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Health and Human Services Committee
April 03, 2012

[CONFIRMATION]

The Committee on Health and Human Services met at 12:30 p.m. on Tuesday, April 3, 2012, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on a gubernatorial appointment. Senators present: Kathy Campbell, Chairperson; Mike Gloor, Vice Chairperson; Dave Bloomfield; Tanya Cook; Gwen Howard; Bob Krist; and R. Paul Lambert. Senators absent: None.

SENATOR CAMPBELL: Welcome to the Health and Human Services public hearings. And today we have a gubernatorial appointment with us and that is our only item on the agenda. And our appointment is Thomas, and is it Pristow? Am I saying that right?

THOMAS PRISTOW: Yes, you are, ma'am, Pristow.

SENATOR CAMPBELL: All right, Pristow, Director of the Division of Children and Family Services in the Department of Health and Human Services. So welcome to the committee. And actually, I'm going to have the senators introduce themselves, even though you might have...just so that they can identify where they're from and the district. So, Senator Lambert, you want to start.

SENATOR LAMBERT: I'm Senator Paul Lambert. I'm with the 2nd District, which is part of Otoe, part of Sarpy County and all of Cass County.

SENATOR BLOOMFIELD: Senator Dave Bloomfield, District 17, that's up in the northeast corner of the state that you probably haven't got to yet, but we'll get you up there. It's made up of three counties up there, and it runs from just outside of Norfolk down to South Sioux City.

SENATOR GLOOR: Senator Mike Gloor, District 35, which is Grand Island. My district is pretty much most of the city limits of Grand Island.

SENATOR CAMPBELL: And I'm Kathy Campbell and I represent District 25, which is east Lincoln and then northern Lancaster County.

MICHELLE CHAFFEE: I'm Michelle Chaffee, I serve as legal counsel to the committee.

SENATOR HOWARD: Senator Gwen Howard, District 9 in Omaha.

SENATOR KRIST: Bob Krist, District 10 in Omaha.

DIANE JOHNSON: Diane Johnson, committee clerk.

SENATOR CAMPBELL: Okay. Would you prefer that we call you Tom or Thomas?

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THOMAS PRISTOW: Thomas would be fine, thank you.

SENATOR CAMPBELL: Is that okay? All right, we will do that, Tom. We have received information that I think you provided to the committee. But it might be helpful today for you to just to kind of start out with some opening comments, whatever you'd like to share with the committee.

THOMAS PRISTOW: (Exhibit 1) Thank you, Senator. Good afternoon, Senator Campbell and members of the HHS Committee. I'm Thomas Pristow, and that's spelled T-h-o-m-a-s P-r-i-s-t-o-w. I'm the Director of the Division of Children and Family Services for the Department of Health and Human Services, and I've been on the job now for two weeks and one day. I'm excited to be here at this specific time, working for the department and for Nebraska's kids and families. It's clear that change is expected, and that's what drew me to Nebraska. Managing the status quo is not what energizes me. And I believe this is a time of really great opportunity. The past two weeks have gone quickly. I spent some time meeting employees and learning about the division and our programs. I've been briefed on Families Matter and ACCESSNebraska and from the data I've seen, some positive changes. I've been fortunate to meet with most of you and I've spent some time reviewing your LR37 process and this year's legislation. If I could tell you a little bit about myself, I grew up in Pennsylvania and served for a little over eight years in the Marine Corps and the Army. I have a 32-year-old daughter in Idaho, and I have an 11-month-old Australian shepherd. I'm experienced in several forms of the martial arts and the discipline that this requires helps me both in my professional and personal life. My bachelor of arts and master's of social work degrees are from the University of Maryland, completed after my military service. And I started my career 27 years ago working for a private children's service organization, with the past 19 years working for government, different types of government organizations. Since then, I've worked in a for-profit hospital setting, for a Council on Alcoholism, and as an administrator and clinical director for a residential treatment program for boys before joining the Vermont Department of Children and Families. I spent 15 years there and served as both regional and district director. Since then I've been a deputy director for city human services department and a director for both city and county departments of human services. I feel very fortunate to be able to bring these type of experiences to this position. I see myself as a change agent, and I'm not adverse to taking calculated risk to get to where we need to be. One of my strengths is developing and changing systems. And I find this to be most meaningful when it impacts the future social skills and resiliency of kids. That should be the core of what we do because it does make a difference. These are skills that will stay with these kids forever, and that should be a priority for us. My work in human services has included redesigning and realigning services, most recently shifting the operation and philosophy of an agency from a social services model to a human services prevention oriented community system of care. Often this also means making significant changes in the work culture. These

