHNSON: Any questions? Yes, Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: Thank you for coming today. How many are on your board then? [CONFIRMATION]

ROGER WELLS: Twelve. [CONFIRMATION]

SENATOR HANSEN: Okay. Very good. [CONFIRMATION]

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SENATOR JOHNSON: Roger, thanks for coming. Tim? Yes, Senator Gay.
[CONFIRMATION]

SENATOR GAY: Roger, you just heard what I said to Chris Peterson....
[CONFIRMATION]

ROGER WELLS: Yes. [CONFIRMATION]

SENATOR GAY: ...and Scot. I think that is a good start and this is no criticism to anybody but I appreciate it. It sounds like you've been working at this for some time and appreciate that dedication. [CONFIRMATION]

ROGER WELLS: It's my passion. [CONFIRMATION]

SENATOR GAY: But you heard that, too, as well, what I just heard, and it doesn't that money is going to solve all these things, but some of those opportunities maybe that we might have, be understood to... [CONFIRMATION]

ROGER WELLS: We have...here's an example of things that are going on. There is a pilot project going on that we are working on that will work with just some small amount of money, taking Medicare dollars and a small grant, \$10,000, and we'll take 50 individuals and try to take pre-diabetes, before diabetes, and place them into a known facility and then group teach them at a lower cost than what it would cost to take individual people in and out who would never be taught in a 15-minute office visit, now can have a group visit over two hours and be evaluated by both a pharmacist, a social worker, a provider, et cetera, in a group setting within an hour and a half, and do a better job cheaper. That's an example of what we're working on right now--not higher money. [CONFIRMATION]

SENATOR GAY: Yeah, that's a great one. [CONFIRMATION]

ROGER WELLS: We want people out there; maybe we need that. But as far as changing dollars for support, no. [CONFIRMATION]

SENATOR GAY: Well, good, that's a great one. I appreciate you coming here.
[CONFIRMATION]

SENATOR JOHNSON: Senator Pankonin. [CONFIRMATION]

SENATOR PANKONIN: Thanks, Senator Johnson, and Roger as well. We appreciate you coming, but more importantly, and this is kind of for the people previous and to come, as I sit here again, and being new to this process, we just realize how many good

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folks like yourself that are willing to serve and willing to try to make our state better. I'm just so appreciative and I thank you, not only for service on the rural health board but also for the work you do day after day. And that's to everyone here that's doing these things. We don't get this thing done. It's through people like you that we can hopefully try to help you get your job done. So we appreciate it. Thank you. [CONFIRMATION]

ROGER WELLS: Well, thank you. I appreciate you having me here. Senator Johnson, it's always a pleasure. Thank you. [CONFIRMATION]

SENATOR JOHNSON: Well, thank you. I was just going to mention to Senator Pankonin, I think we met when you were an orderly at Good Samaritan Hospital about 30 years ago, didn't we? [CONFIRMATION]

ROGER WELLS: Yes. Twenty-two, to be exact. (Laugh) Thank you very much. [CONFIRMATION]

SENATOR JOHNSON: One thing before you do go, is that, you know, it's just a small thing but at least we were able to get through one thing just in the last day or two, and that is the payback bill for...that was originally designed to help recruit rural health practitioners. But the...it had gotten to the point where the interest rate was so high that hardly anybody was using it. That has been reworked and was passed, I think yesterday or the day before, and so hopefully that will help a little bit. [CONFIRMATION]

ROGER WELLS: I really appreciate that effort. It took a lot of extra effort on your part. [CONFIRMATION]

SENATOR JOHNSON: No, it didn't. We're glad to do it. [CONFIRMATION]

ROGER WELLS: Well, it took the effort to care. Thank you. [CONFIRMATION]

SENATOR JOHNSON: You bet. Thank you. Okay, that takes care of all of the people on the Rural Health Advisory Commission, and let me thank you as a group and Godspeed to you. The next group is the Foster Care Review Board, and I've got Lisa Borchardt. Hi, Lisa. Come on up. [CONFIRMATION]

