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HILGERS [00:00:00] Afternoon, everyone. Welcome to the hearing of the Executive Board. My name is Mike Hilgers. I represent District 21, which is northwest Lincoln and Lancaster County. I'm the Chair of this particular committee. We'll do introductions first and for some brief ground rules and then we will get right into it. To my right is the committee's legal counsel, Janice Satra. To my far right is the committee clerk, Paige Edwards. Our page today is Kelsey Loseke from Blair. And we will then turn into member introductions starting with Senator Lowe.

LOWE [00:00:27] John Lowe, District 37.

BOLZ [00:00:29] Senator Kate Bolz, District 29.

KOLTERMAN [00:00:33] Senator Mark Kolterman, District 24.

HUGHES [00:00:37] Dan Hughes, District 44.

McCOLLISTER [00:00:39] John McCollister, representing District 20, which is central Omaha.

HILGERS [00:00:43] Thank you. Quick ground rules. In this committee, please turn your cell phones off or other electronic devices. By a show of hands, could we see how many people intend to testify today? OK. So this committee meets over the lunch hours you obviously are aware. Unlike previous years, we actually will get kicked out of this room at 1:30. And so what we've done in the past to ensure every voice gets heard is we've limited-- we've done two things. One, we've limited it to three minutes to testify so we'll have opening, closing, and neutral testifiers. Anyone who is here-- as you may know, most committees allow for written testimony to be part of the record if received the day before. If you are here, by the looks of things, I think everyone should be able to testify. If for some reason you aren't able to or you just want to be 100 percent sure your voice will be heard, we will waive that 5:00 deadline. And so if you are here today, you sign up in the back on the white sheet, you will be able to submit written testimony after today. If you are going to testify, please fill out a green sheet when you come and give it to the committee clerk. So with that we will start on our first bill of the day, LB313. Senator Bolz, welcome.

BOLZ [00:01:50] Thank you. Good afternoon. I am Senator Kate Bolz, that's K-a-t-e B-o-l-z. Today I bring LB313 for your consideration. LB313 is a bill to expand the scope of responsibility for the Nebraska Office of the Inspector General of Corrections to include the Nebraska regional centers. The purpose of this bill is to provide an independent form of inquiry for concerns relating to the actions of individuals and agencies responsible for the supervision, treatment, and release of persons in regional centers. The Department of Health and Human Services directly operates three regional centers or public psychiatric hospitals. They are in Lincoln, Hastings, and Norfolk. Additionally, there is a youth psychiatric rehabilitation and treatment

facility in Lincoln, Nebraska. These regional centers are Joint Commission accredited, state psychiatric facilities under the administration of the Department of Health and Human Services Division of Behavioral Health. These regional centers serve individuals who need specialized psychiatric services and require a structured treatment setting. Some of the individuals require long-term psychiatric care and others require short-term or temporary psychiatric treatment and then are released back into the community or to other institutions. Regional Center services include general psychiatric services, forensic psychiatric services, and sex offender programming. In the same way that the Office of the Inspector General for Corrections currently collaborates with the Legislature and the executive branch to provide systems-level oversight and make recommendations to strengthen Department of Correctional Services, the proposed Office of Inspector General of Corrections and Regional Centers will expand their capacity to include authority to investigate allegations of-- for incidents of possible misconduct, malfeasance, or violations of statutes or rules or regulations, investigate death or serious injury, review performance, and provide increased accountability and oversight of regional center facilities. This bill is brought in part because the regional center system has faced some growing personnel and facility challenges in recent history. Turnover and vacancy rates have been a challenge, and staff and patient assaults are on the rise. In addition, children are now being court ordered to Lincoln Regional Center and that begs for additional oversight. LB313 will create a mechanism for independent investigation of the current situation as well as ongoing monitoring to ensure that potential danger to staff and residents are mitigated and systems-level recommendations are made to prevent problems in the future. The Regional Center recently reported to me and my staff in a tour a couple of weeks ago that their staff vacancy rate is approximately 20 percent. In the past 36 months, LRC has incurred \$5.6 million in overtime, much of which has been mandatory because of staffing shortages. Vacancies and challenges have resulted in the challenges you would expect: difficulty maintaining staff ratios and the use of temporary staff to ensure-- ensure coverage. The Omaha World-Herald reports that HHS records show that there were 58 patient-on-staff assaults during the first nine months of this year. At that rate, the year-end total would exceed that of any year in-- since 2014. I also want to note that the waitlist for individuals requiring placement at the regional center facilities is currently at 48 individuals. This number is up from 42 in the previous month. Jails and emergency mental health facilities who lack capacity to care for individuals with severe mental health demands are housing those individuals in need of care while they wait for a bed at the Lincoln Regional Center or other regional center facilities. I would also share that staff have been in touch with me regarding some of their anecdotal experience of working at the Lincoln Regional Center, concerns about requiring-- folks being required to stay and work double shifts; concerns about regulations and patient welfare; concerns about working with the very challenging patients who are served by the Lincoln Regional Center. And so I would argue that rather than, you know, creating an oversight committee or requiring an additional research report it makes more sense to charge our Office of Inspector General to have additional authority using his training and his expertise to better understand the Lincoln Regional Center as well to cooperate and collaborate with both the administration and the legislative branch and to make sure that rules, regulations, funding, and other issues and concerns that come to our

attention are appropriately responded to and that best practices are implemented. I do have a fact sheet providing some of the, the references to the statistics that I shared. I don't know if we have-- there's our page. And I'd be happy to answer any questions.

HILGERS [00:06:56] Thank you, Senator Bolz. Are there questions? Senator Hughes.

HUGHES [00:07:02] Thank you, Mr. Chairman. Thank you, Senator Bolz. So can you walk me through what the procedures are in HHS for oversight of this type I mean, what are-- what are the internal procedures that they're using now?

BOLZ [00:07:15] Sure. So they are an accredited facility so they do have to maintain their accreditation. And it's my understanding that they also do work with public health. The people who provide the care, the psychiatrist and the nurses, of course have to maintain their licensure in their professional practice. So there-- I'm not arguing that there is no oversight at this point. I'm arguing that the Inspector General is well positioned to help the Legislature and the Regional Center system in the same way that the Inspector General assists us in identifying best practices and systems change for the correctional system.

HUGHES [00:07:57] Okay. So-- and--this is more just our, our being the Legislature's, personnel--

BOLZ [00:08:05] Well--

HUGHES [00:08:06] --acting as oversight? Is that your goal?