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experiences are why I am here. I know tough decisions will have to be made and I'm not afraid to do that, even though some may not be popular. I expect to be able to base my decisions on strong, accurate facts and data; and I know that building relationships within and outside of the department with stakeholders and others is absolutely essential. Over the years, I've developed five value statements that I stand by. These drive my work and will drive the work of CFS. They are simple, basic, and comprehensive; the first one being that we deliver the best service in the country, period, to the citizens and families of Nebraska. Second is staff and supervisors are supported and have a say in how they do their jobs. We have programs that work and we know why. We pay our bills on time and come in on budget; and we treat each other, our families and children with respect, kindness and compassion. For me, number five, the last one, treating each other with respect, kindness and compassion, is particularly important and permeates throughout the other four. It sets the tone for how we interact, not only with citizens across the state, but just as importantly how we work with one another. It's very much connected to a positive, healthy and open work culture. It's necessary for employees to know what's important to me, and I'll be sending them an e-mail every Friday, information about my week, what's coming up and other points that are important for them to know. In fact, I've already started this process. In the past two weeks I've sent two weekly messages out to all staff about my...what I've done in the past weeks. During the next 60 to 90 days, I'll be traveling to all our offices, the YRTC's and customer service centers, to meet staff and to see their work environments. In addition, I'll be establishing a practice I've used in other areas with very positive results, and that's to design a monthly meeting with a small group of employees to talk about what's on their minds throughout the state. And this will be done, I'm not sure of the scheduling on that yet, but with 2,500 staff it will take awhile to put together, but it's very important for me to do that. And I use this informal manner to meet with staff because I need to hear what's on their minds, not just through the supervisory chain of command. I know that Nebraska has one of the highest number of kids in out-of-home care, and that must change and that will change without compromising; and I'll say this again, without compromising the safety of children. One of my priorities is to move the front end of our children's services to one of prevention and alternative response. I've already asked the service area administrators to work with their community partners to develop a comprehensive prevention plan for me to review within the next 60 days. I know you have invested yourselves in child welfare and juvenile services, as well as other programs of the division, and I look forward to working with you and to make the changes that need to be made. Thank you for your time. And I am happy to answer any questions that any of you may have. [CONFIRMATION]

SENATOR CAMPBELL: Thank you, Tom. Questions from the senators? Senator Howard. [CONFIRMATION]

SENATOR HOWARD: Thank you, Chairman Campbell. You mentioned something in your presentation regarding treating, I hope you are referring to employees as well, but

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with kindness and compassion. [CONFIRMATION]

THOMAS PRISTOW: Oh, absolutely, Senator. [CONFIRMATION]

SENATOR HOWARD: Well, I have to bring up an issue that's come to my attention. And I think when you were in Vermont there was a situation regarding an employee. [CONFIRMATION]

THOMAS PRISTOW: A very long time ago, yes, there was...if you're referring to what I think you're referring to, if you want to talk a little bit more about it, I'd be glad to. [CONFIRMATION]

SENATOR HOWARD: I think that would be helpful to all of us. [CONFIRMATION]

THOMAS PRISTOW: Can you give me a little bit more detail of what you're exactly speaking about. [CONFIRMATION]

SENATOR HOWARD: Well, is there more than one situation? [CONFIRMATION]

THOMAS PRISTOW: No, but I just want to be clear about what we're talking about. I worked there for 15 years. [CONFIRMATION]

SENATOR HOWARD: Well, this was a discrimination hearing against you. And it was a unanimous decision that you had violated the rights of an employee in terms of the Vermont Fair Employment Practices Act. [CONFIRMATION]

THOMAS PRISTOW: I am familiar with what you're talking about. And like I said, that was over ten years ago. And the agreement that, as I recall, that I signed is that I can't discuss the particulars of because of confidentiality. But I will say that in regards to how that plays out for Nebraska is that sometimes you have to make very tough choices. And you work with staff and community partners all day long. And I do value staff. And just based on my experiences and how I've conducted myself with them over the past, I do value what they have to say. In 19 years of government work I've had one incident. I think that's a pretty good track record. And in the state of Vermont, as far as I know, anybody can say anything and it gets investigated by the organization that you're talking about. [CONFIRMATION]

SENATOR HOWARD: Well, I think anything could be investigated. In this case it was a unanimous decision that there was reasonable grounds that you had discriminated. I think anything that you can share with us about that, and much of it is public information, would be helpful. [CONFIRMATION]

THOMAS PRISTOW: As far as I... [CONFIRMATION]

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SENATOR HOWARD: We have a lot of public employees with the Department of Health and Human Services. [CONFIRMATION]