LISA BORCHARDT: Good afternoon. My name is Lisa Borchardt, B-o-r-c-h-a-r-d-t, and I'm here...this is a new appointment for myself. And when I received the phone call to ask if I could be nominated for this appointment, I thought, why would I do that? And the reason I thought that is because I have been a CPS worker in the past and it was in the early '90s, and as a worker in the Foster Care Review Board we butted heads. We were not friends. So that was one of the first things I asked as part of this appointment was, are they friends now? (Laugh) And I think it is getting there and it is there. This is important to me. You have my resume. My background is in social work. I have a

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bachelor's degree in social work; a master's degree in social work. I share Senator Howard's passion with the qualifications for CPS workers and case load size. My whole career has been advocating for children, and there are so many things that I think that the Foster Care Review Board has already done and that we can do that I'm excited to do this. Some of the things that I'm really about is permanency is a huge thing. Senator Hansen, you asked earlier in earlier testimony about the 15 out of 22. And that is so frustrating because, you know, workers right now have concurrent case planning going on where they're supposed to have a track A, but at the same time there is supposed to be a track B going on at the same time, and rarely do the judges check on, well, what's this track B going on? So A is not working, so reunification is not working, and they are so focused on reunification most of the time that they don't even look at the concurrent plan of what can happen. And so I really would like to see some accountability, and that's what I would ask from this committee, is helping us hold these judges accountable for this 15 out of 22 months because I have had so many kids look me in the face, especially when I was a CPS worker and we were removing them from the home and going to place them: Why? Why do I have to leave? It's my daddy who is hurting me; why am I leaving? So what do we say to these kids? We are taking these children out of their home, out of their safety, out of their permanency, at the hands of their parents who are perpetrating. So, you know, the child support enforcement, that grant that was talked about previously, I'm excited to hear that. Where's the accountability to the parents? You know, it's the kids that are suffering in more ways than one, and so that's why I'm excited about being appointed to the Foster Care Review Board and I look forward to being an active member on the board and then helping to create change and to support the children because that's what it is all about. [CONFIRMATION]

SENATOR JOHNSON: I like your enthusiasm. [CONFIRMATION]

LISA BORCHARDT: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Questions over here? None. Senator Howard.
[CONFIRMATION]

SENATOR HOWARD: Well, I certainly want to thank you for stepping forward to do this and welcome you to our new life here...(laugh)...life after child protection service. But you're right on; the things that you say are so accurate. And we really have to help ideas, philosophies concepts, if you will, move from the concept that once a child is in foster care what's the problem, the child is safe, they're no longer in danger. But you and I both know there's much more to the picture and we have that obligation to make sure that child has the permanency they deserve. Thank you so much for doing this.
[CONFIRMATION]

LISA BORCHARDT: You're welcome. Thank you. [CONFIRMATION]

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SENATOR JOHNSON: Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Johnson. Lisa, thank you for being here today. [CONFIRMATION]

LISA BORCHARDT: Sure. [CONFIRMATION]

SENATOR HANSEN: Do you think that foster parents should be heard in court? [CONFIRMATION]

LISA BORCHARDT: Yes. [CONFIRMATION]

SENATOR HANSEN: As a routine basis or just as the judge has time? And that's not a very good way to ask that. Do you think it should be mandatory that the foster parents, preadoptive guardians, anyone that has any...that's been doing the caring for the child? Should they be heard in court? [CONFIRMATION]

LISA BORCHARDT: Yes, because I'm also a CASA volunteer, a court appointed special advocate. And just recently...and some of the judges still don't allow the CASAs...you know, we can only submit our reports to the court. And if it's the people who are having the direct service, the hands on service, the foster parents, the CASAs, the therapists, whoever, yes, they need to be heard in court because they're the ones that have the day-to-day contact and can say this child's behavior is changing positively or not so positively. [CONFIRMATION]