BOLZ [00:08:09] If you want to look at-- let me find the page in the bill. The-- well, it's-- I'll read it from my fact sheet-- is the responsibilities of an Inspector General including-- include investigating allegations or incidents of possible misconduct, misfeasance, malfeasance, or violation of statutes or rules or regulations; investigations of death or serious injury; review of performance; and increased accountability and oversight. And I would argue that those things are a little bit different than the things that might be checked on from an accrediting body who's going to check in and see whether or not, for example, staffing ratios are sufficient or whether or not the psychiatrist has the right credential. And so I think that we are looking at different things and digging into different areas that are also related to accountability.

HUGHES [00:09:04] OK. Thank you.

HILGERS [00:09:05] Thank you, Senator Hughes. Are there other questions? Seeing none, thank you, Senator Bolz. Before we start with proponents, I understand someone's going to testify after you. Is that right?

RON GLOVER [00:09:15] Hello.

HILGERS [00:09:28] Hello. Welcome. I don't think I gave this general instruction; but when you testify, please state your name and spell it for the record, please. And welcome.

RON GLOVER [00:09:39] Thank you. My name is Ron Glover, R-o-n G-l-o-v-e-r. I'm an employee at the Regional Center, but I'm out on injury from suffering a traumatic brain injury from an assault there. And I just wanted to support this bill. One of the things I wanted to say is that Senator Bolz is correct with being-- having an agency to check malfeasance and make sure that the rules are being followed because DHHS falls under sovereign immunity which means closed to prying eyes from out here. In all fairness, as an employee and a taxpayer and everything else, I think that the lights should be on that keeps everybody-- transparency keeps everybody faithful and integrity. And I just wanted to know if I could just read something real quick.

HILGERS [00:11:00] Please go ahead.

RON GLOVER [00:11:01] Won't take up too much of your time. I'm sorry I have to bear with me with my speech. Just completed eight months of rehabilitation at Madonna. I just wanted to put in the record that I-- we are here in support of LB313. It is not only important but necessary that the requests become law. DHHS, as well as the Lincoln Regional Center, are not being held accountable to anyone. DHHS does not even fit the definition of being a rogue agency because there are no standards or expectations within an agency who makes up, modifies, or totally discards any policy as it sees fit to do in order to assume or to ensure their and only their needs are being met. DHHS has been allowed for too long to police themselves. An agency being permitted to police itself is just as unwise as an individual representing themselves in a court of law. Have we not as an intelligent society learned anything from acts of closed doors and backroom abuse of power? I find it exceptionally offensive that DHHS is not only held accountable and does not have to answer to anyone; but if pushed to operate in the light, they are permitted to slap the state's citizens, their employer, in the face with a weapon called sovereign immunity. I know for a fact that some of you senators who went to the Regional Center on fact-finding missions in the past were shown exactly what other prying eyes were shown. You were given the Disney tour and reassured that everything at the Regional Center was and it still is copacetic. Well, it's not. I, and I say we as the employees there ask that you just look at the numbers alone, the numbers for the following: excessive amounts of mine and your taxpaying dollars being spent on mandatory overtime; excessive hours employees are forced to work back-to-back shifts at times on consecutive days in a row; hiring temp employees from an agency who are not experienced in this field at an excessive higher rate of pay than they pay their own core staff; massive shortages of staff; and my favorite, the excessive and catastrophic injuries that staff at LRC are sustaining at a consistent level and our injuries do not stop at the end of our eight-hour shifts. They now come into our personal lives. Among the few examples, the passing of this bill would not be as DHHS would assume. They would believe it's some kind of punishment or loss of confidence in their agency. This is not true. They would think

that because for the first time they are being held accountable, not punished. We are just asking you, the guardians of-- the guardians of -- of our rights and the guardians of the moral compass to say that this is just enough bad behavior. We want change. Thank you for giving me opportunity to say that.

HILGERS [00:15:48] Thank you for coming down and testifying, Mr. Glover. Are there questions? Seeing none, thank you again, really appreciate it.

RON GLOVER [00:15:54] Thank you.

HILGERS [00:15:55] Thank you. We will now continue with additional proponents for LB313. Seeing none, anyone wishing to testify in opposition to LB313? Welcome.

SHERI DAWSON [00:16:36] Senator Hilgers and good afternoon, Senator Hilgers and members of the Executive Board. My name is Sheri Dawson, S-h-e-r-i D-a-w-s-o-n, and I serve as the director of the Division of Behavioral Health in the Department of Health and Human Services. And I'm here to testify in opposition to LB313. The Office of Inspector General of the Nebraska Correctional System was established in 2015 to provide increased accountability and oversight of the Nebraska correctional system. The office is a subdivision of the Office of Public Counsel. The Correctional System and Mental Health Facilities Act is to be carried out by the Office of Public Counsel. The Office of Public Counsel already has the power to investigate complaints regarding the Regional Centers and has done so. The Division of Behavioral Health and DHHS facilities director, Mark LaBouchardiere, have maintained good working relationships with the Office of Public Counsel and the OIG for Child Welfare and that will continue. The facilities have been responsive and staff have been invited to and participated in joint staff and administrative meetings as needed. As a result, it's unclear what cannot already be addressed by current law and current practice. Regional centers are not correctional facilities. They're hospitals or treatment facilities and are governed by bodies charged with regulating, auditing, and monitoring those entities. Governance and oversight of hospitals include, but is not limited to, the Centers for Medicare and Medicaid Services, federal and state licensure and regulation, and national hospital accrediting bodies such as the Joint Commission on Accreditation of Healthcare Organizations. These bodies provide conditions of participation which are requisite for receiving Medicare payments and to remain accredited. They require facilities meet stringent guidelines on the care of patients and the environment in which that care is delivered. Existing policies and practices within Regional Centers address sentinel events, reporting, and resolution. They also include governance and reporting of staff or patient grievance and assaults. The reporting requirements in this legislation are duplicative of those already required by hospital regulation. Hospitals are regularly audited and must address all concerns, whether clinical, personnel, governance, administrative, or other. And those bodies have investigatory powers and conduct unannounced visits to ensure the hospitals are meeting operating requirements. Their oversight includes all aspects of the programs and services delivered at the Regional Centers. Furthermore, there is also oversight by the HHS and Appropriations

Committee of the Legislature. It's unclear what is gained by the bill that is not or cannot be addressed through the many oversight bodies. The Legislative Fiscal Office note indicates full-time staff for the OIG. And if LB313 passes, it's anticipated that the Division of Behavioral Health would need two additional FTEs for legal counsel and staff at the facilities to respond to inquiries from the OIG. Finally, we oppose the bill, excuse me, the scope of the bill as introduced. In conversation with legislative staff, it's our understanding that the intent was limited to the Regional Centers. However, the bill as currently written does not expressly state so and therefore is interpreted to include the community-based public behavioral health system. But we have provided draft language for consideration. So I appreciate the opportunity to testify. Thank you. Sorry, I wasn't watching the light.