THOMAS PRISTOW: Yes. [CONFIRMATION]

SENATOR HOWARD: And I think they'll look to you to be a person who operates with kindness and compassion. [CONFIRMATION]

THOMAS PRISTOW: And I do. And as far as what happened in Vermont, again that was over 10 or 11 years ago. I really can't speak to the specifics of it, regardless of whether it's out public or not, because of the confidentiality agreement that I signed. [CONFIRMATION]

SENATOR CAMPBELL: Senator Krist. [CONFIRMATION]

SENATOR KRIST: Hi. Thanks for your testimony. More recently, could you tell me, the city manager, Marcus Jones, of Norfolk asked you to step down and then there was an investigation, I guess, it says that the city ordered an investigation into the human services operation and budget afterwards. Could you tell us about that? [CONFIRMATION]

THOMAS PRISTOW: Sure, Senator. The city manager who hired me in Norfolk retired, I think it was in the latter part of '10. The new city manager came on the beginning of '11. And as a prerogative of these types of positions, he wanted to bring in his own team and he chose to do so. As far as an investigation, there was none. The state and I are strong partners together. They knew my work from the beginning. And when the new city manager, who was brand new at the time, asked for that, they said, there was no need to have an investigation. [CONFIRMATION]

SENATOR KRIST: So it was just a prerogative, as you say, of the city manager, Marcus Jones, to ask you to step down so he could put somebody in your place? [CONFIRMATION]

THOMAS PRISTOW: Right, the police chief and I were both informed the same day to step down. [CONFIRMATION]

SENATOR KRIST: Okay, thank you. [CONFIRMATION]

SENATOR CAMPBELL: Senator Lambert. [CONFIRMATION]

SENATOR LAMBERT: Excuse me. Thomas, I see we talk about Norfolk and Newport News and really since June of '08 there's been short periods of time at different places.

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[CONFIRMATION]

THOMAS PRISTOW: Yes, sir. [CONFIRMATION]

SENATOR LAMBERT: Can you, I mean, was that a plan? I understand what you just explained, you know, that happens, that's politics. But I notice what, you were at Newport News for a year, a little over a year, in Virginia less than a year.
[CONFIRMATION]

THOMAS PRISTOW: Yes, sir. When I was working in Newport News the position in Norfolk came open. I applied and got it. It was an opportunity to move into a directors position of human services. I left the position of human services because the city manager decided to make those changes. I went to Louisa County and then I left Louisa County to come here. [CONFIRMATION]

SENATOR LAMBERT: Okay. All right, thank you. [CONFIRMATION]

THOMAS PRISTOW: You're welcome. [CONFIRMATION]

SENATOR CAMPBELL: Senator Bloomfield. [CONFIRMATION]

SENATOR BLOOMFIELD: Thank you. When Senator Campbell asked you if you preferred Tom or Thomas, I didn't understand, which do you prefer? [CONFIRMATION]

THOMAS PRISTOW: Thomas, sir, if that's okay with you. [CONFIRMATION]

SENATOR BLOOMFIELD: You prefer Thomas. Okay, thank you. And just out of idle curiosity, I see you were in the military. Thank you for that. How come you left the Marines and came over to the good guys? (Laugh) [CONFIRMATION]

THOMAS PRISTOW: The training, sir, I wanted to get a little bit of different training that was available. And I was able to get into the program and go through the process.
[CONFIRMATION]

SENATOR BLOOMFIELD: Okay, thank you. [CONFIRMATION]

SENATOR CAMPBELL: Senator Gloor. [CONFIRMATION]

SENATOR GLOOR: Thank you. Sort of an interesting offset to concerns about a discrimination suit, I see that you redesigned the performance evaluations to include emotional I.Q. or... [CONFIRMATION]

THOMAS PRISTOW: Yes, sir. [CONFIRMATION]

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SENATOR GLOOR: ...intelligence, E.Q., which we used in an organization I used to be a part of. Can you give me a little background on your reasons for making a decision to do that with performance evaluations? [CONFIRMATION]

