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Health and Human Services Committee  
January 31, 2013

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[LB216 LB265 LB269]

The Committee on Health and Human Services met at 1:30 p.m. on Thursday, January 31, 2013, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB216, LB269, and LB265. Senators present: Kathy Campbell, Chairperson; Bob Krist, Vice Chairperson; Tanya Cook; Sue Crawford; Mike Gloor; Sara Howard; and Dan Watermeier. Senators absent: None.

SENATOR CAMPBELL: (Recorder malfunction)...Michelle said something to me, so we want to welcome you to this afternoon's hearings of the Health and Human Services Committee. I'm Kathy Campbell and I serve as the senator from District 25 which is east Lincoln and eastern Lancaster County. I want to go through a few housekeeping things and then we'll do the introduction for the senators. If you have a cell phone with you, please take it out, look at it, make sure it's turned off or it's on silent with the number of people that we need to have testify here. If you are testifying today, you need to complete one of the bright orange sheets that are located on either side of the room, and please print your name very legibly. That sheet is for the clerk to follow your testimony today. When you come forward and sit down, we would ask that you give any handouts and your orange form to the clerk over there and she will have the pages distribute any of your testimony for you. You don't need printed testimony; but if you do, that's...we can help distribute that for you. When you sit down at the table, we do use the light system in the Health Committee. You have five minutes, and the clerk will start pretty soon after you've sat down so be sure to watch the light as it comes on and start your testimony. You will have four minutes on a green light, and then it will go to yellow. And then you have one minute, and it will go to red. And then you will look up and you will see me frantically trying to get your attention to sort of finish up your testimony. As you come to the table and sit down, please state your name and spell it for the record, both first and last names. That is for the transcribers who listen on the tape. They need to have you spell it even though you've just given the form to the clerk. I think that's all the housekeeping so we'll start with introductions, and we'll start with the senator to my far right.

SENATOR WATERMEIER: Hi, I'm Dan Watermeier, District 1.

SENATOR HOWARD: Hi, I'm Senator Sara Howard. I represent District 9 in midtown Omaha.

SENATOR COOK: I'm Senator Tanya Cook from District 13 in northeast Douglas County and the city of Omaha.

MICHELLE CHAFFEE: I'm Michelle Chaffee. I serve as legal counsel.

SENATOR GLOOR: Mike Gloor, I'm District 35 senator; that's Grand Island.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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SENATOR CRAWFORD: Good afternoon. My name is Sue Crawford and I'm from District 45, and that's Bellevue, Offutt, eastern Sarpy County.

DIANE JOHNSON: And I'm Diane Johnson, the committee clerk.

SENATOR CAMPBELL: And our pages today are Deven and Kaitlyn, and they'll be glad to help you, so if you need some assistance...with all of that, we will open the hearing on LB216, Senator McGill's bill, to adopt the Young Adult Voluntary Services and Support Act. Good afternoon. [LB216]

SENATOR MCGILL: (Exhibit 1) Good afternoon, Senator Campbell and members of the committee. I'm Nebraska State Senator Amanda McGill, M-c-G-i-l-l, and I'm here to introduce, of course, LB216, the Young Adult Voluntary Services and Support Act. As you know, this bill is a result of a large amount of collaborations and hard work. I'd like to extend a special thanks to the young people who have worked on the project, some of which are here behind me today. I've learned a great deal from their input and assistance. I introduce this bill in an effort to honor Nebraska's young people and the struggles that they face. I'd also like to thank Appleseed, the Nebraska Children and Families Foundation, and Project Everlast for their commitment to this project. I introduced a similar bill last year, LB1150. The work on this project continued over the interim through LR537. The organizations that I've referenced executed a statewide data gathering effort and they shared the results of this effort at that hearing in the fall. Young people, judges, and other stakeholders were surveyed and we used the information gathered to make the appropriate changes to last year's bill. We also did...commissioned a study on how much we thought that this would cost for the system, and right now you have a report in front of you from those folks at Mainspring explaining how they came about with their numbers. I'd also like to provide a real quick explanation of the bill, and others behind me will certainly be able to get into more specifics as well. The federal Fostering Connections Act of 2008 gives states the option to extend title IV-E eligibility for foster youth up to the age of 21. This bill proposes that Nebraska take advantage of this federal program and offer voluntary services and supports to youth ages 18 to 21. The Nebraska Department of Health and Human Services currently offers a program called Former Ward. The program is not codified in Nebraska statutes, and the Former Ward Program offers services to youth that leave the foster care system. But many of the youth leaving our system do not know about the program or do not qualify since it's only for those who are immediately attending college. LB216 creates a comprehensive system of support for this underserved population. So I would thank you for your consideration and happy to answer any questions. [LB216]