HILGERS [00:20:03] Thank you, Director Dawson. Are there any questions? Seeing none, thank you for your testimony.

SHERI DAWSON [00:20:06] Thank you.

HILGERS [00:20:08] Any others wishing to testify in opposition to LB313? Seeing none, anyone wishing to testify in a neutral capacity? Welcome.

DOUG KOEBERNICK [00:20:24] Thank you. Good afternoon, Senator Hilgers and members of the Executive Board. My name is Doug Koebernick, spelled K-o-e-b-e-r-n-i-c-k, and I serve as the Inspector General of Corrections for the Nebraska Legislature. I'm testifying in a neutral capacity today. I understand and appreciate Senator Bolz's desire for more oversight regarding the Regional Centers and want to thank her for introducing this legislation. Having worked in this position and in previous positions, I appreciate the importance of that, that role. Currently, I'm an office of one person and I manage a significant number of issues related to the correctional system that are specifically outlined in Nebraska state statutes 47-902 and 47-905. Within the correctional system, there are 10 correctional facilities which include over 2,300 employees and approximately 5,500 incarcerated individuals. Additionally, I carry oversight of the parole system. If LB313 is adopted, as explained, my duties would be expanded to include possibly the Department of Health and Human Services and the Regional Centers. The fiscal note that we submitted would seek two additional staff for my office so I want to explain that. I would envision assigning one staff member to the correctional and parole systems and the other to the Regional Centers. I would then supervise those individuals while working in both areas. I would cross-train each staff member in each other's areas. And although this was not included in the fiscal note, I would request funding for each staff member so that they could receive training from the Association of Inspectors General. I believe this training to be an incredibly valuable investment in my work. Finally, testifying after me will be Jerall Moreland of the Ombudsman's Office. The Ombudsman's Office already does a great deal of work in this area, and we believe it is important for you to learn more about those efforts as you give consideration to LB313.

HILGERS [00:22:07] Thank you for your testimony. Are there any questions? Senator Lowe.

LOWE [00:22:11] Thank you, Chairman. Thank you for being here today. Do you have any idea what the cost of the training would be then for these two individuals?

DOUG KOEBERNICK [00:22:21] About \$4,000 to \$5,000 for each one. It's a weeklong training, 40-hour training.

LOWE [00:22:25] OK. Thank you.

HILGERS [00:22:25] Thank you, Senator Lowe. Are there other questions? Senator McCollister.

McCOLLISTER [00:22:30] Yeah. Thank you, Mr. Chair or Mr. Chairman. And thank you, Doug, for being here. There's, of course, a difference in the fiscal note between what the state contends it would cost versus your, your contention. Do you have any comments to make about what the state said it would cost to enact this bill?

DOUG KOEBERNICK [00:22:51] Yeah. In the fiscal note, the fiscal analyst said that there would be a need for one additional person. I think they probably assume like, okay, that I'm already doing the Corrections side so we need somebody else to do to the Regional Center side. But I would just say that if we wanted to do this right and do it well we probably need two people. And in my annual report I actually recommended that I get an additional staff member because trying to do the whole correctional system with one person is a little, a little difficult. So if we're gonna do it right, I think at a minimum we'd need a couple of people so I could have one person focus on Corrections and the other focus on the Regional Centers.

McCOLLISTER [00:23:30] Well, the state suggests that they're going to need another \$90,000 for their department. Do you see the validity of that statement?

DOUG KOEBERNICK [00:23:37] I'd have to look more closely at that.

McCOLLISTER [00:23:42] Oh, I've had some experience with their fiscal notes, which leads me to. produce the question. So thank you.

HILGERS [00:23:50] Thank you, Senator McCollister. Are there other questions? Seeing none, thank you for coming down.

DOUG KOEBERNICK [00:23:54] Thank you.

HILGERS [00:23:55] Others wishing to testify in the neutral capacity. Welcome.

JERALL MORELAND [00:24:08] Good afternoon, Senator Hilgers, other Executive Board members. My name is Jerall Moreland, J-e-r-a-l-l, Moreland, M-o-r-e-l-a-n-d. I'm here testifying

in a neutral capacity on LB313 which would provide an independent form of inquiry for concerns regarding the actions of individuals and agencies responsible for the supervision, treatment, and release of persons in regional centers. This bill would accomplish increasing oversight of the regions by expanding the Inspector General of Corrections' authority. Although the Ombudsman's Office has had direct oversight over state regional centers since 1971, it wasn't until 2008 that Senator Ernie Chambers introduced LB467 which created the department ombudsman, a deputy ombudsman for institutions. The purpose of this bill was to provide the Ombudsman's Office the dedicated staff to look into state facilities. It was determined at that time not to allocate additional resources for capacity until the office could get an idea on individual system issues by a review of individual issues brought to the office. The authority of the deputy ombudsman for institution extends to all mental health and veterans' institutions and facilities, including the Beatrice State Development Center operated by the Department of Health and Human Services, all regional behavior health authorities that provide services and all community-based behavioral health services providers that contract with a regional behavior health authority for any individual who was a patient within the prior 12 months of a state-owned and state-operated regional center. Public awareness concerning behavioral and mental health continues to grow in Nebraska. With the population in Nebraska increasing each year, we also are challenged as a state with providing sufficient mental health services across the state. This combined with staffing issues at state and nonstate mental health facilities continues to cause a problem in our mental health system. Therefore we are faced with the question of how to strategically provide necessary oversight with authority and powers provided this office. This question is particularly critical when considering the state's limited resources and other bills pertaining to new positions within the Ombudsman's Office that will be in front of the Executive Board this session and next week. I will close with this. This office has spent a significant amount of time working on oversight and accountability issues in both state facilities operated by DHHS and nonstate facilities contract-- contracted with DHHS to provide mental health services. I have provided for your review a summary of some of the related issues that I have been working with members of the Legislature on and would be happy to cover several pinch points of a system that needs to be addressed. Thank you for your consideration, and I am happy to take questions.

HILGERS [00:26:54] Thank you, Mr. Moreland. Are there questions? Seeing none, thank you for coming to testify.

JERALL MORELAND [00:26:59] Thank you.

HILGERS [00:27:00] Are there others wishing to testify in a neutral capacity? Seeing none, Senator Bolz, you are welcome to close.