THOMAS PRISTOW: I'd be glad to, sir. I believe that performance is not only what you do, but how you do what you do. And most of human services fields only look at how you do your job and not who the person is within the job. Over the years, I've been able to become very invested and a fan of social skills and resiliency for adults, emotional intelligence and looking at how do we rate that, how do we gauge how that is with our staff and how do we train them when there's a deficit, so that they can get the insight that they need to be a better employee. The goal is so that if they can recognize, if our staff can recognize how to be a better person inside, the service they deliver will be much better. And it's not just about setting an abstract goal of performance tangents out in the stratosphere, it's about really developing who you are as a person inside. That will automatically make your service delivery better to the kids and families wherever you are. That was the whole motivation behind that. It was...you know, when you do these changes, you know, it can be a little bit threatening to staff because they are used to a certain way of doing and conducting business. We were able to work through that. We had a lot of meetings. We were looking for the first two years to only give the information, feedback as information only, not to really gauge, to rate somebody, but just to give them the feedback about how the rating is for them and what they need to work on. After two years, we wanted them to move into a performance rating with them. [CONFIRMATION]

SENATOR GLOOR: Did the 360 performance appraisals, performance evaluations come out of that or, I mean, was it the two of those lock-stepped together or just separate initiatives? [CONFIRMATION]

THOMAS PRISTOW: I designed them to be together. And I did mine first. The way that worked, the 360 review is where you have your staff, the staff who report to me, they get to evaluate my performance. And what I did with my senior managers, after six months on the job, is I asked them to evaluate my performance. And we had a format set up that we were able to use that it was statistically significant. Once the data got run through, I then published it to all staff, so all staff could see how I was rated. And then I did that with my senior staff and their subordinates, on down the line, although we didn't publish it. I mean, mine I put out to all staff on an e-mail so they could see it. [CONFIRMATION]

SENATOR GLOOR: Who did you report to? [CONFIRMATION]

THOMAS PRISTOW: The city manager. [CONFIRMATION]

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SENATOR GLOOR: And did the city manager participate in this also?
[CONFIRMATION]

THOMAS PRISTOW: She gave that, as I recall, she gave that task to an assistant city manager to fill out. [CONFIRMATION]

SENATOR GLOOR: Okay. Well, at least you did it. Thank you. [CONFIRMATION]

SENATOR CAMPBELL: Before I go to Senator Howard, I'm going to ask a follow up question there. So what was the most significant thing you learned from all the employees who rated you? [CONFIRMATION]

THOMAS PRISTOW: That the way that I designed our process was beneficial, that it was action oriented, but it wasn't so fast that we turned over the applecart and we lost everything in the process. If we can't...if we're not able to get to a positive outcome and a healthy indicator, it doesn't really matter what the process is like. That's really what we're trying to do. The feedback I got was that in my first six months there that people were satisfied with how I did my job with them and how I supported them so they could do their job. My biggest responsibility as a senior administrator or senior director was to make sure that they had the resources to do their job and to get out of their way and let them do their job. [CONFIRMATION]

SENATOR CAMPBELL: Thank you, Thomas. Senator Howard. [CONFIRMATION]

SENATOR HOWARD: Thank you, Chairperson Campbell. I understand that you have used the differential response method of case management or direct services. You want to talk a little bit about that. [CONFIRMATION]

THOMAS PRISTOW: In Nebraska or in other areas of the country? [CONFIRMATION]

SENATOR HOWARD: No, where you came from, that this was a method that you utilized. [CONFIRMATION]

THOMAS PRISTOW: Yeah, in Virginia we wanted to look at how we can get services faster to families that were not at the high end of risk. And how do you recognize and identify those families and how do you have the resources to then get them the services that they need. What we did, as I didn't have a whole lot of money to play with, but I was able to realign the staff and the systems in our...and work with our community partners so that when it was identified that we could see a family sooner rather than later, that the resources were available to them, and they could get in to get services. We worked with our judges and courts so that they didn't have to file a petition to bring the kids into care. And, you know, we were still working that out when I left. The whole premise was about how do we get in there early? How can we identify and get...voluntarily refer

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these folks to services so that they can get the care they need, so they don't get abused, neglected later on down the line and come into...kids come into care. It's a huge expense when that happens. It's a much less expense when you get the front end going and it's working very well. [CONFIRMATION]

SENATOR HOWARD: What cases did you utilize this with? [CONFIRMATION]

THOMAS PRISTOW: Domestic violence cases, substance abuse cases, parenting cases. [CONFIRMATION]

SENATOR HOWARD: So...but the cases that would not be included in this would be the most severe, the... [CONFIRMATION]

THOMAS PRISTOW: Oh, absolutely. We... [CONFIRMATION]

SENATOR HOWARD: ...the sexual abuse, the physical abuse,... [CONFIRMATION]

THOMAS PRISTOW: Absolutely. [CONFIRMATION]

SENATOR HOWARD: ...those would be sent to the county attorney or referred to...how would those be handled? [CONFIRMATION]