SENATOR CAMPBELL: Any questions from the senators? I think we have a lot of testimony, so we'll just get started. [LB216]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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SENATOR MCGILL: Exactly. Let's just move on. (Laugh) Thanks. [LB216]

SENATOR CAMPBELL: And I know that you'll...you're staying? [LB216]

SENATOR MCGILL: I'm going to stay. I have two hearings in Judiciary as well, so I'm hoping that I don't have to leave for those. [LB216]

SENATOR CAMPBELL: Okay. If you do, we know where you are. Okay. Our first testifier today. Good afternoon. [LB216]

AMY WEST: (Exhibit 2) Good afternoon. [LB216]

SENATOR CAMPBELL: You go right ahead. [LB216]

AMY WEST: Thank you. My name is Amy West, A-m-y W-e-s-t, and I'm the policy coordinator with the child welfare program at Nebraska Appleseed. In Nebraska, we value taking care of our kids and ensuring that they have a real opportunity to grow into productive, healthy, and engaged members of society. We know that the foster care system does not always lead to that goal and young people who age out of foster care are up against particularly harsh challenges. Data on outcomes is sobering, services are scarce, and support systems are small. Many of these young people have already experienced years of trauma and instability and are now struggling to work and get an education with few resources to fall back on. Not only does this hurt the young people, but there is a cost for all of us. We miss out on human potential and a stronger work force because...as a state because of the barriers these young people face. As our attached graphic shows, LB216 is our opportunity to throw youth a rope to overcome these barriers. On the back of the fact sheet that we provided, you can see the eligibility requirements for young people who would like to participate in the program, and you can also see the services for eligible young people who age out of foster care. I want to highlight a few aspects of this bill that we believe are important and that we strongly support. First, the true intent of LB216 is to create a system of transition services for the 18 to 21 population that is structured much differently than the under-19 foster care system. This program would be voluntary and would follow an opt-in, opt-out model to allow young people to either enter the program right away or try living on their own first with the knowledge that there's a safety net in place should they find themselves struggling down the road. Second, it's important to realize a significant amount of work that has been done on this bill. As Senator McGill mentioned, this has included two interim studies, both LR305 and LR537; and involved a listening session; a survey of over 100 young people and 250 stakeholders across Nebraska on specific program design options; our Bridging the Gap report, which we've provided for you here today again; and a collaborative program design process involving a working group of Nebraska's stakeholders, young people with experience in the system, and national

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

experts. In our experience, the comprehensive and collaborative nature of the process leading to this bill speaks volumes about the need and support for LB216, and also the success of this program if implemented. Finally, we want you to know that this is a proven program supported by national research. In the beige column on the side of the first page of our fact sheet you can see some of the ways similar programs have made a difference for young people who age out of foster care. Overall, programs like this have been shown to increase lifetime earnings and educational attainment and lower rates of homelessness, unplanned pregnancies, and incarceration. Research has shown that the financial benefits outweigh the costs by a factor of approximately two to one. This is a cost-effective investment. With all of the reform initiatives being considered to improve the child welfare system, this is a program that has been well-established by research and collaboratively developed by a wide array of stakeholders and young people. This is a proposal that is known to make a significant difference in an area of our foster care system that is failing. The current focus on prevention work, permanency planning, and transition planning is critical and can make a difference for a lot of children and youth. But the bottom line is that some of these youth are going to age out of the system. Over the past five years in Nebraska, that number has consistently been over 300. And no matter what we do to prepare them while they're still in foster care, they're going to struggle for the first few years that they are on their own just like any other 19-year-old would. From a developmental standpoint, these young people need the transition period offered by LB216 to practice living independently while still having a safety net in place. We have a golden opportunity here to improve outcomes for hundreds of young people across Nebraska and help them reach a brighter future, and we cannot let that moment pass. This is a good investment in the future of our children and our state. The research supports it, the federal government supports it, and the stakeholders and young people in Nebraska support it. We thank Senator McGill for her continued leadership on this issue and for involving youth in every step along the way. We also thank the committee for your ongoing commitment to improving Nebraska's foster care system. We believe this program is a critical piece of that, and we respectfully request that the committee vote to advance LB216 to the floor by full consideration of the legislative body this year. [LB216]

