

AMENDMENTS TO LB660

Introduced by Krist

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 68-1212, Revised Statutes Cumulative  
4 Supplement, 2012, is amended to read:

5           68-1212 (1) Except as provided in subsection (2) of  
6 this section, by April 1, 2012, for all cases in which a  
7 court has awarded a juvenile to the care of the Department of  
8 Health and Human Services according to subsection (1) of section  
9 43-285 and for any noncourt and voluntary cases, the case manager  
10 shall be an employee of the department. Such case manager shall  
11 be responsible for and shall directly oversee: Case planning;  
12 service authorization; investigation of compliance; monitoring  
13 and evaluation of the care and services provided to children  
14 and families; and decisionmaking regarding the determination of  
15 visitation and the care, placement, medical services, psychiatric  
16 services, training, and expenditures on behalf of each juvenile  
17 under subsection (1) of section 43-285. Such case manager shall be  
18 responsible for decisionmaking and direct preparation regarding the  
19 proposed plan for the care, placement, services, and permanency of  
20 the juvenile filed with the court required under subsection (2)  
21 of section 43-285. The health and safety of the juvenile shall be  
22 the paramount concern in the proposed plan in accordance with such  
23 subsection.

1           (2) The department may contract with a lead agency  
2 for a case management lead agency model pilot project in the  
3 department's eastern service area as designated pursuant to section  
4 81-3116. The department shall include in the pilot project the  
5 appropriate conditions, performance outcomes, and oversight for the  
6 lead agency, including, but not be limited to:

7           (a) The reporting and survey requirements of lead  
8 agencies described in sections 43-4406 and 43-4407;

9           (b) Departmental monitoring and functional capacities of  
10 lead agencies described in section 43-4408;

11           (c) The key areas of evaluation specified in subsection  
12 (3) of section 43-4409;

13           (d) Compliance and coordination with the development of  
14 the statewide strategic plan for child welfare program and service  
15 reform pursuant to Laws 2012, LB821; and

16           (e) Assurance of financial accountability and reporting  
17 by the lead agency.

18           (3) ~~Prior to April 1, 2013, the Health and Human Services~~  
19 ~~Committee of the Legislature shall review the pilot project and~~  
20 ~~provide to the department and the Legislature recommendations,~~  
21 ~~and any legislation necessary to adopt the recommendations,~~  
22 ~~regarding the adaptation or continuation of the pilot project. In~~  
23 ~~making the recommendations, the committee shall utilize: (a) The~~  
24 ~~evaluation completed pursuant to Legislative Bill 1160, One Hundred~~  
25 ~~Second Legislature, Second Session, 2012; (b) the recommendations~~  
26 ~~of the statewide strategic plan pursuant to Legislative Bill~~  
27 ~~821, One Hundred Second Legislature, Second Session, 2012; (c)~~

1 the department's assessment of the pilot project, and (d) any  
2 additional reports, surveys, information, and data provided to  
3 and requested by the committee. If the pilot project continues  
4 past April 1, 2013, the Before June 30, 2014, the department may  
5 extend the contract for the pilot project described in subsection  
6 (2) of this section. The lead agency shall also comply with the  
7 requirements of section 43-4204.

8           Sec. 2. If the pilot project described in section 68-1212  
9 is extended by the Department of Health and Human Services,  
10 the pilot project shall be evaluated by the same entity which  
11 conducted the evaluation required pursuant to section 43-4409. The  
12 purpose of such evaluation is to determine whether case management  
13 should be a duty of the department (1) performed by employees  
14 of the department and not subject to contract with a private  
15 contractor or (2) performed by a private entity pursuant to a  
16 contract with the department. The evaluation shall specifically  
17 compare the performance of case management by a private entity  
18 under contract with the department in the eastern service area of  
19 the department as designated pursuant to section 81-3116 to the  
20 performance of employees of the department in all other services  
21 areas designated pursuant to such section. The department shall  
22 provide to the evaluator in a timely and cooperative manner  
23 all data and information collected by and available to the  
24 department on the performance of case management by employees  
25 of the department in such other services areas. The report of the  
26 evaluation shall be presented concurrently to the Health and Human  
27 Services Committee of the Legislature, the chief executive officer

1 of the Department of Health and Human Services, and the Nebraska  
2 Families Collaborative, on or before December 31, 2014.

3           Sec. 3. Original section 68-1212, Revised Statutes  
4 Cumulative Supplement, 2012, is repealed.

5           Sec. 4. Since an emergency exists, this act takes effect  
6 when passed and approved according to law.