THOMAS PRISTOW: They would be handled through...we had the same type of process that you're starting...that we're starting here with the SDM; SDM identifies low, medium and high risk. The high risk automatically go through an investigation process, the low gets referred out and the medium gets assessed. So we'd use the SDM process to make sure that we have...that we're not missing anybody. We certainly don't want to miss these high end kids, and we didn't. Those are pretty...those are the easy cases as far as identification and getting them into the system. It's the gray area cases where it is much more difficult to identify and pay for services. [CONFIRMATION]

SENATOR HOWARD: So your intention is not to keep children out of the system that need to be removed from their home. [CONFIRMATION]

THOMAS PRISTOW: Oh, absolutely not, ma'am, absolutely not. We need to have... [CONFIRMATION]

SENATOR HOWARD: Okay, I want to make sure that's on the record. [CONFIRMATION]

THOMAS PRISTOW: I absolutely will not keep, I mean, look, we have an obligation, we are the state safety net. We have to take care of these kids that are abused and neglected. And that's my job and we will do that. It's the cases that don't fall into that

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category, that we can provide community supports and prevention services to, so that it doesn't get to those levels where there is abuse and neglect, where the parents can get some anger management counseling and get some sort of services so that they can learn better behavior. The education that I got through the University of Maryland and what I've continued to get through NASW as an academy certified social worker helps me in this process so that I can better design programs that are meaningful to these families and are meaningful to the staff. [CONFIRMATION]

SENATOR HOWARD: I think that's important to be able to make that difference between the high needs children that shouldn't remain in that situation, that should be removed, and those families that are agreeable or possibly would even sign a contract to do voluntary services. The high end cases cannot be referred to voluntary services. [CONFIRMATION]

THOMAS PRISTOW: Absolutely. There's no one suggesting that. And I've never done that in my career, ever. The front end of how we identify services and how we identify risk is huge. I was just over at the Gold's Building the other day, looking at our initial assessment folks and, you know, trying to look at how they do their job. They are the most...everything we do is important, but those folks who make that initial assessments are huge. What they do, the jobs and responsibilities they have is just, it's a very big deal. And we don't scrimp on that ever. [CONFIRMATION]

SENATOR CAMPBELL: Additional questions, Senator Howard? A follow up I mean that's just (inaudible). [CONFIRMATION]

SENATOR HOWARD: Oh, a follow up, I may have in a minute. [CONFIRMATION]

SENATOR CAMPBELL: Okay. Senator Gloor. [CONFIRMATION]

SENATOR GLOOR: Thank you, Senator Campbell. What's your relationship been with the courts? How have you interacted with and gotten along with the judges, since they're such an important part of this process? [CONFIRMATION]

THOMAS PRISTOW: They're huge, sir. I get along with them as well as I get along with superintendents in schools, they're my partners. In Vermont we used to have, I can't remember, the name is escaping me now. But we used to have monthly luncheons with lawyers and GALs and judges to just make sure that we have the relationships developed so that when things come across we can work them together. I've always been open to dealing with judges so that if they are struggling with case plans or if they're struggling, not getting the right information, we're able to work through that. And they need to have the information so that they can make decisions they need to make. We are integral together. I worked in Louisa County with a judge on...we went to a conference together. And one of the things that came out of the judge and human

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services conference was how do we take a process and make it more judge-friendly to the kids, because you go to a courtroom, it's not friendly to kids or families that are in those type of situations. And so there was a...with that particular judge there was an agreement to try to change the environment. And that was pretty far out there for that judge. You know, judges usually don't do that kind of stuff, they usually are pretty conservative in how they want to handle their courtroom. But this judge was open to those suggestions. [CONFIRMATION]

SENATOR CAMPBELL: Senator Howard. [CONFIRMATION]

SENATOR HOWARD: This is a question that really needs to be asked and it's a little bit different than the other questions I've asked you. How do you feel about the foster parent reimbursement rate? What's your view on the...and how would you see the reimbursement rate for foster parents based on... [CONFIRMATION]

THOMAS PRISTOW: I will say from my experience across two states, and not having had time to look at Nebraska's rate, traditionally foster parent rates are low. We don't pay them enough for the good work that foster parents do. I think that that process is something to look into. It is a system designed...they're not profess...you know, they're designed not to be professional caregivers, they're designed to be foster care folks. And the money has always been an issue, no matter if it's Vermont or Virginia, we don't pay these folks enough to do it. It's just trying to find the money to pay them something reasonable to take care of these really difficult kids. What we've been able to do in my history is use our community service providers to do wraparounds, keep the kids closer to home, keep them in the home, provide services so that they can stay and either in the family or in a foster care system, but have as many services in that home, that foster home as possible to offset. You know, there is just not a lot of money for these folks. [CONFIRMATION]