SENATOR CAMPBELL: Thank you, Ms. West. [LB216]

AMY WEST: Thank you. And I'd be happy to answer any questions. [LB216]

SENATOR CAMPBELL: Right on the dot. Questions from the senators? Seeing none, I think we're just going to try to take as much testimony as we can today. [LB216]

AMY WEST: Thank you. Thank you. [LB216]

SENATOR CAMPBELL: Thank you, Ms. West. Our next testifier. Good afternoon.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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[LB216]

JENNIFER SKALA: (Exhibit 3) Good afternoon, Senator Campbell and members of the committee. I'm Jennifer Skala, J-e-n-n-i-f-e-r S-k-a-l-a, and I'm the vice president of community impact at Nebraska Children and Families Foundation. And since 2003, NCFE has advocated for young people aging out of foster care, and has been the home of the Nebraska Foster Youth Council which works to provide a voice and opportunities for young people in care. The initiative, which is now called Project Everlast, has since grown into a public/private partnership involving over 50 community partners, blending community resources and creating new private and public partnerships that improve supports and outcomes for youth as they transition to adulthood. I would like to thank Senator McGill and Senator Dubas for working on LB216 and the Health and Human Services Committee for their attention to this important bill. We are in support of LB216. I'm here today to really talk about the process we went through since last session where we brought in Mainspring consultants to help with the fiscal analysis. So starting in about February of 2012, we convened young people to lead us in the decisions, senators, the Department of Health and Human Services, judges, child advocacy groups, service providers, the Jim Casey Youth Opportunities Initiative, and private partners, to determine how best to structure and fund an extended supports and services program. With the expertise of Mainspring consultants, a fiscal analysis was developed based on the group's program design options. You may remember, Mainspring presented their full analysis during the hearing last...this past fall. You also now have a copy in front of you. Consultants Barbara and Margaret really want you to know that if you have any questions, you can call them at any time. They also...I just provided their written testimony to you to further explain who they are and what and how they came to their analysis. The fiscal note attached to this bill agrees with most of their estimates--the case management, maintenance costs, other supports, and other administrative costs. The major differences were in the estimated medical, Medicaid costs and...which showed about twice amount the Mainspring estimated, an additional cost for court review, and a slightly higher adoption and guardianship amount. Most of the difference between Mainspring's estimates and then the DHHS fiscal note is in the projected caseloads. The Mainspring projected 429 and DHHS is looking at 1,000 young people for caseloads. The most critical driver of costs in this analysis is the estimates of the number of young people who will participate. Based on Mainspring's work in nine other states, a review of...and a review of research and ongoing discussion with state agency leaders, Mainspring developed and refined a detailed methodology for projecting caseloads. Mainspring's detailed methodology is explained in their written testimony on page 3. You will see how we, as a group, came up with the 429 number of youth in the first year and 594 in fiscal year 2017. We first looked at the Nebraska data where you'll see the number of youth that are turning 18 was 660 in 2011. We looked at there was almost 300 of those young people exiting to permanency through unification, adoption, or guardianship before reaching age 19. And then a total of 301 exited care to independent living in 2001. Data and experience from other states, such as Tennessee

