

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
November 04, 2011

[CONFIRMATION]

The Committee on Health and Human Services met at 1:00 p.m. on Friday, November 4, 2011, in Room 1524 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Kathy Campbell, Chairperson; Mike Gloor, Vice Chairperson; Dave Bloomfield; Gwen Howard; Bob Krist; and Paul Lambert. Senators absent: Tanya Cook. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: We'll call to order the Health and Human Services Committee and today we have on our agenda gubernatorial appointments. All those appointments are to the Child Abuse Prevention Board and we are presently waiting for a phone-in call from Mary Fran Flood, so we'll kind of wait for a minute. For my newer colleagues and we'll introduce...once Mary Fran is on the phone, we'll introduce all the senators, but just a little history. This was one of the bills that I cut my teeth on when I was, of course, much younger. Many, many years ago worked with a group of advocates who helped to set up the Child Abuse Prevention Board. So whenever somebody comes, I'm just like really happy it's still going and working. Mary Fran Flood, are you with us? [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Yes, I am. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Good morning, and thank you for rearranging schedules to take a telephone call with us today. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Well, I am very happy to do so. I'm sorry I wasn't able to be there in person. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Well, what we're going to start with, Mary Fran, is we're going to do introductions. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Okay. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: So, now to my far right, our new senator. And Senator, basically, you say your name and the district you represent. [GUBERNATORIAL APPOINTMENT]

SENATOR LAMBERT: Paul Lambert, District 2. [GUBERNATORIAL APPOINTMENT]

SENATOR BLOOMFIELD: Dave Bloomfield, District 17. [GUBERNATORIAL APPOINTMENT]

SENATOR GLOOR: Senator Mike Gloor, District 35. [GUBERNATORIAL APPOINTMENT]

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APPOINTMENT]

SENATOR CAMPBELL: And I'm Kathy Campbell, representing District 25.
[GUBERNATORIAL APPOINTMENT]

MICHELLE CHAFFEE: And I'm Michelle Chaffee, legal counsel to the committee.
[GUBERNATORIAL APPOINTMENT]

SENATOR KRIST: Bob Krist, I represent District 10. [GUBERNATORIAL
APPOINTMENT]

SENATOR CAMPBELL: And to my far left is our committee clerk, Diane Johnson, who makes this whole thing work for us. And as disclosure, Mary Fran Flood and I have known each other for too many years, right Mary Fran? [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: A long time. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: A long time. We don't want to admit how many years. We basically started out...at least in my career with child advocacy, working with you when you were the director of the Youth Service System. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: That's right. And, in fact, I think...I think we might have met even before that when I was doing child advocacy work in Omaha, so. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: I think that's true, probably some state committee that we were on. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Yes. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: For the senators, Dr. Mary Fran Flood is a new appointment to the Child Abuse Prevention Fund... [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Right. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: ...Board, and Mary Fran, why don't you just start out a little bit and tell us what you currently do and how you became interested in serving on this board. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: I'd be happy to. I am currently the director of the Psychological Consultation Center in the University Department of Psychology. And that means that I

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run the training clinic for the clinical psychology training program so the therapists are graduate students who are training to be clinical psychologists. As part of that I also have a contract with Community Action Partnerships so that I and graduate students do mental health consultation and education, early childhood development consultation. They have Start programs here in Lincoln and also in Saunders County.

[GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Okay. And how did you become interested in the Child Abuse Prevention? [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Well, I actually have been...I've been interested and involved in child abuse, both treatment and prevention, for just about all of my professional career. I first went to a training from the Kemp Center and I don't think it was called the Kemp Center then. Kemp was the director, however, back in, I believe it was early '70s anyway, and from that time on I have worked with children and families who are at risk for child abuse and also who had experienced abuse and neglect. And so I've cared a lot about that. I've done both advocacy, I've been...I've coordinated, directed programs that received funding through the Child Abuse Prevention Fund, and was perhaps not a lot involved, but somewhat involved in advocacy to establish the board. So I have been interested in it all my life. At this point in time, I guess my primary motivation is just that I have a personal belief that if you want taxpayer funds to go to something important, then you also have an obligation to make sure that those funds are spent well and thoughtfully, and do what they're intended to do, and so I'd like to be a part of that.

[GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Excellent. Questions from the senators for Mary Fran? Mary Fran, I have just a couple of questions. As I was reading over your resume, you have spent, obviously, a number of years in this area, but with a strong emphasis in the study of child sexual abuse. Do you think that we are seeing more of that or are we just seeing more reporting of it? [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: I think that it's actually very hard to tell and as a matter of fact, reports are decreasing in the last, perhaps, the last decade. And researchers believe that that's an actual decline, not just an artifact of the many other kinds of things that figure into that. So I think that we did a very, very good job of educating the general public that this is something to be concerned about and that there are risk factors, red flags that people ought to be looking for. So we increased reporting, perhaps reporting of both actual abuse and things that were concerning but perhaps not abusive. And then that has decreased over the last, I'd say, ten years. And so I think we're probably actually doing a better job of addressing the issue, but we've got a long way to go.

[GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Okay. My second question has to do with, what is Project

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Safe? I don't know that I've heard of that. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: (Laugh) Yes, oh, well, gosh, I like talking about it. That's a project of the university. It's a project that actually operates through the Psychological Consultation Center that I direct, but the primary director for that is Dr. David Hansen, who is the chair of the Department of Psychology and is also a prominent child abuse researcher nationally. It's a project that we developed, but then began collaborating with the Child Advocacy Center here in Lincoln. And I'm assuming you know the Child Advocacy Center, is that right, or should I...? [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Yes. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Okay. So it operates out of the Child Advocacy Center...provide...what we do is provide some initial, like just a one-time crisis session for families after abuse has first been reported. And then longer, three to six session support clarification for family members, and then a group intervention for children, their siblings, and nonoffending caregivers that last 12 weeks, and has...and does have a prevention focus and certainly a strong...actually I think Child Abuse Prevention Funds help support the development of the sibling group because those are children who are not abused but who are at increased risk because they were in a family where another child did report abuse. And that's got an education, but also a treatment component to it. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Okay. Senator Krist has a question. [GUBERNATORIAL APPOINTMENT]

SENATOR KRIST: Hi. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Hi, Senator Krist. [GUBERNATORIAL APPOINTMENT]

SENATOR KRIST: Just a comment. I'm extremely happy as a graduate of St. Thomas, a "Tommy"... [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Ahhhh. [GUBERNATORIAL APPOINTMENT]

SENATOR KRIST: ...to see a good lady came out of the north woods in Minnesota. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: I know the "Tommys" well. (Laughter) [GUBERNATORIAL APPOINTMENT]

SENATOR KRIST: We don't talk about that. Thank you very much. Thank you for your service. [GUBERNATORIAL APPOINTMENT]

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MARY FRAN FLOOD: You're most welcome. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Mary Fran, we've had at one of the hearings for LR37, which is the resolution that we're looking at in child welfare...at one of the hearings, we had a lot of questions on whether there was residential care or treatment facilities for youth sexual offenders. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Uh-huh. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: To your knowledge, what facilities do we have in the state for those youth in that category? [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Well, I...my understanding is that Child Guidance has had a long program in Lincoln and a good program. And there's a state...I guess, I still call it White Hall, but that's incorrect, for adolescent offenders. And I don't know about programs in other parts of the state. In one of my...one of the things that I would say is for many of those adolescents, residential treatment is really critical. But for many...particularly younger kids, just good treatment of sexual behavior problems and inappropriate sexual behavior can happen even in the community, but it's a huge need in the state, I believe. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: I know that Speaker Mike Flood has a real interest in this area and the Child Guidance staff and some of the board members, I think, were going to visit with him because... [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Oh, good. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: ...because of the quality of the program here in Lincoln. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: And I happen to have some...just direct as a clinician I have worked with that program too. I collaborated with them in treating families and so I have some direct knowledge of just what good work they can do. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Okay. Well, if we have any follow-up questions on that topic as we look at it, we'll feel free to give you a call. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: I would be delighted. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Okay. Any other questions from the senators? Mary Fran, we're going to let you get back to your business at hand and we thank you very much