SENATOR HOWARD: Well, you know, one of the issues that we've just been working our way through is that with the privatization effort a large number of foster parents were not licensed. And I'm sure you're familiar with the fact that unlicensed foster parents, when the state uses unlicensed foster parents, those individuals are not eligible for any sort of federal match in terms of the... [CONFIRMATION]

THOMAS PRISTOW: Reimbursement. [CONFIRMATION]

SENATOR HOWARD: ...payment, it's IV-B child welfare money. So what do you see in terms of working with the federal match rate and the license issue for foster parents? [CONFIRMATION]

THOMAS PRISTOW: I have a process set up to work with my policy folks to look at that. I mean, we need to look at what are the options available to us. The federal money

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is not, you know, they're not overflowing their coffers, giving money to the state or any state for that matter. We have to be able to do better trying to provide dollars for these foster parents. I'm not sure in Nebraska how that's going to work out yet. But I know that that's an area that I'd like to look at. [CONFIRMATION]

SENATOR HOWARD: But you know it is a federal match for licensed foster parents? [CONFIRMATION]

THOMAS PRISTOW: Right. [CONFIRMATION]

SENATOR HOWARD: Okay. We need to utilize that as much as possible rather than to strictly pay out of IV-B child welfare funds from this state. [CONFIRMATION]

SENATOR CAMPBELL: Senator Krist. [CONFIRMATION]

SENATOR KRIST: Just one follow up. Senator Lambert has as much detail I think as we have so far. I find it appalling that a foster parent, set of foster parents, have five children in their home and that one of our contractors has come into the home and said, you're no longer going to get \$20-plus per child, you're going to get \$11 per child. I would think that rather than digging into the policies and procedures, you need to look at that right off the bat. Your predecessor did a terrible job of, in my estimation, my opinion, of changing rates based upon arbitrary guidance. When we lost our contractor, our prime in a particular area, he went in and established a new three-tier rate and dropped the reimbursement to foster care parents, foster care parents below even what the state was paying before the contractor took over, which is not right. [CONFIRMATION]

THOMAS PRISTOW: That's not right. [CONFIRMATION]

SENATOR KRIST: So I understand your policies and your reviews and your procedures. But should you be confirmed, I would think that there is some immediate things that should be looked into commensurate with case rate negotiations with NFC and with getting the right amount of money to the end user, which is the kid, so. [CONFIRMATION]

THOMAS PRISTOW: Senator, if I could just comment on that for a second. [CONFIRMATION]

SENATOR KRIST: Sure. [CONFIRMATION]

THOMAS PRISTOW: I agree. Just to show the direction we're heading in there, in that way, yesterday I met with about 45, 50 providers at the KVC building. We called that meeting because there was some angst among providers about the KVC rate and the

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state rate. After that meeting yesterday, the action items out of that meeting was that we are going to...we're developing an action team to meet within three weeks to look at the state rates that we pay for provider case rates, and see if we're too high, too low, but we're going to come to a rate together, providers and the state, to look at how we're going to pay for this. I have a person, I assigned special projects to my office, who's going to be leading that. And I'll be getting weekly updates on it. So my whole goal, regardless of what it is, is how can I team with the constituencies that are out there to make this process better and not just make edicts. If I have to do that, then I've missed the boat. If I just have to make dictatorial decisions, it's not how I do business. You don't get better outcomes that way, you get better outcomes by teaming with folks, getting their input, getting their recommendations, and working the best you can to come to a consensus on what to pay. [CONFIRMATION]

SENATOR KRIST: Thank you. [CONFIRMATION]

SENATOR CAMPBELL: Senator Lambert, I'm sure you want to follow up on that. [CONFIRMATION]

SENATOR LAMBERT: Okay. Thomas, and I was going to talk to you about this. I made the rest of the committee aware of this. I got an e-mail this morning, it was written last night. And I'll read it to you. And I'll give you, provide you with a copy of it and we can talk about this. I don't mean to blindside you in any way with this. [CONFIRMATION]

THOMAS PRISTOW: That's okay, Senator. [CONFIRMATION]

SENATOR LAMBERT: We currently have five great foster kids in our home. The provider came to our house today, which would have been yesterday, to inform us that our rates are being cut in half from \$20 to \$25 a child per day to \$11 each. We, of course, are not in the foster care system for huge profits; but we cannot support the kids anymore on our income from our jobs. And that's plural, their jobs, both of them are working and taking care of five foster kids. And we've cut them that much, which I just want to make you aware of it and we'll talk about it afterwards. But I have not had time to investigate this any further, but something is not right here I don't believe. [CONFIRMATION]