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

and Pennsylvania, then allowed us to look at the uptake and utilization rates which were about 15 to 30 percent. And these states have extended supports and services for at least three years. So those gave us our total case size of 429. We believe this is a reasonable estimate because the number of 18-year-olds served is small because we already serve 18-year-olds in our traditional foster care system until age 19. Because Nebraska serves juvenile justice and child welfare populations in a unified system, the number of unifications at 18 is likely not going to be involved in this voluntary program. And because we looked at Former Ward and PALS, we know that the number are around 142 in Former Ward and 169 in PALS currently. So again, good ways to look at the uptake numbers. We know that regardless of the number of young people we reach, 429 to 1,000, that our estimate of dollars is one that will save us at least two times the amount, if these youth end up back in the systems, that Amy already mentioned. We really want to recognize and appreciate the efforts of Nebraska Appleseed, Senator McGill, and Amy Williams to give input and testimony from youth involved in Project Everlast. And we welcome any questions you may have. [LB216]

SENATOR CAMPBELL: Thank you, Ms. Skala. Questions from the senators? A lot of material, and we appreciate that. The material that is from Mainspring is pretty much what they covered this summer, would that be accurate? [LB216]

JENNIFER SKALA: Yes. [LB216]

SENATOR CAMPBELL: Okay. All right. Thank you very much. [LB216]

JENNIFER SKALA: Yeah. [LB216]

SENATOR CAMPBELL: Okay. Our next testifier. [LB216]

KRISTINA DellaCROCE: (Exhibit 4) Hi. My name is Kristina DellaCroce, K-r-i-s-t-i-n-a D-e-l-l-a-C-r-o-c-e. I am 20 years old and I have been in the system since I was 4. I'm a proud mother of a beautiful and sassy almost-three-year-old son. I support the extension of voluntary services after 19. I'm a very straightforward person and, to be honest, I really don't like seeing kids, well, semi-adults, on the streets before their 21st birthday, and lately it's been happening a lot. Being a part of this system and talking with other youth at Project Everlast meetings has opened my eyes to all that happens; not to just me, but to everyone aging out with no support system. One reason I support the bill is it gives a type of permanency. Many kids our age have parents, parents that would do anything for them. They let them come and go as they please, give them keys to the front door, and celebrate important things with them. Foster kids do not have those options. When we age out of the system, our foster parents stop getting money to support us. For some foster parents, this means they won't or can't be there for us anymore. There's always another foster kid that needs a place. I know that when I aged out, I had to find an apartment and sign the lease on my own. I was out in the real

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

world. I had a roof, but didn't really know what to do. When the lease was up, I started couch surfing. Technically, I was homeless. My son and I didn't have a place to call home. This bill will help stop kids from couch surfing, going to the mission, or--even worse--living on the streets. We'll have a place to come and go as we please, like kids with parents, because we'll all have the funds to transition slowly and naturally. At Project Everlast meetings, I see many youth facing homelessness without anyone to help them. Some are about to turn 19 and are looking for a place. However, they cannot find landlords willing to rent to young adults because, like most 19-year-olds, they aren't very stable, good with their money, or know how to keep a job. Right now, I know ten different members either staying at the mission or close to it, and more who would be there if there wasn't for a special program. The main reason I support this bill is because it will help us maintain connections with important people and have a place to call home. Another reason I support this bill is it offers medical coverage. I recently lost my medical coverage and going to get a checkup for my son or I is very expensive. If you do not have coverage, you go without or go into debt. If you go to the doctor for something serious, the bill will be serious. A lot of youth are on medication and have to start paying for that. I know several people who had to not only try to figure out being on their own, but had to do it without medicine for things like asthma, ADHD, or something...some serious issues. Even if you ask for the generic brand or go just for a dentist checkup, it's all expensive. I feel bad for my friends that need to go to the dentist or doctor, but won't even step into a hospital or even urgent care because they would rather suffer than have to pay an outrageous bill. For me, not having medical coverage cost me my job. I was too sick to go work and didn't have the money to go to the doctor, so I was fired. It's a vicious cycle. Extending services takes that worry and physical pain away which makes going to work and doing what you need to easier. The final reason I support this is because you will either have a choice to be on your own with Former Ward or have a backup plan if you have difficulties or are not ready to go to school. This would have helped me too. I had Former Ward and tried to go to college right after I aged out, but I was also a new mom and on my own for the first time. All the stress and requirements made it really hard, and I had to take a break from school. Now I plan on going back to school and I'm way more stable than I was then. This bill would give people a way to get back on track because you can just jump into the program and get everything you need to get back to supporting yourself. To me, it's just like having a support system like everyone else has. It's like the state is your parents. Lots of 19- and 20-year-olds go back to their parents until they get back on their feet. This gives foster kids the same support. I'm going to be straightforward again. The reality is if there are only a couple of kids like me, there would be no reason for this bill. But there are thousands of young people like me across Nebraska and the country that do not have support that nonfoster youth have, and who have figured it out on their own. Their reality is hard and scary and can feel pretty helpless at times. If this was around when I had aged out, I would have taken full advantage of it. I would have not passed it up. Everyone needs help from time to time, especially when you're trying to figure out what this means to be successful. I will admit these last couple years have been rough with very little support and very little