SENATOR HANSEN: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Thank you. [CONFIRMATION]

LISA BORCHARDT: Sure. [CONFIRMATION]

SENATOR JOHNSON: Thank you very much, Lisa. Next please, is Sarah Ann Lewis. [CONFIRMATION]

SENATOR JOHNSON: Hello, Sarah Ann Lewis. Welcome. [CONFIRMATION]

SARAH ANN LEWIS: Good afternoon, Senator Johnson and members. I am a new appointment. My name is Sarah Ann Lewis, L-e-w-i-s, and I think this is the first time I've been in front of you without a prepared statement. As you know I serve as the policy coordinator and registered lobbyist for Voices for Children in Nebraska. My career path...well, working with children in the system has landed me where I am today. It spurred my movement in to law school after seeing the inadequacies that children faced when they were staying in a residential crisis shelter that I worked in. It was difficult to

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get ahold of the case managers. The children's needs weren't being met. Medicines weren't being delivered. The children's bests interests weren't being seen to. And so I've actually made a career now out of working to create more or help to create more of a systemic change. I'm excited by the reorganization and the energy that is behind reform right now. I know that's been tried in the past but I guess I'm young and idealistic, still even after law school, and I'm excited to be a part of the solution. And it's really an honor to have been asked to sit here today in front of you. So I would like to thank everyone responsible. [CONFIRMATION]

SENATOR JOHNSON: We'll even be a little nicer to you today than what we usually are. (Laugh) Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: Thank you. Sarah, how many lawyers are on the Foster Care Review Board? [CONFIRMATION]

SARAH ANN LEWIS: Oh, well... [CONFIRMATION]

SENATOR HANSEN: Do they require one or...? [CONFIRMATION]

SARAH ANN LEWIS: Let me try to answer that question as best I can because there are local boards. The State Foster Care Review Board, I don't...is made up of local boards that serve various areas throughout the state. I happen to be...I've been a member of a local board for a little over a year now, and it's kind of multidisciplinary. We have the director of CASA in Douglas County; we have a child psychologist; we have a foster parent; we have a pediatrician; myself; we have a police officer. It's a wide variety of professions that come together and do an independent review of cases that have been in the system for over six months. And so we just make sure that the kids' needs are being met, that the permanency plan is appropriate, that the best interests of the children are being looked to. [CONFIRMATION]

SENATOR JOHNSON: Okay. Senator...oh, excuse me. [CONFIRMATION]

SENATOR HANSEN: Can I ask a follow-up? [CONFIRMATION]

SENATOR JOHNSON: Yes, sure; a follow-up. [CONFIRMATION]

SENATOR HANSEN: I asked Lisa about foster parents being heard in court. Do you agree with Lisa? [CONFIRMATION]

SARAH ANN LEWIS: (Laugh) And I know you have a bill. Yes, without question I believe that the caretaker, the person...the family that's providing day-to-day care is an invaluable voice in the courtroom. I too am a CASA; I've interned for CASA; I've acted as a CASA. I have submitted only my written reports and not been able to speak to the

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judge when I had concerns that I wanted to raise. And it's to allow the person that sees the kid day in and day out and provides for their basic needs. I think that information, when the court is making a decision on what's in the best interest of the child, is invaluable. [CONFIRMATION]

SENATOR HANSEN: Are you aware that there's a federal law now that passed last July that foster parents have a right to speak in court? [CONFIRMATION]

SARAH ANN LEWIS: Well, they've had a right to speak in court. Right now, I believe it's the discretion of the judge whether or not they're going to be questioned during the hearing. [CONFIRMATION]

SENATOR JOHNSON: Senator Howard. [CONFIRMATION]

SENATOR HOWARD: Thank you. Thank you, Chairman Johnson. Sarah Ann, can you just tell me...I'm just wondering, are you going to remain with the Voices for Children or how will all those fit together? [CONFIRMATION]