THOMAS PRISTOW: Senator, as soon as I get a copy of that, I'll start working on it. [CONFIRMATION]

SENATOR LAMBERT: Okay, I appreciate that. [CONFIRMATION]

SENATOR CAMPBELL: Senator Howard. [CONFIRMATION]

SENATOR HOWARD: Thank you, thank you, Senator Campbell. One of the issues that

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I lived with for many years while I was a case manager at Health and Human Services was the high caseload. How do you feel about that? And where you came from previously did you follow the standards of Child Welfare League of America for your case managers? [CONFIRMATION]

THOMAS PRISTOW: Let me answer your first part and then I'll get to the second. The higher the caseload, the less outcomes you have as far as good outcomes for kids and families. If you start 25, 26, 27, 28 cases per worker, individual cases per worker, your outcomes aren't going to be as good as they can be. We...in Vermont I did not follow the CWLA because I wasn't a division director there and I couldn't make those type of changes. We had, on average, about 18 cases per worker there, which is high, still on the high side. I'd like to get worker caseloads, if I had a magic wand and could make it and I had all the money, about 12. That would be great because then social workers could go out there and do social work instead of push a lot of paper. I believe that, again, the premise to lower the caseload, the better the outcomes for the kids and families. [CONFIRMATION]

SENATOR HOWARD: So you intend to push for lower caseloads? [CONFIRMATION]

THOMAS PRISTOW: Absolutely. [CONFIRMATION]

SENATOR HOWARD: Around 12? [CONFIRMATION]

THOMAS PRISTOW: I don't know what Nebraska has, I heard 1 to 16 is something that has been out there. I'm not sure if that's been passed or not passed. I'll work with what I have to make it better for kids and families, whether it's 1 to 16 or 1 to 12. [CONFIRMATION]

SENATOR HOWARD: One of the things that would help is to put in a forward-fill training program, so there are people ready to move into case management positions that open. [CONFIRMATION]

THOMAS PRISTOW: Right. My understanding is that we do have a forward-fill process and that is underway. That's my understanding after one...I had one meeting about it and... [CONFIRMATION]

SENATOR HOWARD: We had that in place years ago. I don't believe that still...hasn't been for a while. [CONFIRMATION]

SENATOR CAMPBELL: Any questions over here? Senator Bloomfield. [CONFIRMATION]

SENATOR BLOOMFIELD: Thank you. I see in your publications here you did

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something, social skills in resiliency attainment for children in state custody. Can you elaborate a little bit on what that was and what you learned. [CONFIRMATION]

THOMAS PRISTOW: Yes, sir. Yes, sir. That was a great initiative. It was working with community partners, a community action program, community mental health and our schools. Essentially, without getting too complicated, what we did was every one of those entities had kids out-of-home in their care, except for the schools. And what we decided on as a group was that if kids had access to social skills and resiliency training and therapy that they would be better off than by not having it. And that was the basis for all therapy that we wanted to try this pilot on. So we set up a database, we set up strategies with all the social workers from all the organizations, got on the same page about what are we going to be looking at, what are the strategies that we're going to be putting in these case plans in the school, in the mental health, in the community action program, and with human services. And those...it was a 12-item assessment done every month by each of those organizations. The data came into one central point and we looked at did the kids gain more social skills and resiliency or not. That was the whole crux. After a period of time, did kids get better at social skills, did they get better at having resilient process in handling situations or not. And we found that yes, it did. We did this for about three years. [CONFIRMATION]

SENATOR BLOOMFIELD: Was it significant or... [CONFIRMATION]

THOMAS PRISTOW: Yeah, it was significant enough that we, even after it got defunded and we could no longer do the data, that the entities kept up with the strategies that were successful. [CONFIRMATION]

SENATOR BLOOMFIELD: Thank you. [CONFIRMATION]

THOMAS PRISTOW: That was...it was one of the best things I was able to be part of. [CONFIRMATION]

SENATOR CAMPBELL: Thomas, we finally get to me I think. You are moving from basically, you know, a county system to now a state system. How do you plan to transition to that? What things do you bring that you think will be helpful to you there? [CONFIRMATION]

THOMAS PRISTOW: I have 15 years in Vermont, which is the same type of system that Nebraska has, so I'm very familiar with the state system, its state supervised and state administered. Virginia was state supervised, locally administered. So that was the county and city piece. I feel right at home in the Nebraska system. I feel very at home here in how it works and interplays with one another, you know, the different systems. So, I mean, my game plan is to get out, meet the people. I don't think there's going to be a huge transition issue about operational capacities or operational issues at all. I'm