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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coverage for anything. I have been in the reality of many of the statistics about foster youth. I would really like to see this bill passed because it could help so many youth that are going to struggle. I am a youth that had problems when I aged out. I am also a young adult who is finally finding my support and learning how to be who I want to be, and I am the voice for the youth that need these supports and services to be successful. I hope I have helped you see things like we live them. Thank you for listening to my testimony. [LB216]

SENATOR CAMPBELL: Thank you very much. Nice job. We do need to note that under the Affordable Care Act in 2014, all foster youth will be covered medically then. We're not quite sure how all of those regulations will come down, but at least that will be a great start. So I appreciate you covering that in your testimony. [LB216]

KRISTINA DellaCROCE: You're welcome. [LB216]

SENATOR CAMPBELL: Are there any questions from the senators? Thanks for telling your story and best of luck. [LB216]

KRISTINA DellaCROCE: Thank you for listening. [LB216]

SENATOR CAMPBELL: Good afternoon. [LB216]

AMANDA HUXOLL: Hi. I'm Amanda Huxoll, H-u-x-o-l-l. I'm from south-central Nebraska. I'm a member of North Platte's Project Everlast. I was in the system for a total of nine years. I aged out at 19. Not much of a public speaker, but I'm grateful for this opportunity. I'm a supporter of LB216 for several reasons. The security, assistance, and success that will come from this bill will help to make a positive change in the success of young adults aging out of the system. When I realized I was to remain in foster care until my 19th birthday, like most, I looked forward to it. I found myself going through the motions and counting the days. However, the last few months leading up to my birthday were filled with anxiety, confusion, and fear. Where was I going to live? What was I going to drive? Where was I going to work? College was the last thing on my mind. How was I supposed to figure out who to become when I wasn't even sure who I was? The last five years I spent in the system I had several people to answer to--my caseworker, my foster parents, and my counselor. Sometimes I was a bit annoyed with everyone telling me what to do, but it was also very necessary. I had someone to ask questions or even vent emotionally. When I turned 19, the lights went out. I had to find my way through the dark all on my own. If this bill was in effect then, maybe I'd had help finding the light switch. It would have made the transition to being on my own a little easier. The fall after my high school graduation, I enrolled at McCook Community College. I had a small savings, a part-time job, my own apartment. Between work and studying, I was exhausted. When my part-time work wasn't making enough for all of my bills, I had two options--quit school or sleep in my car. I dropped out, went to