BOLZ [00:27:12] Wanted to address just a couple of brief points. I don't think I'm speaking out of turn when I share with you that Mr. Glover was injured on the job. I'm not sure that that came clear in his testimony. And so he's one of the people who came to me with questions,

comments, and concerns about the safety and the standards at the Lincoln Regional Center. And so in my point of view, an ounce of prevention is worth a pound of cure. And I think we need to better use the expertise of whether it's the Inspector General or the Ombudsman or other allies of the, the Legislature to better implement our oversight responsibilities. You know, Jerall didn't get into-- sorry, Mr. Moreland didn't get into the details of the pinch points that he referenced. But I think it's worth reiterating that those pinch points include a 48-person waiting list of severely mentally ill and sometimes criminally engaged individuals, severe challenges with staffing, and overtime to the degree that a whole unit of the Lincoln Regional Center has remained unopened because of the lack of nursing staffing and the new complexity and addition of serving youth in the Lincoln Regional Center which, to the Lincoln Regional Center's credit, it is an outgrowth of the court system sending individuals to that facility for lack of other alternatives. Nonetheless, all of these things are putting stress on a system, and I think that that system deserves oversight and sunlight from the legislative perspective. I appreciate what, what director Dawson said about the existing oversight from other entities. But I'm not sure that that's sufficient or bringing recommendations and problem solving and best practices to us as the legislative branch in order to allow us to implement our responsibilities as well. I don't, I don't want to be overdramatic or provide an unfair comparison. But I think it's, it's a, it's good food for thought to recognize that CMS also had oversight of the Beatrice State Developmental Center and nonetheless we had significant challenges there. I am by no means drawing comparisons or conclusions, just pointing out that there is a legislative role in addition to federal oversight. So I'm happy to take any final questions but did want to make those few last points.

HILGERS [00:30:00] Thank you, Senator Bolz. Are there any additional questions? Seeing none, thank you. There are two letters of support that we received and that will close the hearing on LB313. We will now turn to LB330. Senator Bolz, you are welcome to open.

BOLZ [00:30:15] Hi. I'm back. Again for the record, Senator Bolz, that's K-a-t-e B-o-l-z, and I am here now to introduce LB330. I do have an amendment to this bill that I will describe shortly and have the page pass out. So LB330 eliminates the July 2019 statutory sunset of the Nebraska Children's Commission. Some of you were not yet elected at the-- well, all of us-- none of us were elected at the point which the Children's Commission was originally established in 2012 after a failed attempt at privatizing the child welfare system that resulted in a lot of turmoil in the system. And it has served as a leadership forum for collaboration of the child welfare, juvenile justice systems as defined in current statute. The bill streamlines the duties of the commission and it shifts the administration of the agency to the Office of the Public Counsel under the Legislature. The guiding motivation for this work was to be collaborative and to be problem solving and to identify gaps in service delivery for children and families which threaten the safety, permanency, and well-being of children. The-- the studies that were done after our failed privatization concluded that there was a lack of an overarching vision and plan for children's services and that had created a fragmented system and the fragmented system was not serving our kids well. The Legislature created the Children's Commission to solve this problem and gave the Children's Commission some specific direction to provide a statewide strategic vision for

child welfare and to ensure a permanent leadership forum for coordination of child welfare and juvenile justice reform among the three branches of government and public and private stakeholders at the state, regional, and community levels. I would argue as someone who served on the Children's Commission for the past four years that the-- the second remains a priority. The first probably needs to be changed. So I do argue that there is a need for permanent collaborative forum to bring together systems and provide strategic problem solving for a variety of children's services and systems. I think the Children's Commission would argue more than just me that that role of providing a statewide strategic vision or plan is more an administrative role than an advocacy or commission role. So LB330 changes some of the statutorily required tasks and strengthen-- strengthens the agency's connection to the Legislature. The commission would put recommendations forth as a result of specific research and coordinated efforts and rather than put forward a strategic plan would identify a targeted set of priorities to work on year over year, informed by the direction of the three branches of government responsible for caring for Nebraska's vulnerable children and families. The structure as defined in statute consists as designated leadership from the Legislature, much like some of the other special committees that this Executive Board designates and then has representation of nonvoting members from constituents, the Supreme Court, the Department of Health and Human Services. And I have added a couple of additional changes in the amendment to further articulate exactly who should be participating. For example, we have added in the amendment the specific inclusion of a tribal member so that that diversity of representation is included as well as a representative from the Governor or the Policy Research Office, depending on his or her recommendation. This is not an attempt to-- to-- to change the power or responsibility of the Governor. Rather, it's to better reflect what I think is really the genesis of the Children's Commission which was a legislative recommendation to partner with the State Legislature. I also think it's important to note that there are five statutorily required subcommittees that fall under the Children's Commission. And so if the Children's Commission were to sunset, the five statutorily required committees would have-- would be a little bit without an or-- would have no overarching management or way to keep those boats rowing. The Children's Commission currently for-- functions as an independent entity with members appointed by the Governor. And while housed within the Foster Care Review Office, the staff are directly supervised by the commission members. LB330 would transition the administration of the commission staff to the Office of the Public Counsel with input from the commission voting members. So the decisions that government make about-- makes about how to care for its most vulnerable citizens should be thoughtful, should be informed, should reflect coordinated efforts of all branches of government; and the role of the Children's Commission is to ensure and facilitate and support that coordination. The commission and its subcommittees are responsible for important recommendations and improvements and they should, in fact, continue. LB330 would allow us to continue that work with leadership from the Legislature in a little bit clearer and more coordinated manner. I also think it's worth identifying a couple of achievements that the Children's Commission has completed during its time. For example-- and I think this is an excellent example of the kind of work that the Children's Commission does-- is the Strengthening Families Act which aligns Nebraska practice with federal law and ensures that

foster youth grow up in less restrictive, more family-like environments and participate in age and developmentally appropriate activities. That was a recommendation of the Children's Commission that did come to the Legislature and I think has been really well received. So I do have a couple of handouts here that further clarify the changes proposed in LB330 and a little Q and A of some frequently asked questions that have come up as we've worked with the Children's Commission to implement this legislation. I swear I'll wrap it up. The last thing I want to add is that the-- the bill in front of you is the recommendation of the majority of the voting members of the Children's Commission. It was not a unanimous vote, but it was a majority vote. There were a couple of abstentions and that has not been-- that has been frequent during my time on the Children's Commission partly because there is-- there is some tension between the three different branches of government and what different roles and responsibilities are. I think bringing it under the umbrella of the Legislature clarifies and cleans up roles and responsibilities while continuing to achieve the mission and I'll leave it there.