SARAH ANN LEWIS: I will remain with Voices for Children. I'm not really...
[CONFIRMATION]

SENATOR HOWARD: You don't see any conflict? [CONFIRMATION]

SARAH ANN LEWIS: Conflict of interest? No, I haven't. I've spoken with Carol about this and I've spoken with my executive director about this, and I just...I think that professionally I'll be able to add a voice of policy and research and an angle that I think will be beneficial to the State Foster Care Review Board. I've already been to one meeting and it was very motivating. It is very nice. I love that Chris Peterson described the Foster Care Board as shining a light on what's going on with these children, because they are our most vulnerable citizens, in my opinion, and I really think that what comes out of the Foster Care Review Board helps us help the children.
[CONFIRMATION]

SENATOR HOWARD: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Any other questions? Sarah, I don't see any. Thank you very much. [CONFIRMATION]

SARAH ANN LEWIS: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Let's take a little aside here for one second, and do we have anybody that wishes to speak either as a proponent or an opponent for either the Rural Health Advisory Commission nominees or the Foster Care? Thank you. Well, let's

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proceed on then to the Board of Emergency Medical Services. Joel Cerny.
[CONFIRMATION]

JOEL CERNY: Good afternoon, Senator Johnson and committee. My name is Joel Cerny, C-e-r-n-y. I am being reappointed to the Emergency Medical Services Board. Some of you probably recognize me; I've been down here to testify on a couple of first responder issues. I'm being put on the board as a first responder, then fire chief up at Linwood for 15 years, and a licensed first responder for 10 years. Married to my wife Rhonda for 30 years and have three grown daughters. I work in Senator Stuthman's district in Columbus so it's about a 25-mile commute everyday to work. I've enjoyed my past two terms on the board and would enjoy to continue that position.

[CONFIRMATION]

SENATOR JOHNSON: Any questions of Joel? Senator Erdman. [CONFIRMATION]

SENATOR ERDMAN: Joel, welcome back to the LB244 reunion. It's good see you. Are you aware of the discussions and I guess where we're at in this process of trying to resolve some of those issues that Senator Flood has brought to us and what perspective you might share since that is an issue that's before the committee?
[CONFIRMATION]

JOEL CERNY: Yes. My daughter was a part of the focus group that sat in on that, and I think they are working in the right direction. As you know from my previous testimony, I'm adamantly opposed of first responders transporting as they are, and I think it's just a...we're working in the right direction at this time. [CONFIRMATION]

SENATOR ERDMAN: All right. Thank you, sir. [CONFIRMATION]

SENATOR JOHNSON: Well, Joel, one of things and I think that we want you to know this and your group to know this, is that we consider you and the whole group as absolutely vital people to Nebraska and we want that said publicly because it's absolutely true. You are indispensable to this state and should be recognized. So thank you. [CONFIRMATION]

JOEL CERNY: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Thank you. Next, Robert Olson. [CONFIRMATION]

ROBERT OLSON: (Exhibit 2) Just so I didn't forget anything I put it on a list.
[CONFIRMATION]

SENATOR JOHNSON: Welcome. [CONFIRMATION]

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BOB OLSON: Good afternoon, Senator and members of the committee. My name is Bob Olson, O-l-s-o-n. I am from Papillion, Nebraska. I have been on the EMS Board since the board was instituted in 1997 and I served as the chairperson for the first eight years. After that I told them I was worn out and they needed to get somebody else but I'd still like to be on the board. Currently, on the board I serve as the chairman of the site visit committee and I have the great opportunity of going out to the communities to help them get their rescue squad and their services licensed and help them in any way I can to put together an application for them and then come back and make a recommendation to the board as to whether or not they should be approved at whatever level that they have applied for. And I've got a little bit of a history. I've been in EMS since 1965 and have gone all the way from advanced first aid to the paramedic level and chairman of the EMS Board. So I've been there, done that, I guess, and I've truly enjoyed it. Nebraska has always been a leader in the EMS system and it's been great to be a part of that. [CONFIRMATION]