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

work full time, and have been living paycheck to paycheck ever since. Maybe this bill would have enabled me to stay in school and get a degree. Many young adults are like I was in wondering what the next step is after aging out. I was fortunate to have a place to call home; most youth today don't. A lot of them leave foster care during the day and check into homeless shelters that night. They end up looking for the first way out, which usually involves drugs, gangs, and violence. In turn, they end up entering the adult justice system. I'm proud to say I've beat most of the statistics. I've had a few speeding tickets, but I steered clear of any jail time. (Laughter) I'm working at a job I love. I'm making new, healthy relationships, and I'm mending the relationships with my family. I've now found myself, and I want to use my experience to help the youth today. I worked hard and struggled for several years to get where I am. I was dedicated not to become another statistic. Many adults...or many young adults had a far worse time than I did. LB216 will provide so many positive opportunities for the young adults who are willing to work hard to better themselves. Being in foster care means we've seen firsthand the ugliest sides of life in this world. But we're survivors. That becomes one of our biggest inspirations for success. On a side note, LB216 is an opportunity to ensure success of Nebraska's foster youth. This program may not be right for every young adult either, but at least it will provide a safe and positive option. It's not a free handout; it's a helping hand out. I also feel there should be strict requirements, such as random drug testing, biweekly follow ups with youth, parenting classes for the pregnant youth, money management classes for all young adults entering the program. Funding should be done in a way that ensures the money is used for what it is intended for. When youth at any age enter the Nebraska foster care system, the system has opted to become the parent. So as a state, we need to be model parents and ensure the success of our youth. Thank you for your time. I'd be happy to answer questions. [LB216]

SENATOR CAMPBELL: Are there any questions? Thank you for taking time to come tell us your story. [LB216]

AMANDA HUXOLL: Thanks. [LB216]

SENATOR CAMPBELL: I'm sure you are an inspiration to a lot of foster kids. [LB216]

AMANDA HUXOLL: Thank you. [LB216]

SENATOR CAMPBELL: Our next testifier. [LB216]

JESSYCA VANDERCOY: Hello. [LB216]

SENATOR CAMPBELL: Hello. [LB216]

JESSYCA VANDERCOY: How are you? [LB216]

SENATOR CAMPBELL: Very good. [LB216]

JESSYCA VANDERCOY: (Exhibit 5) My name is Jessyca Vandercoy, J-e-s-s-y-c-a, Vandercoy, V-a-n-d-e-r-c-o-y, and I am here for a couple of different reasons. I am the director of permanency and well-being programs for Lutheran Family Services which oversees their foster care and adoption programs. I also continue to be involved in the Right Turn post-adoption program as an advisor to the board of directors. I have a couple of handouts. And Senator Campbell always gets on me for talking too fast, so I always want to leave you with lots and lots of things (laughter) so that if you don't remember anything I said because I spoke too fast at least you've got something in hand. So there are...I know today that you will hear lots and lots of stories of personal success and the challenges that people have gone through, and I know that there are hundreds of them across the state of Nebraska and that, thanks to Senator McGill, we are looking at responding to that. I am here today to share my experience as a clinical social worker, but also in my work with Right Turn and post-adoption and the condition that children are in, even at 19, when they have been adopted but maybe have spent many, many years in the foster care system. We know from a clinical place, but also from a scientific place, that children or people who experience trauma have...there's delays in development. The first sheet that I've handed out is a trauma/loss exposure history. We asked parents, through lots of our programming when working with children to help them heal, to mark X's looking at the different types of trauma that kids experience. And the reason we do that is because it gives us a road map of at what ages did kids experience trauma and what exactly does that mean. The way development works...and we often don't think about it when we look at social and emotional development; we don't look at it the same way as we do as physical or speech. But we all know that in physical development, a baby doesn't go from, you know, learning to sit up or roll over to walking. There is progression. They lift their head. They then lift their chest. They push up. They roll over. And eventually a child is walking. In social and emotional development, it's the exact same way. When children, when people--through their young ages but also throughout really important adolescent years--experience trauma, they miss some of those building block events and the ability to capture those skills. So when a child, looking at...specifically at social and emotional development, first a child receives soothing and begins to learn to self-soothe. Then they are able to notice the expressions of other people. They then expand on that and apply others' expression to their own thinking and their own emotional experiences. And then they're able to connect emotions to desires which leads to some good decision making, and direction can be understood, other feelings are understood, situations and motives begin to develop. And that's how social and emotional development progresses. When we have children who experience significant trauma, whether it's system trauma because they've had several case managers or several foster homes or they have disruptions in foster care placements or they've been abused or neglected, these building blocks are missed. And then children are not, although they may be chronologically at the age of 19, they're not chronologically, socially, and emotionally