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familiar with the child welfare pieces. I understand ACCESSNebraska. I mean, there's a lot of moving parts here, a lot of moving parts. My...one of the things I'm doing now is putting my team together so that I can get the current information necessary to make the decisions I need to make. [CONFIRMATION]

SENATOR CAMPBELL: One of the things that we've seen in the past and that you may want to talk about and that is too often from the department, and you would have seen it in LR37 I think as you looked at the report, is too often it was discussed inside and then sort of, okay, here it is, now react to it. [CONFIRMATION]

THOMAS PRISTOW: Right. [CONFIRMATION]

SENATOR CAMPBELL: And in a lot of cases that...it caused an amount of people not having a chance to buy into it. Can you give a specific example, as you've worked through in the different jobs, of where that should be different or that you've initiated something different than that? [CONFIRMATION]

THOMAS PRISTOW: Well, absolutely. I'll just go back to yesterday with the providers at the KVC building. They were shocked that I wanted to set up teams and look at...have them give me insight on the rates. So my success is only based on my ability to build relationships and teams amongst the different providers and constituencies, both inside and outside the department. I mean, I've talked with my boss about it. I've talked with the Governor about it. That's how I do business. Vermont had a really...Vermont has a really great reputation of community partnership. We had a whole operational, child welfare operational piece built around our community partnership. It's just how I'm used to doing business. I can't imagine, I mean it just doesn't...it seems kind of simplistic to me, but I can't imagine ever going...you just can't go back. There's too many folks out there that are vested in how child and family folks are, and you just can't make decisions by yourself, it's got to be a two-way street. And my entire career in government is based on that, with no exceptions. [CONFIRMATION]

SENATOR CAMPBELL: Other questions from the senators? I want to make sure that they don't. And I'm sure you've had a chance to take a look at the report and some of the bills. Any observations for us as you have read through this, given the fact that you're probably dealing with senators who are more intensely involved in this than anything? Any observations for us? [CONFIRMATION]

THOMAS PRISTOW: I'm just looking forward to, when the bills get passed, to start setting up the processes to make the systems work that you've directed. There is a number...I think there is a commission that's going to be set up. I'm very much looking forward to working with that process and see where we go with it. I don't know all the bills by heart yet, but I know there is a number of them out there that's going to require me to do a lot of different things. And I'm looking forward to doing them. This is a...I look

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at this in this way, the ability for me to team with you makes my success higher. And if I can do that successfully, I think we can do anything. [CONFIRMATION]

SENATOR CAMPBELL: Any other comments from the senators that they need? Thank you, Thomas. Are there any comments or things that you thought we'd ask that we didn't and you want to cover? [CONFIRMATION]

THOMAS PRISTOW: No, ma'am, I'm good. Thank you for your time very much, Senators. [CONFIRMATION]

SENATOR CAMPBELL: Oh, I'm sorry. Did you have a question, Senator Cook? [CONFIRMATION]

SENATOR LAMBERT: There's a copy of that. [CONFIRMATION]

THOMAS PRISTOW: I will contact you. [CONFIRMATION]

SENATOR LAMBERT: Just keep me informed, I would appreciate it, sir. [CONFIRMATION]

THOMAS PRISTOW: I will, my pleasure. [CONFIRMATION]

SENATOR COOK: No, not one really that's substantive. [CONFIRMATION]

SENATOR CAMPBELL: Senator Cook wanted to make a comment. Just a minute, Thomas. [CONFIRMATION]

SENATOR COOK: What Budo is? [CONFIRMATION]

THOMAS PRISTOW: Oh, its the way of, it's the way of being, it's the way of...it's more of a (inaudible) type of process and it's just how you look at life and try to balance yourself. [CONFIRMATION]

SENATOR COOK: Okay. So that is a martial arts practice or... [CONFIRMATION]

THOMAS PRISTOW: Yes, it's a martial arts and a philosophical practice. [CONFIRMATION]

SENATOR COOK: All right, thank you. [CONFIRMATION]

SENATOR CAMPBELL: Should we be signing you up, Senator Cook? Is that... [CONFIRMATION]

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SENATOR COOK: Immediately. (Laugh) [CONFIRMATION]

SENATOR CAMPBELL: Okay. Thank you, Thomas. [CONFIRMATION]

THOMAS PRISTOW: Thank you, ma'am. Thank you, Senators. [CONFIRMATION]

SENATOR CAMPBELL: We have no other items in front of the committee. I think with that, we'll close the public hearing and we will give you a chance to review all the materials, then we'll call back together on a discussion on this. [CONFIRMATION]