SENATOR JOHNSON: Great. I better turn to these guys over here. Senator Gay. [CONFIRMATION]

SENATOR GAY: Mr. Chairman, I just wanted to say I've known Bob a long time and have worked closely with him on other issues. He will be a fine addition...well, an addition to stay on the board. But, Bob, appreciate it and in spite of...we'll vote for you, but I see you're wearing your Husker shirt. I think he's the biggest Husker fan in the state. [CONFIRMATION]

BOB OLSON: Right. [CONFIRMATION]

SENATOR GAY: But Bob I just want to publicly say I appreciate your dedication and service. Thank you. [CONFIRMATION]

BOB OLSON: Thank you. I appreciate that. Talking about the Husker fan, I was visiting with a group of young people one day, and I said that I had been around...I was getting a little bit older and I said I'm so old that I graduated from Nebraska before Bob Devaney got there. A couple of kids looked at me and they said, who is Bob Devaney? (Laughter) And I said, I am old then. (Laugh) [CONFIRMATION]

SENATOR JOHNSON: Have you ever been out to Misty's Restaurant in Havelock? [CONFIRMATION]

BOB OLSON: Yes, I have; several times. [CONFIRMATION]

SENATOR JOHNSON: Well, you kind of remind me is there is the SOB steak out there, you know, and I was wondering if you were familiar with that? [CONFIRMATION]

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BOB OLSON: I guess I haven't seen that one. [CONFIRMATION]

SENATOR JOHNSON: It's the Sweet Old Bob. It used to be Bob Devaney's favorite steak when he would go out there. [CONFIRMATION]

BOB OLSON: Oh, okay. [CONFIRMATION]

SENATOR ERDMAN: I'm glad you clarified that, Mr. Chairman. (Laughter)
[CONFIRMATION]

SENATOR JOHNSON: That's one of those valuable things. Any other questions? Thank you very much, Bob. [CONFIRMATION]

BOB OLSON: Thank you very much. [CONFIRMATION]

SENATOR JOHNSON: And than you for many years of great work. Thank you.
[CONFIRMATION]

BOB OLSON: Thank you. [CONFIRMATION]

SENATOR JOHNSON: You wondered where I was going with the SOB, weren't you.
(Laugh) [CONFIRMATION]

SENATOR ERDMAN: I wasn't sure whether it was the State Office Building or something else. [CONFIRMATION]

SENATOR JOHNSON: Yeah, that's what I was referring to. We have got Jeffrey Strawn next. Come on up here, Jeff, if you dare. It's getting to be the last day of school atmosphere here, as you can tell. [CONFIRMATION]

JEFF STRAWN: Well, Senator Stuthman and the members of the committee, thank you. My name is Jeff Strawn; last name S-t-r-a-w-n. This is a very unique position for me, as many of the three of senators that spoke earlier, I am a freshman. This is my first appointment by the Governor, first time at the Emergency Medical Services Board. I was a graduate of Omaha Creighton Prep in 1990, joined the volunteer first department in Papillion in 1990, as well. Since then I will have my bachelor's degree finally conferred in June from Bellevue University in leadership. But during the course of that time I became a firefighter, an EMT intermediate, which is just below the level of paramedic. And I work full-time for the city of Papillion currently and have a wonderful wife Cara, 12 years; a beautiful little girl, 6-year-old Mary; and twin 6-month-old boys, James and Joseph. So I look forward to answering any questions that you may have. [CONFIRMATION]

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SENATOR JOHNSON: Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: Thank you. Jeff, thanks for coming today. You said you are an EMT intermediate,... [CONFIRMATION]

JEFF STRAWN: Correct. [CONFIRMATION]