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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prepared to make the decisions that a 19-year-old is expected to make. So this bill I'm in support of because it allows for some additional time for either the adoptive parent for children who have been adopted after the age of 16 or for children who are aging out of the system to gain support so that those things can be resolved. That's when healing happens, that's when those connections are made, and that's when kids get the opportunity to have continued building blocks so that they reach adulthood and independence in the way that we all want them to. So I would like the committee to consider the physical development and the emotional development of these kids when they have been, quite honestly, mistreated by a system that has not allowed them to meet each one of those developmental milestones. So for your reference, there is some emotional development, promoting attachment, and looking at developmental progression. And I believe it is the responsibility of our state to ensure that kids that miss those stages because of decisions that a state system makes have the additional time and support to be able to reach that, because that's where we all want them to be. [LB216]

SENATOR CAMPBELL: Excellent. Questions for Ms. Vandercoy? I want you to know that either I'm really adjusting or you did slow down there. (Laughter) [LB216]

JESSYCA VANDERCOY: I've been...I practiced in front of the mirror last night. (Laughter) [LB216]

SENATOR CAMPBELL: You have always given us a lot of good, excellent materials; and I appreciate every time you come. We kind of jokingly talk to each other, but we very much appreciate all the information you always bring. [LB216]

JESSYCA VANDERCOY: Well, I appreciate it. I actually really enjoy this, so. Thank you very much. [LB216]

SENATOR CAMPBELL: Good. A lot of people think of this as somewhat of a trial. Jeez! (Laughter) Good afternoon. [LB216]

MICKEY ALDER: (Exhibit 6) Good afternoon, senators. Thank you for the opportunity to speak on LB216. My name is Mickey Alder, M-i-c-k-e-y A-l-d-e-r. I speak to you today as a member of Project Everlast, a future social worker, and a former state ward. I'm here to offer my support for LB216. I will provide a perspective of a young person who has aged out and who this bill will be directly impacting. Every day, adolescents take on the responsibility of transitioning into society and becoming adults. Many of these individuals have had time to prepare themselves with essential life skills through assistance of positive role models, and many of them undergo a gradual transformation into becoming an adult as they become less dependent on adult figures. However, this is not the case with foster children. In foster care, the children who age out of care take on two transitions. The first transition is to be from becoming a ward of the state to

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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being personally responsible, and then second is the childhood to adulthood. With these types of significant changes that take place in foster care's lives, they have substantial challenges to face. Four years ago, I aged out of the foster care system and began facing challenges I never anticipated. From being homeless to financial hardship. I had no support systems to turn to when I needed them. During my time as a state ward, I had the permanency goal of reunification until two months before I aged out of the foster care system. Fortunately, I was blessed with a group home that invested time with me and to prepare me for my adulthood by allowing me to stay there until I aged out of care. I had the opportunity to practice adult living skills until my first semester of college began. I had all my plans for the many "what if" scenarios that I might possibly face. I felt that I could make a difference in my life, but then I realized I really wasn't prepared. The whole time I was in foster care, I had my grandparents as my support system and that they knew that they were always there for me. The first semester of college, my grandmother passed; the second semester, my grandfather passed also. For both semesters of school, I was not focused, and I gave up on school. I felt like I had lost everything. Who was I supposed to go to now? With two semesters of unacceptable grades, I was kicked off Former Ward Program where I lost the money that assisted me with my rent, the Medicaid that assisted me with my medical needs. Being unable to meet my financial needs, I had to pick up a full-time position on top of the one I already had. I also was placed on academic probation at school, which required me to pay for a semester of classes without any assistance of my financial aid. Furthermore, I lost my apartment and was forced to couch surf from one friend's house to another. Fortunately, I had individuals in my life that took the time to actually invest in me by showing me that anything was possible, that I was able to speak up. I was able to find the resources that I needed during these hardships I faced and became an exception to the negative statistic outcomes other youths that are facing today. Not all youth are able to speak up for what they need; and by telling my story, I hope I am speaking for the ones that are unable to. As a youth who has been there, done that, I ask you to remember my story and those that are like me when voting. Let's make a successful youth a rule, not an exception. Every child deserves someone fighting in their corner. These children are the future of Nebraska, so let's work together and make all our children success stories, not just negative statistics. I would like to thank you for the opportunity of sharing my story. It does mean a great deal to me. I would be happy to answer any questions you have. [LB216]