HILGERS [00:37:15] Thank you, Senator Bolz.

BOLZ [00:37:15] Thank you.

HILGERS [00:37:15] Are there questions? Seeing none, thank-- oh, Senator Kolterman.

KOLTERMAN [00:37:20] Thank you. Senator Bolz, what-- do you know what the current budget is for the Children's Commission at the present time?

BOLZ [00:37:27] I think that the-- if you look at the fiscal note, the fiscal note essentially continues the Children's Commission as the status quo with I think a small, maybe \$7,000 difference between the first year and the second year because we'll have some costs related to transitioning it to the Office of the Public Counsel.

KOLTERMAN [00:37:48] OK.

BOLZ [00:37:48] So the first year is \$197,000 and the second year is \$190,000.

KOLTERMAN [00:37:52] And that's-- that's kind of ongoing from what it's been?

BOLZ [00:37:54] Yes, that's right. There is one-- there is one staff member. And, of course, they-- well, I guess there are two staff members and, of course, they all-- they need Internet access and chairs and all of those things too.

KOLTERMAN [00:38:04] OK.

HILGERS [00:38:06] Thank you, Senator Kolterman. Other questions? Seeing none, thank you, Senator Bolz.

BOLZ [00:38:12] Thank you.

HILGERS [00:38:12] First proponent wishing to testify on LB330. Welcome.

CHRIS JONES [00:38:35] Hi. Please excuse my nerves. OK. Good afternoon, Senator Hilgers and members of the Legislative Executive Board. My name is Chris Jones, C-h-r-i-s J-o-n-e-s, and I am the policy analyst and one of two employees with the Nebraska Children's Commission. We had plans for a member of our executive committee to speak today, but weather prevented that from occurring. So on behalf of the Commission, I am testifying today in support of LB330. The commission was a product of LR37 in 2011 as Senator Bolz had referenced. And so not to draw out too much about the history, I'll just refer you to an excerpt of LR37 has been provided in your handout which outlines the commission structure as it was originally conceived. And a commission fact sheet has also been included in your handout summarizing the commission, its accomplishments, and examples of work previously assigned by the Legislature. During the 2018 interim, Senator Bolz introduced LR451 to examine the work of the commission and to evaluate the need for the commission's continuation and any revisions to its structure and purpose. A copy of the summary findings has been included in your handout. LB330 streamlines the role and function of the commission, enhances its operations, and prevents duplication with other initiatives. This collaborative process allows policy to be made with the input from a wide range of stakeholders and community representatives. Created at a time when the Legislature was first experiencing the impact of term limits, the commission addressed an expressed need for the Legislature to be informed of the issues facing children and juveniles served in Nebraska. The commission has-- has served as an expert resource to the Legislature for child welfare and juvenile justice and believes there's still a role for it to continue to do so. And given that 30 senators have served two years or less, now more than ever it is important that the institutional knowledge of complex system that serve Nebraska youth and families is preserved. Over the years, the commission has taken on more responsibility through legislation and is now the parent body to five statutory committees referenced in materials provided. And since it operates as an umbrella commission, it has provided a home to other legislative task forces and committees regarding child welfare and juvenile justice. The commission can continue to serve in this fashion; and having been extended twice before in 2014 and 2016, the commission continues to be an able-body resource to the Legislature to continue to do so. As we sit here today, there are more than 70 bills introduced this session impacting children, juveniles, families, young adults, and related services, 30 of which interact with the work of the commission including its statutory committees. The performance of child welfare and juvenile justice isn't the work of the department or the administrative Office of Probation alone. And they both operate within a system which requires that collaboration and transparency and accountability in partnership with the Legislature. In some ways a lot has changed since 2011, and in other ways much remains to be changed. LB330 helps the commission change with the times, keeps up with its statutory charges, and enhances its partnership with the Legislature. Thank you again, Senator Bolz, for your

leadership on and work on behalf of children and families. On behalf of the commission, I ask that you support LB330. I know my light--

HILGERS [00:41:48] Thank you, Miss Jones, and I appreciate your real-time editing of your testimony to keep it--

CHRIS JONES [00:41:54] Make it snappy.

HILGERS [00:41:56] Thank you very much. Are there questions? Seeing none, thank you for testifying today.

CHRIS JONES [00:42:00] Thanks, everyone.

HILGERS [00:42:00] Are there others wishing to testify in support? And quick show of hands how many people wanted to testify on this or the next bill OK. Thank you. Welcome.

ANNETTE DUBAS [00:42:13] Good afternoon, Senator Hilgers and members of the Executive Board. My name is Annette Dubas, A-n-n-e-t-t-e D-u-b-a-s, and I'm testifying today as an individual and as a former state senator who is involved with the creation of the Nebraska Children's Commission. The Children's Commission, as was said previously, was born out of the upheaval during the privatization and I would also add probably safe haven in there as well. That move and those experiences created a great deal of chaos in the child welf-- with child welfare providers and their families. At that time, we also had a record number of children who were in out-of-home placements. And I would say that there are still some lingering effects to, to all of the things that happened at that time. We've made great strides in improvement but still a little, little bit of trauma left over there. It wasn't an easy task to bring that system back into order. But under Senator Kathy Campbell's leadership, an extensive amount of time and energy was devoted to collecting information and really looking at every aspect of the child welfare system. From that effort, the Nebraska Children's Commission was created by the Legislature; and they were charged with, with many things but among them developing a strategic plan. I became involved with Senator Campbell's work because of legislation that I had introduced which was seeking to increase rates paid to foster parents. And under the umbrella of the original Nebraska Children's Commission, a foster care rate reimbursement committee was convened and still is in existence, one of those statutory committees. And they are charged with really taking a deep dive into reviewing those rates that are paid and making sure that they are covering, covering the cost of care for those kiddos. And I really appreciate the work that they've done and it's rewarding to have members of those committees come up and say thank you. We've been able to do good work because of that legislation. I also appreciate the works of Senator Bolz that she did over the interim really to take an in-depth look at the original intent of the commission and how it could be refocused to keep it relevant. I believe the changes proposed, proposed in LB330 will ensure that this commission continues to provide a way for all stakeholders involved with the child welfare system to really communicate and work together.