SENATOR HANSEN: ...right below a paramedic. So are continuing the training...? [CONFIRMATION]

JEFF STRAWN: No, that's a different level of care so, yeah, EMT intermediate was plenty for me. As an EMT intermediate I can do some advance airway procedures, as well as start some intermediate IV fluids. But now I have no, after this long in my career, I have no ambition to become a paramedic. [CONFIRMATION]

SENATOR HANSEN: How many hours did you study to get where you're at now? We were asking this question amongst ourselves. [CONFIRMATION]

JEFF STRAWN: Oh, geez, going back a few years. You know, I want to say roughly 500 between the classroom and the clinical and the ride-alongs and those kind of things, and now I know it's even more than that, and I couldn't imagine taking that much time again to go through the paramedic course with the family that I have now. [CONFIRMATION]

SENATOR HANSEN: I appreciate what you're doing. [CONFIRMATION]

JEFF STRAWN: Thank you. I appreciate that. [CONFIRMATION]

SENATOR JOHNSON: You bet. Senator Erdman. [CONFIRMATION]

SENATOR ERDMAN: Jeff, I only have one concern with your application. [CONFIRMATION]

JEFF STRAWN: Yes. [CONFIRMATION]

SENATOR ERDMAN: I don't know how to start this but I guess I'll just say it just point blank. I see you listed Tim Gay as a reference. [CONFIRMATION]

JEFF STRAWN: Yes. [CONFIRMATION]

SENATOR ERDMAN: Now,... [CONFIRMATION]

SENATOR JOHNSON: You don't need to go any further. (Laugh) [CONFIRMATION]

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SENATOR ERDMAN: I wonder if I called this number if I'll catch him at work though because...I don't know. So if anybody wants Tim Gay's cell phone, it's in this application. But how do you know Senator Gay and should we use that against you in your appointment? [CONFIRMATION]

JEFF STRAWN: Senator Gay has been a mentor of mind for many years, an advocate of the family values that he shares. So I known Senator Gay for quite a few years. I've looked for his leadership in attending Bellevue University and I also looked towards his leadership. I served as the interim fire chief in the city of Papillion while the former fire chief moved on to the city of Reno. And so as Senator Gay as a leader in our community, I looked for him, but most importantly church functions and those kinds of things. [CONFIRMATION]

SENATOR JOHNSON: We've been looking for his leadership, too, by the way. (Laugh) Thank you very much. [CONFIRMATION]

SENATOR GAY: Mr. Chairman, we can't let him go with that. I've got to...
[CONFIRMATION]

SENATOR JOHNSON: All right. Senator Gay. [CONFIRMATION]

SENATOR GAY: You knew that was coming (inaudible). But anyway I just want to say with Bob and Jeff, as well, they are just huge community asset and I truly mean this, really getting involved in things and it's great to see you guys on this board and still helping out on a statewide level, so thank you very much. [CONFIRMATION]

JEFF STRAWN: Sure. Thank you. I look forward to it. [CONFIRMATION]

SENATOR JOHNSON: And you've got a great tradition. Bellevue and Papillion area have been leaders for decades, so. [CONFIRMATION]

JEFF STRAWN: Sure. And Bob Olson actually was an early mentor of mine. He was the fire chief when I was a volunteer in Papillion. So I look forward to learning a lot of new things on this EMS Board, so I appreciate it. [CONFIRMATION]

SENATOR JOHNSON: Great. Thank you. Scott Wiebe. [CONFIRMATION]

SCOTT WIEBE: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Scott, you've got to do one thing. [CONFIRMATION]

SCOTT WIEBE: What's that? [CONFIRMATION]

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SENATOR JOHNSON: You've got to introduce at least two people back there.
[CONFIRMATION]

