

LEGISLATIVE BILL 642

Approved by the Governor April 12, 1996

Introduced by Avery, 3; Brashear, 4; Brown, 6; Crosby, 29; Dierks, 40; Engel, 17; Hartnett, 45; Hudkins, 21; Jensen, 20; Kristensen, 37; Lynch, 13; McKenzie, 34; Schellpeper, 18; Vrtiska, 1; Warner, 25; Wehrbein, 2

AN ACT relating to foster care; to amend section 43-1318, Reissue Revised Statutes of Nebraska; to provide for and eliminate employees of the State Foster Care Review Board and the Department of Social Services; to provide for the transfer of funds; to provide for case reviews; to provide powers and duties for the board; to state intent; to provide for a review and report; to harmonize provisions; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) The State Foster Care Review Board shall be responsible for the conduct of periodic reviews which shall be identified as reviews which meet the federal requirements for six-month case reviews pursuant to the federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272. The state board shall be fiscally responsible for any noncompliance sanctions imposed by the federal government related to the requirements for review outlined in the federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272. It is the intent of the Legislature that beginning October 1, 1996, the state board shall be the only state agency with the responsibility to conduct six-month case reviews pursuant to the federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272.

(2) It is the intent of the Legislature that any six-month court review of a juvenile pursuant to sections 43-278 and 43-1313 shall be identified as a review which meets the federal requirements for six-month case reviews pursuant to the federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272.

(3) The state board may assist the Department of Social Services as to eligibility under Title IV-E for state wards and eligibility for Supplemental Security Income, Supplemental Security Disability Income, Veterans Administration, or aid to families with dependent children benefits, for child support orders of the court, and for medical insurance other than medicaid.

(4) Between January 1, 1998, and August 1, 1998, a review of the state board shall be completed by the Executive Board of the Legislative Council or its designee. This review shall include a determination of the state board's timely performance in meeting federal guidelines, a cost analysis of its case reviews, an analysis as to the quality of reviews, and the effectiveness of such reviews on the children within the state foster care system.

(5) On or before November 1, 1998, the Executive Board of the Legislative Council or its designee shall make findings and recommendations to the Legislature as to the areas noted in subsection (4) of this section.

(6) On July 1, 1996 seven full-time employees shall be added to the state board. On September 30, 1996, three full-time employees shall be added to the state board.

Sec. 2. Section 43-1318, Reissue Revised Statutes of Nebraska, is amended to read:

43-1318. Sections 43-1301 to 43-1318 and section 1 of this act shall be known and may be cited as the Foster Care Review Act.

Sec. 3. (1) On July 1, 1996, seven full-time employees of the Department of Social Services shall be eliminated and the department shall transfer corresponding federal matching funds obtained from the six-month case reviews conducted by the State Foster Care Review Board under the federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272, to the state board.

(2) On October 1, 1996, three full-time employees of the Department of Social Services shall be eliminated and the department shall transfer corresponding federal matching funds obtained from the six-month case reviews conducted by the State Foster Care Review Board under the federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272, to the state board.

(3) On October 1, 1996, the permanency plan review unit of the Department of Social Services shall be eliminated.

Sec. 4. Original section 43-1318, Reissue Revised Statutes of Nebraska, is repealed.