So many entities are involved with this system of care. It's not just DHHS or child welfare or probation. And in this era of term limits, I believe there is great value in this commission to serve, to provide some continuity, and also to serve-- provide some institutional member--memory, not only for this Legislature but for those going forward. This commission is your eyes and your ears, and it's not in a punitive way but really in a way to build collaboration. So as policymakers, this commission will keep you informed, allow you to develop policies that will make positive differences in the lives of children and their families. Previous Legislatures saw the value of the Children's Commission, and I truly hope you will see that value as well and advance LB330 to General File. So I thank you for your time and attention and would be happy to answer any questions if I'm able.

HILGERS [00:45:24] Thank you, former Senator Dubas. Any questions? Seeing none, thank you for coming down. Good to see you. Are there other proponents wishing to testify? Seeing none, anyone wishing to testify in opposition? Welcome.

MATT WALLEN [00:45:54] Good afternoon, Chairman Hilgers and members of the Executive Board. My name is Matt Wallen, M-a-t-t W-a-l-l-e-n, and I serve as director of the Division of Children and Family Services at the Department of Health and Human Services. I am here to testify in opposition to LB330. The Nebraska Children's Commission was created by the Legislature in 2012 and extended in 2014 and 2016. It is comprised of 28 members, including representatives from all three branches and community representatives from across the state. The purpose and goals of the commission are to create a statewide strategic plan for reform for child welfare and juvenile justice, review the operations of the Department of Health and Human Services regarding child welfare programs and services, and develop a strategic plan for child welfare and juvenile justice systems reform. The commission sunsets-- sunsets on June 30, 2019. LB330 moves all duties and functions related to the commission to the Office of Public Counsel. I understand why the Legislature looked at the child welfare system with a critical eye in 2011 through LR37 and ultimately created the commission in 2012. It was a very different time and a very different system at that time. The department was not successful with privatization. In 2014 the state was starting a Title IV-E waiver demonstration project with two different interventions. Also on July 1, 2013, the state had over 6,500 kids in care with over 3,800 being in out-of-home placements. We were removing kids quicker than any other state in the nation at that time. However, today our child welfare system is much different and our current oversight structure is also much different. At the start of 2019, our child welfare system had about 5,100 kids in care and just over 3,000 kids in out-of-home placements. That's about 1,400 fewer kids in the system and almost 800 fewer kids in out-of-home placements versus July 2013. Current oversight at the state's child welfare system is also very robust at both the federal and state level. In addition, the department already serves on about 45 other advisory boards, commissions, committee meetings, and task forces. The most useful aspect of the Nebraska Children's Commission was the input from fellow members with lived experience in the child welfare system. Serving on the commission, I greatly valued that input from across the state. As I previously mentioned, our current child welfare system is much different than it was in

the past. We've made significant improvements with many more still to come. Continuing the commission would be duplicative of many existing entities that have a similar function, purpose, and membership composition. Lastly, I would just like to point out for the committee that the January 23 Nebraska Children's Commission meeting a motion was made to support LB330 with revisions. Of the voting members on the commission, 6 voted for the motion, 2 voted against the motion, 4 abstained from voting, and 4 were absent. With that vote, I'm not sure that it's very clear even with the commission if LB330 is the right approach moving forward. Thank you for the opportunity to testify before you today, and I'd be happy to answer any questions that you might have.

HILGERS [00:48:58] Thank you, Director. Are there questions? Seeing none, thank you for your testimony.

MATT WALLEN [00:49:04] Thank you for the opportunity.

HILGERS [00:49:05] Anyone else wishing to testify in opposition? Seeing none, anyone wishing to testify in a neutral capacity? Seeing none, Senator Bolz, you're welcome to close.

BOLZ [00:49:23] I know that time is valuable in the Executive Board. I won't-- I will try not to spend too much time in discussion here but in, in deference to time I would ask you to review the Q and A that was passed out which does address some of the issues that was brought up-- that were brought up by Director Wallen. I, I would say that I think there are some-- I think it is worth noting that the, the Children's Commission is made up of gubernatorial appointees and so the folks who have supported it are folks who were carefully chosen to have expertise in this area and did by majority vote and through collaboration, discussion, multiple revisions, insight, and input develop the proposal in front of you. Two other things I want to note are that many other states have similar initiatives, similar children's commissions with this idea that there will always be a need for a forum for multiple branches to come together to serve and understand and provide insight to a service that is complicated and serves a vulnerable population. The last thing I'll say is that I-- I sit here quite disappointed that Director Wallen testified in opposition because I think the point of this commission, the point of this legislation, the point of this work together is a forum for collaboration, for partnership, for working together, for identifying ways that we can best serve our kids as three different branches. And I keep my door open to Director Wallen and that partnership and that working together, and I think we need to keep the door open to the Children's Commission as well. Thank you.

HILGERS [00:51:09] Thank you, Senator Bolz. Are there any last questions? Seeing none, thank you very much. There are seven letters in support for LB330 and none in opposition or in a neutral capacity. That will close our hearing for LB330. We will turn now to LB596. Welcome, Senator Quick.

QUICK [00:51:33] Good afternoon. Thank you, Chairman Hilgers and members of the Executive Board. My name is Dan Quick, D-a-n Q-u-i-c-k, and I represent District 35 in Grand Island. I'm here today to introduce LB596 which would create an Inspector General of Public Health here in Nebraska. This position would be within the Office of Public Counsel for the purposes of conducting investigations, audits, inspections, and other reviews of state-owned and state-licensed facilities. After sitting on the state license facility care-- excuse me, after sitting on the State-Licensed Care Facilities Investigative Committee this summer, I wanted to continue the conversation about how Nebraska could better ensure these facilities are meeting basic standards of care. Our Inspector General of Child Welfare does an excellent job at identifying trends, both good and bad, in our child welfare and juvenile probation systems. This information is important to our legislators, and her advocacy for the-- for children has allowed us to put better policies in place to protect them. I think it is, excuse me, I think it is-- would be an improvement to our public health facilities in Nebraska if someone were able to investigate reports or claims of adults in our state-owned and state-licensed facilities-- healthcare facilities. Our Department of Health and Human Services can-- can conduct up to 25 percent random simple-- sample of facility inspections every year or at least once every five years. I don't think this is enough to be made aware of when a facility is struggling to meet the needs of the people they serve. That facility can change dramatically in five years and DHHS does not have enough investigators to stay on top of potential concerns that may come up in facilities. We owe it to the people who live there to keep facilities accountable. And I believe having an Inspector General of Public Health would assist in this effort. The Inspector General would be charged with investigating the treatment of residents in state-licensed care facilities. The Inspector General of Public Health would allow us to hold facilities accountable for how they treat their residents, how-- how well-- as well as identifying, identifying what parts of the current oversight system can be changed in order to benefit consumers. An Inspector General would provide a critical and long overdue method of identifying problems within Nebraska care facilities and create a foundation on which change can be created. Through the Inspector General's investigations, the extent to which steps-- which steps taken by DHHS to-- to effectively oversee these facilities would be identified and recommendation-- recommendations could be formulated to improve DHHS oversight. The primary goal of the Office of Inspector General of Public Health would be to recommend and pass legislation to overhaul the widespread pattern of neglect in state-licensed care facilities. It is our responsibility as public servants to ensure that they are being treated with dignity and-- and care they deserve morally and under the law. I think that this is an important step in the right direction toward that goal. I encourage you to advance LB596 for the sake of resident-- residents across Nebraska. I do have a rough draft of an amendment that would begin to address some of the feedback we received that removes references to private agencies and adds a rec-- a requirement in Section 19 that the Inspector General must comply with federal regulations from the Centers for Medicare and Medicaid Services and the federal Department of Health and Human Services. I look forward to working with all the stakeholders to get this done. I'm happy to try and answer any questions you may have. Thank you.