SCOTT WIEBE: I'll do that. They've been hanging in there. I was going to make that a part of my presentation. But thank you, Senator Johnson, members of the committee. My name is Scott Wiebe (phonetic--Weeb), spelling the last name W-i-e-b-e. I've been called Wee-bee (phonetic), I've been called Weeb (phonetic), I've been called a lot of different things over my career as I'm sure many of you have. I just want to lay out a little bit about my career up to this point. I'm very excited to be a part and be appointed by the Governor to the Nebraska State Board of EMS. As I was told when I was appointed, this is a very competitive appointment. There was a lot of interest in the appointment so I'm going to take this appointment seriously. A little bit about my background: I attended Creighton University and graduated from the paramedic program there in 1990. From there I was lucky enough to move on to the Grand Island fire department where I served as a firefighter paramedic from 1990-96. I then transitioned to Lincoln which I still hear about the great job that my wife had to leave in Grand Island, but I think after ten years here in Lincoln we're finally moving forward from that point. I currently serve as a fire captain and a paramedic with the Lincoln Fire Department. I've worked in several different venues. I worked in the Creighton emergency room in Omaha, I've flown for LifeNet critical care transport out of Omaha. So I think I can bring a wide range of experience. I've worked with rural healthcare organizations, specifically first responders and volunteers, and see how critical that asset to our community. You know, obviously the best place for a patient is in the hospital, but how we get them there in a timely fashion with adequately trained personnel is very important. So there are definitely some challenges out there. I guess the biggest challenge is a lot of you freshmen, like myself are going through, is getting up to speed on all the issues that are out there and the tremendous volumes of information that you have to cover. I mean, there's weekly, almost daily mailings that we get on stuff we need to cover, stuff we need to comment on. So getting up to speed definitely is a big commitment and I look forward to serving in that capacity. I wanted to introduce my great family: my wife Tammy of 12 years, son J.T. and my daughter Macy. They are a big part of my career and they are here to support me and kind of see what this whole process is about, and I look forward to serving in that capacity on this board.
[CONFIRMATION]

SENATOR JOHNSON: Okay. One thing while we're asking any questions of Dad here: Kids, come on up and stand by Dad, will you? There we go. Can you tell us your names? [CONFIRMATION]

J.T. WIEBE: J.T. [CONFIRMATION]

SCOTT WIEBE: One at a time. [CONFIRMATION]

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J.T. WIEBE: I'm J.T. [CONFIRMATION]

MACY WIEBE: Macy. [CONFIRMATION]

SENATOR JOHNSON: Oh, great. We're glad that you came along with Dad, okay? Okay, you can go sit down again if you want. Any questions of Dad? Dad, sounds like your group has got an excellent person working with them. Keep up the good work. [CONFIRMATION]

SCOTT WIEBE: Thank you. [CONFIRMATION]

SENATOR JOHNSON: You bet. Thank you. And James E. Smith. []

SENATOR JOHNSON: Are you from North Platte, James E. Smith? [CONFIRMATION]

JAMES E. SMITH: I am. I'm a transplant. [CONFIRMATION]

SENATOR JOHNSON: All right. Well, we haven't done too well with North Platte people in the past but we'll have to see. [CONFIRMATION]

JAMES E. SMITH: Well, then there the only way to go is up from here, I guess. [CONFIRMATION]

SENATOR JOHNSON: Well, we'll give you a good fair shot. [CONFIRMATION]

JAMES E. SMITH: My name is James E. Smith, S-m-i-t-h. I am a first appointment to the state EMS Board. I'm a residency-trained board certified emergency medicine physician and that is my position on the board. I want to take the opportunity to thank the Governor and you all for hearing me here today. I have been practicing emergency medicine for 18 years. When I finished my residency program in emergency medicine I had the opportunity to work in academics at the Med Center for four years. I was at BryanLGH for eight years, and then three years ago I moved out to Great Plains Regional Medical Center in North Platte where I am now the medical director there. I have had extensive prehospital experience. I was a volunteer fireman at Gretna. We were a level B squad at that point in time and we moved up to an ALS squad when I took that over. I was a volunteer fireman there and I spent numerous hours in the back of ambulances, so I hope what I can bring to this committee is not only my expertise as an emergency medicine physician but I've been in the back of squads; I know what it's like. I have worked in Omaha and Lincoln and now I've been out into the rural communities so I know the challenges, both of those type of environments, and I hope that I can be of help to this committee. [CONFIRMATION]