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for stepping forward and willing to serve the citizens and certainly the children in the state of Nebraska, and an excellent opportunity for us to use your expertise. So thank you for coming forward. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Well, and I appreciate the opportunity to do it, so. Thank you all. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Have a good weekend. [GUBERNATORIAL APPOINTMENT]

SENATOR GLOOR: Thank you. [GUBERNATORIAL APPOINTMENT]

SENATOR LAMBERT: Thank you. [GUBERNATORIAL APPOINTMENT]

MARY FRAN FLOOD: Take care. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: You too. Okay. We will move to our next nominee and she is with us. This is Denise Pecha and Denise is with Lutheran Family Services and would also be a new appointment to the Prevention Board. So Denise, I hope I can call you Denise, if that's okay? [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Yes, you may. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Welcome, then. Thank you so much for coming today. Would you tell us just a little bit about what you currently do and how you became interested in serving? [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Yes, I am the director of Children's Services for Lutheran Family Services. The director positions are statewide. We've got services...we say statewide. They're pretty much as far as North Platte, McCook area, and then for our adoption services we do have staff that are statewide. And then we'll get to Right Turn. Right Turn is one of our programs and as you know, that is statewide and, in fact, we serve families across the U.S. who may have adopted through Nebraska. So as a director of Children's Services I supervise all of our children's services programs who serve children and families. That's from...and it was very interesting listening to the conversation you were just asking Dr. Flood because we've got our Our Safe programming which is for children who have been sexually abused and the whole continuum. We work with the adult offenders, we work with the kids who are displaying sexual behavior problems. In fact, we have a federal...we are one of three sites chosen for a federal grant through...10- to 14-year-olds who are displaying sexual behavior problems because research shows that's for the prevention piece. If you can get in at 10 to 14 when they're beginning to display those behaviors, we have a big...make a big impact. And I can actually answer some of your questions about the residential piece. [GUBERNATORIAL APPOINTMENT]

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SENATOR CAMPBELL: Good. [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: So we've got those pieces. Early childhood, which I know is the hot topic right now, early childhood mental health. I've got clinicians that are trained in evidence-based practices working with early childhood, early childhood in mental health. So there's some evidence-based practices there show very effective with working those populations. Foster care--we actually have a program, too, for the kids with sexual behavior problems within our foster care program. And we've got Right Turn, and we have some programs geared towards...they're caller centers for healthy families, but they're really geared towards working with families that are either pregnant or parenting children under the age of five. So when I started at LFS about three years ago, closer to four now, they're...we really kind of had adoption and foster care and kind of those mainstream programs and I've really worked to grow and develop our prevention and an earlier intervention. While we're making the impact here, we want to stop it here so we really have a good continuum going now. So that really is my interest. You know, that's definitely what I've been trying to do is to develop and grow those and intertwine them and when there was the...I was contacted by several people going, you know, there's an opening, you should apply for the board. So it was like, oh, absolutely, and then I put my application in. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Questions from the senators? Senator Gloor.
[GUBERNATORIAL APPOINTMENT]

SENATOR GLOOR: Can I back you up just a couple of... [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Yes. [GUBERNATORIAL APPOINTMENT]

SENATOR GLOOR: ...comments you were...tell me again how you found out about the position. You were contacted by people with... [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Yeah, a couple of...a couple of colleagues from like Nebraska Children's Family Foundation, somebody from Project Harmony. You know, I sit on lots of committees and task force and people are always talking, somebody says, oh, you should. And then somebody else sent me an e-mail with actually the link attached saying, here, you need to apply, so. [GUBERNATORIAL APPOINTMENT]

SENATOR GLOOR: Good. It's always worth knowing how people found out about the opening, so. And it speaks well of you if you have peers who encourage you in that direction. So thank you. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: For the senators that would not be serving on the special