HILGERS [00:55:24] Thank you, Senator Quick. Are there questions? Seeing none, thank you very much. You stick around for closing? OK. Thank you. Are there proponents wishing to testify for LB596? Seeing none, anyone wishing to testify in opposition to LB596?

DARRELL KLEIN [00:55:50] Good afternoon, Senator Hilgers. I'm going to apologize up-front. I'm in the middle of a full-blown cold so if I sneeze or cough or, cover yourselves for protection. Senator Hilgers and members of the Executive Board of the Legislative Council, my name is Darrell Klein, D-a-r-r-e-l-l K-l-e-i-n, and I am deputy director for the Division of Public Health for the Department of Health and Human Services. And I'm here to testify in opposition to LB596 as it's written as it allows the Office of the Inspector General to have full direct access to the department's computer records. And my opposition testimony is limited to these specific portions of the bill. And I want to apologize a little bit. In rereading my testimony, I think I buried the lead but it's brief so bear with me to get to the important parts. LB596 proposes to create the Office of Inspector General of the Nebraska Public Health Act. In this act, the Office of the Inspector General of Nebraska Public Health is created within the Office of Public Counsel for the purpose of conducting investigations, audits, inspections, and other reviews of facilities licensed under the Health Care Facility Licensure Act, including state-owned facilities that provide healthcare. The Division of Public Health is the state survey and certification agency for Nebraska that works under agreement with the senator-- the Centers for Medicare and Medicaid Services, CMS, to assure basic levels of quality and safety for all patients, residents, and clients receiving care from Medicare and Medicaid certified institutional providers. CMS trains and qualifies federal and state personnel to conduct Medicare and Medicaid surveys and provider certification. Survey and certification is the system that provides on-site objective and outcome-based verification by these knowledgeable trained professionals to assure that the basic standards of quality are being met by healthcare providers across the nation; or if not met, that appropriate remedies are promptly applied and implemented effectively. The CMS survey and certification system covers the majority of healthcare facilities and services that are licensed in Nebraska. Surveys conducted at these facilities and services accomplish both the state licensure and federal certification for participation in Medicare and Medicaid and this is the most cost-effective process than if state and federal work were done separately. Why is this important? It's likely problematic for the Office of the Inspector General of Nebraska Public Health to access records obtained through a federal survey or investigation as these records are the property of CMS and not in all cases considered public documents. This is the federal government's position on the law and it's, it's basically codified at 45 CFR Part 2. Given this expense-- extensive system that currently exists for quality assurance in healthcare facilities and services, it is unnecessary to create an additional system to oversee all the healthcare facilities that would essentially duplicate the services provided through CMS. The bill provides that the Office of Inspector--

HILGERS [00:59:06] Director--

DARRELL KLEIN [00:59:06] Yes.

HILGERS [00:59:06] --can just wrap up your testimony.

DARRELL KLEIN [00:59:07] I will. I've got about a paragraph here. The Office of the Inspector General would have full access to and direct access to computerized records, reports, and documents maintained by the department. And this expressly includes medical records, mental health records, and clinical records. This access is likely in conflict with federal privacy statutes and regulations including HIPAA and 42 CFR Part 2 which is distinct from 45 CFR.

HILGERS [00:59:32] OK. We're-- in fairness to everyone else I have to cut you off.

DARRELL KLEIN [00:59:36] Very good.

HILGERS [00:59:37] We have your written testimony. I do appreciate--

DARRELL KLEIN [00:59:39] You bet. And I-- any questions?

HILGERS [00:59:39] Are there questions? Senator Bolz.

BOLZ [00:59:44] Have you seen the amendment brought to us by Senator Quick?

DARRELL KLEIN [00:59:47] I have not.

BOLZ [00:59:47] OK. Would you review Senator Quick's amendment and provide us a--

DARRELL KLEIN [00:59:50] Certainly. I wanted to. I meant to offer that up that we're certainly open to it. Yes.

HILGERS [00:59:53] Let her finish the question and then you can respond.

BOLZ [00:59:57] Yes. Please provide us with your insight regarding--

DARRELL KLEIN [01:00:01] Yeah.

BOLZ [01:00:01] Senator Quick's amendment. And if Senator Quick's amendment isn't sufficient to address the questions or concerns that you brought to us in this testimony, I'd hope that you'd work with him.

DARRELL KLEIN [01:00:10] We will. Thank you.

HILGERS [01:00:11] Thank you, Senator Bolz. Are there other questions? Seeing none, thank you. I hope you feel better.

DARRELL KLEIN [01:00:15] Thank you.

HILGERS [01:00:15] Thanks. Anyone else wishing to testify in opposition? Welcome.

HEATH BODDY [01:00:32] Good afternoon. Chairman Hilgers, members of the Executive Board, my name is Heath Boddy, H-e-a-t-h B-o-d-d-y. I'm the president and CEO of the Nebraska Health Care Association. We represent nearly 400 assisted living and skilled nursing facility providers across the state. I'm here today to testify in opposition to LB596. We understand as a profession the need for oversight as our facilities, our provider members care for some of Nebraska's most vulnerable. Our objection to LB596 is that it seemed to create additional administrative burden and-- which would then equate to costs for the providers. Our objection is not to have the Legislature to have oversight over other state agencies they may seem. As we listen to other testimony, I'm not going to walk through all that. I know we're really tight on time. As I've listened to some of the testimony today, there are lots of avenues in this business that providers in Nebraska, especially providers that we represent, already have oversight. There's basically three key systems so to create another one would seem to be redundant. If we need to work together to figure out how to use the-- these systems that are already in place to better allow oversight, we'd be interested in that discussion. I've not. I appreciate what Senator Quick is trying to accomplish. We agree that Nebraskans need to be well cared for and safe. We just don't feel that this is the most efficient process to get through that. We think there's some other ways to do that. Thank you for allowing me an opportunity to testify. I'd be happy to answer any questions.

