

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 433

Introduced by Campbell, 25.

Read first time January 14, 2011

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to the Department of Health and Human Services;
- 2 to require restriction, monitoring, and reporting on
- 3 contracts with private agencies for the provision of
- 4 child welfare and related services and programs.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Any and all contracts entered into by the
2 Department of Health and Human Services for the provision of child
3 welfare and related services and programs with private agencies shall
4 assure that payment to providers and agencies shall be made based on
5 the reasonable costs of services, including responsibilities
6 necessary to execute the contract.

7 (2) The department shall not enter into any contracts
8 with private agencies for services related to the child abuse and
9 neglect hotline, investigations of alleged abuse and neglect, initial
10 family assessments, and final determinations regarding case closure.
11 The department shall be responsible to conduct ongoing assessments of
12 safety and to insure that services are provided that meet the state's
13 obligation under section 43-283.01. The department shall retain
14 responsibility for the quality of contracted services and programs
15 and shall ensure that services are delivered in accordance with all
16 federal laws and regulations and shall not result in the loss of
17 federal funding.

18 (3) The department shall adopt and promulgate rules and
19 regulations prior to January 1, 2012, that provide for the monitoring
20 and oversight of contracts with private agencies for the provision of
21 child welfare and related services and programs. These rules and
22 regulations shall, at a minimum, address the evaluation of fiscal
23 accountability and program operations, including provider achievement
24 of performance standards, provider monitoring of subcontractors, and
25 timely follow-up of corrective actions for significant monitoring

1 findings related to providers and subcontractors.

2 (4) The department shall provide a financial report to
3 the Legislature on a biannual basis regarding all contracts with
4 private agencies for the provision of child welfare and related
5 services and programs. This report shall include, but not be limited
6 to, the total amount of state and federal funding provided to private
7 agencies under the contracts, the funding spent on services, case
8 management, subcontracts, and indirect expenses, and the amount of
9 any profits or losses by the private agencies. The report shall also
10 include the full cost of outsourcing, including the cost of
11 monitoring and evaluating the child welfare and related services and
12 programs provided by contracts with private agencies.

13 (5) For purposes of this section, child welfare and
14 related services and programs means services and programs for
15 families and children under the jurisdiction of the juvenile court
16 and voluntary services for children and their families who are at
17 risk of coming under the jurisdiction of the juvenile court.