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committee, Right Turn was a part of the programs that was a package of bills after Safe Haven. And those bills were collectively now known as LB603 and Right Turn was one of those programs that was developed and put into play by that package of bills. So Denise, for a lot of the senators who weren't on the committee, can you just give us a brief description of what Right Turn does and... [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Absolutely. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: ...because you've had phenomenal success.
[GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Thank you. And Jessyca Vandercoy is the director. Some of you have had the pleasure of meeting with her. Actually, Right Turn also was just recognized with a...an award in the...excellence of adoption award nationally. It had been been...several people had submitted an application for...a nomination for that program. It is designed to work for families who have adoption...either adopted or have guardianship of a child that was in foster care in Nebraska. So if you adopted or had guardianship of a child that was in Nebraska foster care system, anyone who fits that criteria is eligible. They no longer have to live in Nebraska. They can live in another state and they can still access...call a 1-800 number and get us. We...Jessyca or the supervisors do...who are licensed clinicians, do a screening and assessment on the phone. What we really want to do again is get to that prevention part. But when we first started, what we were getting were the calls that if Safe Haven were still in effect, the original, they would be at the hospital, and these were families saying, we're done. We want them out of our house. And through the program we've got staff that then go into the home, meet with the family, and help...and most of the families are very frustrated when they call. They feel like they've already exhausted everything. Most of them, by the time the adoption or the guardianship was finalized they were kind of good and happy to be done with the system. And they're often a little afraid to...this feels like they might be getting back in. So the staff do a fabulous job of really letting them know you're not back in the system. In fact, we're going to help you navigate without having to reenter the system, so to speak. And this can be very simple stuff with families just being at their wits end and needing support, respite. Families staying on, the more stressed they get, the more isolated they get. And they sometimes think they've exhausted everything or contacted everyone. They're not thinking as clearly as they could be. So it's just really getting in there and having somebody else who knows what they've been through and understand. There's also...you know, unfortunately, a lack of understanding of adoption across the state. There are not a lot of therapists who are really competent in understanding issues of adoption. And so, sometimes there's a lot of actually harm that's done by some therapists with strategies that they suggest to families, and families...it kind of backfires and they're wondering, like, we're trying to get help, why isn't this working? So what has also developed out of Right Turn is really trying to raise the level of competence in therapists and understanding of attachment and trauma. We

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go in knowing every child who enters foster care, one, has now...you know, has experienced trauma and there's attachment issues. And from then on, that's going to display...you see behaviors based on what, you know, what life...where they are developmentally, what else has happened. So we can do everything from...we call senators to help advocate for things if that's what families...that's where we're at with needing. But it can be just getting them services. Sometimes it's getting evaluations. We have kids that have, you know, chemical...substance abuse issues and the family is thinking that, you know, they're just a bad kid is because they've actually are sneaking out and they're drinking. So it's whatever they need, we get in there. We're there for 90 days. We've developed like another kind of a step further now, a little bit of process for some of those families that lean a little bit more...but that 90 days really seems to get those families over that crisis and not get them so they feel dependent upon the system. They're like, okay, this is all I needed and I'm connected and I'm good. And now they've developed their own network of support, families who have come through. They are resources so families, so we can hook them up and they give respite for each other, so. Thanks for the opportunity. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Any other questions that you would like to know about? Oh, I'm sorry, go ahead. [GUBERNATORIAL APPOINTMENT]

SENATOR HOWARD: Thank you. Thank you, and I apologize for being late. We were in a time crunch here and I had an appointment. We have National Adoption Day coming up, which is always wonderful. I'm wondering, do you provide information to families at the time of adoption regarding the Right Turn services or does the case manager give it to the family when they're finalizing the adoption paperwork, or how do they get the information? [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: That's good, and thank you for that. We actually...it's been a struggle because it's such a specific population that this service is for. We've really had to work with the department to get the list of families who are eligible. This isn't one of those like we hear the voice on Hotline where you advertise for everyone because then we'd be having to weed a lot of people out. So we've relied on...and the contract actually says we have to wait 12 months from new adoptions because that falls under the contracts with the lead agencies, KVC and NFC. They have to provide aftercare for 12 months. So technically, Right Turn can't be accessed until after that 12 months, but we do work closely with both KVC and NFC to make sure they have that information, so during aftercare. And we're actually working to help educate their workers on the issues that they should be addressing and should be talking about prior to. It's very important that that up-front work is done and not just rushed through to permanency. There's so many...permanency is what we want, but there's a lot of incentives sometimes to kind of rush that. And so we're really trying to get everybody to understand that some preparation is well worth the effort. [GUBERNATORIAL APPOINTMENT]

