

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 650

Introduced by Christensen, 44.

Read first time January 19, 2011

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to foster care; to amend section 71-1902, Reissue
- 2 Revised Statutes of Nebraska; to require a statement of
- 3 rights and responsibilities for those providing foster
- 4 care; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-1902, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 71-1902 (1)(a) Except as otherwise provided in this
4 section, no person shall furnish or offer to furnish foster care for
5 two or more children from different families without having in full
6 force and effect a written license issued by the department upon such
7 terms and conditions as may be prescribed by general rules and
8 regulations adopted and promulgated by the department. The department
9 may issue a time-limited, nonrenewable provisional license to an
10 applicant who is unable to comply with all licensure requirements and
11 standards, is making a good faith effort to comply, and is capable of
12 compliance within the time period stated in the license. The
13 department may issue a time-limited, nonrenewable probationary
14 license to a licensee who agrees to establish compliance with rules
15 and regulations that, when violated, do not present an unreasonable
16 risk to the health, safety, or well-being of the foster children in
17 the care of the applicant. No license shall be issued pursuant to
18 this section unless the applicant has completed the required hours of
19 training in foster care as prescribed by the department.

20 (b) All nonprovisional and nonprobationary licenses
21 issued under sections 71-1901 to 71-1906.01 shall expire two years
22 from the date of issuance and shall be subject to renewal under the
23 same terms and conditions as the original license, except that if a
24 licensee submits a completed renewal application thirty days or more
25 before the license's expiration date, the license shall remain in

1 effect until the department either renews the license or denies the
2 renewal application. No license issued pursuant to this section shall
3 be renewed unless the licensee has completed the required hours of
4 training in foster care in the preceding twelve months as prescribed
5 by the department. For the issuance or renewal of each nonprovisional
6 and nonprobationary license, the department shall charge a fee of
7 fifty dollars for a group home, fifty dollars for a child-caring
8 agency, and fifty dollars for a child-placing agency. For the
9 issuance of each provisional license and each probationary license,
10 the department shall charge a fee of twenty-five dollars for a group
11 home, twenty-five dollars for a child-caring agency, and twenty-five
12 dollars for a child-placing agency. A license may be revoked for
13 cause, after notice and hearing, in accordance with rules and
14 regulations adopted and promulgated by the department.

15 (2)(a) The department shall develop a statement that
16 lists the rights and responsibilities of a foster parent in a foster
17 family home, group home, child-caring agency, or an agency foster
18 family home and of the department or a child-placing agency, as
19 applicable.

20 (b) The department shall provide a written copy of the
21 statement developed under subdivision (a) of this subsection to each
22 foster parent in a foster family home, group home, and child-caring
23 agency, and child-placing agency licensed by the department. A child-
24 placing agency shall provide a written copy of the statement
25 developed under subdivision (a) of this subsection to each foster

1 parent in an agency foster family home verified by the child-placing
2 agency.

3 (3) For purposes of this section:

4 ~~(1)~~(a) Foster family home means any home which provides
5 twenty-four-hour care to children who are not related to the foster
6 parent by blood or adoption;

7 ~~(2)~~(b) Group home means a home which is operated under
8 the auspices of an organization which is responsible for providing
9 social services, administration, direction, and control for the home
10 and which is designed to provide twenty-four-hour care for children
11 and youth in a residential setting;

12 ~~(3)~~(c) Child-caring agency means an organization which
13 is incorporated for the purpose of providing care for children in
14 buildings maintained by the organization for that purpose; and

15 ~~(4)~~(d) Child-placing agency means an organization which
16 is authorized by its articles of incorporation and by its license to
17 place children in foster family homes.

18 Sec. 2. Original section 71-1902, Reissue Revised
19 Statutes of Nebraska, is repealed.