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SENATOR JOHNSON: Let me tell the rest of the committee here, is that he worked all last night and so on, and so I... [CONFIRMATION]

JAMES E. SMITH: If I look punchy, I worked a 24-hour shift and got up this morning. [CONFIRMATION]

SENATOR JOHNSON: Yeah, he came in late and so on here, so not only did he drive a couple hundred miles to get here but he did it under less than great circumstances, so thanks for making the effort. Senator Hansen. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Johnson. Thankfully I only know you by name. I haven't been in your emergency room but I've heard great things about you. [CONFIRMATION]

JAMES E. SMITH: Well, thank you very much. [CONFIRMATION]

SENATOR HANSEN: And thank you for coming this far and thank you for volunteering your service. [CONFIRMATION]

JAMES E. SMITH: My pleasure. I hope I will do a good job and I will try my best. [CONFIRMATION]

SENATOR JOHNSON: Any other comments or...? Senator Gay. [CONFIRMATION]

SENATOR GAY: Oh, I just wanted to...just, and Doctor, you're the last one on here but I would just say again, boy, you look at these resumes and it's just incredible that we have such good people willing to serve. So appreciate it, to all of you. [CONFIRMATION]

JAMES E. SMITH: Well, it affects what I do. The better job that the EMS people do when they come to my door, the better outcome my patients have, and these are neighbors and friends of mine that I take care and so it's very important to me. [CONFIRMATION]

SENATOR JOHNSON: Well, it's extremely important and thanks for taking up the task. [CONFIRMATION]

JAMES E. SMITH: Thank you. [CONFIRMATION]

SENATOR JOHNSON: Thank you. That concludes the hearings for the people...well, I guess we better find out whether anybody likes you or not. Any proponents or opponents? Seeing none, that will close the hearings for the Health and Human Services System, the Rural Health Advisory Commission, the Foster Care Review

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Board, and the Board of Emergency Medical Services. And now you get to hear me. Senator Gay, would you take over? This shan't take long. [CONFIRMATION]

SENATOR GAY: All right. We'll open the public hearing on LR39, and Senator Johnson will open. [LR39]

SENATOR JOHNSON: Senator Gay and members of the committee, I am Senator Joel, J-o-e-l, Johnson, J-o-h-n-s-o-n, representing the 37th District. What I am here today is to present LR39. And LR39 is a legislative resolution brought to me by Senator Synowiecki. Many of you members of the Health and Human Services Committee are cosponsors of this resolution. The resolution simply urges our congressional delegation to support congressional funding for mental health and substance abuse services. The resolution also urges the Governor to work to ensure that federal mental health and substance abuse funding is restored. I know this is an area where many are familiar. An increasing number of people are experiencing behavioral health disorders of various kinds in varying degrees. Many people also experience the difficulty in accessing these services because of inadequate private insurance coverages in these behavioral health disorders and many people are forced to look to the public services and the public health system for their help. This is a nonbinding resolution but does express the concern or will of the Legislature on this important matter of public policy and will equip our congressional delegates with one more weapon to better represent us and their constituents in trying to obtain these necessary funds, therefore I would ask your support of this resolution. [LR39]

SENATOR GAY: Thank you. Are there any questions from the committee? Seeing none, just for the record it doesn't look like any. Any proponents? None. Any opponents? None. With that he'll waive the closing and close the public hearing. [LR39]

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Disposition of Bills:

LR39 - Reported to the Legislature for further consideration with amendment.

Chairperson

Committee Clerk