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SENATOR HOWARD: Good. Good. Thank you. [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: You're welcome. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Other questions that you have? Thank you so much for coming, Denise, and if you wouldn't mind sending to my office some of the materials on your programs for child sexual abuse, we'll make sure that they get to the Speaker. [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Absolutely. Thank you. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Thank you so much for appearing today. [GUBERNATORIAL APPOINTMENT]

DENISE PECHA: Thank you. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: For the senators, the third appointment is Joni Kuzma. And Ms. Kuzma would be a reappointment so she is currently serving on the Child Abuse Prevention Board. And by the rules of the Legislature, we can excuse someone from appearing, either personally or through a phone call, if there is an unusual circumstance. When Diane contacted Ms. Kuzma about appearing today, she said, I'm very sorry but I will be taking my husband to the Mayo Clinic. And we felt, because of that, that was an unusual circumstance. And so we contacted Senator Gloor's office because Ms. Kuzma is from Grand Island, and Senator Gloor, you may want to talk a little bit about this nominee because of your recommendation. I mean, I think we can say to the committee, we can go ahead but I think it would be important for the record for you to talk a little bit about her. [GUBERNATORIAL APPOINTMENT]

SENATOR GLOOR: Yeah, she's clearly a solid citizen, solid board member. I believe she is one of those individuals who at some point in her life made...she had always been active in the community. I believe served on the city council for a period of time. Went back to school, didn't have an advanced degree. Went to the community college, went to University of Nebraska in Kearney, got a degree in social work and actually worked for my institution for several years and because of her notoriety in a positive sense in the community, pretty soon was invited to several other positions, and has now been with the city of Grand Island organizing a number of community events. I think she's one of the key organizers when it comes to Harvest of Harmony in the city of Grand Island, not the Chamber. Didn't say Chamber, did I? City of Grand Island. She gets involved in a variety of events. Well-thought-of and I would give her high marks. Certainly well-thought-of and well-respected within the community. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: Do any of the senators have questions of Senator Gloor about

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her? I would have to say that what's she's currently doing, and she's taken some education in grant applications and preparing them. That would be a benefit to this board because what it deals with is applications from small and large communities all across the state saying we have a Child Abuse Prevention Program that we want to put into place and they're asking for funds. And her expertise and background in grants would be very helpful to the board. So she brings another element in addition to the social work. Senator Bloomfield. [GUBERNATORIAL APPOINTMENT]

SENATOR BLOOMFIELD: I have a question to Senator Gloor beings he knows her, is involved with what she is dealing with at Mayo is going to affect her time frame such that she won't be... [GUBERNATORIAL APPOINTMENT]

SENATOR GLOOR: That was news to me. I did not know that...and don't know of anything...I don't know what's going on there, Dave. I just don't. [GUBERNATORIAL APPOINTMENT]

SENATOR BLOOMFIELD: Okay. Well, she can certainly excuse herself later, I suppose, if... [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: And I don't think we have any reason to believe that. [GUBERNATORIAL APPOINTMENT]

SENATOR BLOOMFIELD: No, no. [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: It would be...it's a timing issue, so. With that, I have to say to my colleagues that while our usual practice is not, you know, to wait a period of time the Speaker has asked us not to do that unless we need additional information on the appointments before us. But we have been asked to conduct these and then to take action. So I'm sorry...Diane, did you have a question? [GUBERNATORIAL APPOINTMENT]

DIANE JOHNSON: Do you want to go into Exec? [GUBERNATORIAL APPOINTMENT]

SENATOR CAMPBELL: We probably should. Yeah, we could do it after the Legislative audit so they don't have to wait. Okay. We will handle that in Executive Session then. All right. So we'll handle all of that portion and discussion in Exec. [GUBERNATORIAL APPOINTMENT]