HILGERS [01:02:06] Thank you, Mr. Boddy. Are there questions? Senator Bolz.

BOLZ [01:02:09] Mr. Boddy, are you familiar with the work and the findings of the LR296 Committee?

HEATH BODDY [01:02:15] I'm familiar with the work and some of the findings, Senator.

BOLZ [01:02:18] Um-hum. And so those, those findings included, I think, health and safety violations, rights violations, concerns about Olmstead. So if-- I guess I'm trying to, to square up your testimony saying that-- that existing oversight is sufficient with the findings in the report of the LR 296 committee which I would argue found insufficient response to serious problems in facilities serving our most vulnerable citizens. So how do I reconcile that?

HEATH BODDY [01:02:51] Thanks for the question, Senator. I think what I am saying is there are current avenues to already create that oversight. If, if this board or if the Legislature deems that those are broken, that there needs to be work in those, that is something we can support. There are bad actors in every profession. And our association, our members will not stand up for people that don't choose to do things well. We don't believe that adding another level of

oversight which, which in the end will create more for the provider, more cost and more burden for the provider, it'll create another avenue to have to do a reporting will by itself fix those things. If, if it's a discussion around how do we take the avenues that are already in play how do we make them better and have those work more efficiently to create, again, if it's the Legislature that needs more oversight of that, we wouldn't be opposed to that.

BOLZ [01:03:47] Well, I, I think maybe that's a conversation the LR296 Committee and interested senators and your association might need to have partly because it seems to me that perhaps those bad actors or bad apples are precisely the ones that aren't involved in a membership association like yours. And so how do we make expectations that would apply to your membership apply to those folks as well?

HEATH BODDY [01:04:13] Thank you.

HILGERS [01:04:14] Thank you, Senator Bolz. Are there other questions? Seeing none, thank you for your testimony. Anyone else wishing to testify in opposition to LB596? Seeing none, anyone wishing to testify in a neutral capacity? Welcome.

CARL ESKRIDGE [01:04:27] Good afternoon, Senator Hilgers. Carl Eskridge, C-a-r-l, Eskridge, E-s-k-r-i-d-g-e, and I'm the acting State Ombudsman here to testify with regard to LB596 in a neutral capacity. As Senator Quick stated, this bill provides an Inspector General for Public Health. The position would have direct oversight over both state-owned facilities as well as under agencies that are not owned by the state, private facilities, where currently the Ombudsman's office has some limited jurisdiction today. Basically the way it works is where somebody has a complaint against a private facility, they can bring that complaint to us but pretty much all we can do is just go to DHHS and see if they have filed a complaint with Regulation and Licensure. If they have not, we encourage them to do so. If they have filed a complaint, then we can look into seeing the status of their complaint. Typically what we find is that those complaints are stuck. They're stuck either with investigators in Department of Health and Human Services or they're stuck in the Attorney General's Office and that is about as far as we can go. And the troubling thing about that is while those complaints are stuck those activities potentially are still going on. And so people who are at harm could potentially still be at harm in, in the course of those inspec-- inspections and investigations. So that's a concern. LB596 adds a new Inspector General for Public Health that provides more direct accountability to both state and nonstate facilities. For several months, Jerall Moreland, the deputy ombudsman for institutions, has been working with members of the Legislature on these and related issues. Mr. Moreland and experienced staff in the Ombudsman's Office are currently handling these kinds of complaints. However as mentioned above, the Ombudsman's Office has limited powers with regard to handling these complaints, especially with nonstate agencies. Finally, as acting State Ombudsman, my only hesitation and why I'm here in a neutral capacity is because we've got several bills that have been brought today and it's just a matter of our resources and how we can best use resources to serve the citizens of Nebraska. With that, I'll take any questions.

HILGERS [01:06:53] Thank you very much. Are there questions? Seeing none, thank you very much for your testimony. Others wishing to testify in a neutral capacity?

JULIE ROGERS [01:07:00] Good afternoon.

HILGERS [01:07:02] Welcome.

JULIE ROGERS [01:07:03] Chairperson Hilgers, members of the Executive Board, my name is Julie Rogers, J-u-l-i-e R-o-g-e-r-s, and I serve as your Inspector General of Nebraska Child Welfare. You have my prepared remarks. Essentially our jurisdiction has to do with children in the child welfare system, juvenile justice system, and licensed day cares. It overlaps with the Division of Public Health in terms of children and youth in group homes and day cares. And then attached to my prepared remarks are recommenda-- formal recommendations we have made in our investigations having to do with death, serious injury, and sexual abuse of children. And so it's to give you an example of the work of our office to the extent that the bill would create an Inspector General that may have overlap with our office. It's just to make you aware of that. If the legislation does not clarify where this jurisdiction ends and begins, then of course I would be happy to do that internally if there is a new Inspector General. And I'd be happy to take any questions.

HILGERS [01:08:12] Thank you very much. Are there questions? Seeing none, thank you for coming down today.

JULIE ROGERS [01:08:17] Thank you.

HILGERS [01:08:18] Anyone else wishing to testify in a neutral capacity? Seeing none, Senator Quick, you're welcome to close.

QUICK [01:08:28] Thank you, Chairman Hilgers. Thank you, everyone on the Executive Board. Over the summer, I got to-- I sat on the LR296 Committee and I learned a great deal about facilities across Nebraska, and mainly the ones we were looking at the ones that provided mental healthcare for residents that lived at those facilities. And one of things we found out when talking with DHHS-- actually we had a hard time sometimes getting some-- some of the information that we needed. And so I, I think the committee as a whole realized that one summer was not enough to look into what was going on. And some of the things that we-- that we witnessed in some of these facilities, you have facilities that are really trying hard to do the-- they're doing-- they're going above and beyond what, what, what they can do. And then you have some facilities that probably are bad actors and are really struggling to meet the needs of those residents. And I think this creation of this new position would help with some of that to have someone that could look into those and look at, talk to people within Health and Human

Services, talk to the facilities and the residents and maybe get to the bottom of some of the issues that are going on. So with that, I would ask you to please support this.

HILGERS [01:09:45] Thank you, Senator Quick. Any questions? Seeing none, thank you very much. We have two letters of support and that will close our hearing on LB596 and close our hearing for the day. Thanks, everyone.