SENATOR CAMPBELL: You have a great story to tell too. Questions from the senators? Thank you so much for taking time today and coming. [LB216]

MICKEY ALDER: Thank you. [LB216]

SENATOR CAMPBELL: Our next testifier. [LB216]

AMY PETERS: Good afternoon, Chairwoman Campbell and members of the Health and

Health and Human Services Committee  
January 31, 2013

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Human Services Committee. My name is Amy Peters, that's A-m-y P-e-t-e-r-s. Thank you for the opportunity to testify today in support of LB216. I'm the statewide training advisor for an initiative called Project Everlast at Nebraska Children and Families Foundation. I am here as someone who has experienced researching and working with system-involved youth and also as someone who has personal experience as an alumni of foster care. Today is a very significant day for me. For one, because I'm here before you all; but also because it is the 22nd birthday of my little sister Sarah. I'd like to tell you a little bit about Sarah because I believe she truly epitomizes the reason why extended supports and services should be offered to young adults who leave foster care. Last time, I shared with you how fortunate I was to have been offered the assistance of Former Ward. I was invested in by the state of Nebraska. And because of that investment, I had a more level playing ground. However, my sister Sarah was not as fortunate. Although we both entered the foster care system at the same time, we followed much different paths, and I'll tell you why. I was one of the approximately 300 youth who aged out of foster care in Nebraska in 2008. I did leave care without a permanent support of family to fall back on. While guardianship may have been an option for me, it was strongly discouraged because it was known that I would miss out on the opportunity to receive Former Ward and other supports throughout college. My sister, on the other hand, was guardianshiped by her foster family when she was 16 years old. While most people consider it a blessing for her to have found permanency, I actually think it made things harder for her in the long run. Shortly after turning 19 and losing her Medicaid coverage, Sarah became extremely ill and ended up in the emergency room. The foster family that took guardianship of her was unable to provide her with healthcare or support any longer, and she found herself completely on her own with thousands of dollars in medical bills. Over the past few years, I have watched my sister struggle to make ends meet. I have seen her forced to drop out of college so that she could work as many as three jobs and still find herself unable to provide for food and basic necessities. I have never in my life seen another person who has overcome so much and who has been able to persevere as she has. As I mentioned before, my sister and I followed much different paths. My path, while not easy, was one that allowed me to find solid ground. Many times people have told me that I'm an inspiration as a former foster youth because of my success. I appreciate that, but I know that I could not have done it without the investment and support that was given to me. My inspiration comes from the resilience I see in my baby sister who has overcome so much with so little support. This bill would invest in the success of young people like her. Statistics show that my sister Sarah is not alone. In the year 2011, 35 percent of youth who aged out of care in Nebraska received Former Ward services through the end of the year. That's only 35 percent. This does not include the hundreds of youth guardianshiped or adopted after the age of 16 who also miss out on that crucial investment. Of those youth who do receive Former Ward, only those who are able to remain enrolled in college will receive those supports and services until they're 21. Young people who have experienced the foster care system are at a much greater risk of poor outcomes, which could land them right back in the welfare or justice system as

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Health and Human Services Committee  
January 31, 2013

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adults. According to data collected by Project Everlast, almost 60 percent of young people with foster care experience reported that they are without affordable, safe, and stable housing. Out of 90 youth ages 19 to 23 in Omaha who participated in the 2012 Project Everlast surveys, over 55 percent did not have health insurance, and over 44 percent of them had children. Homelessness and physical and emotional illness can be, on their own, near insurmountable obstacles for any young adult. Considering many foster care alumni struggle with both, it's not surprising that so many are fighting for survival without the energy to thrive. I strongly encourage you to consider extending supports and services for foster youth until the age of 21; not just for those that age out of care, but also for those guardianshiped or adopted after the age of 16, as was my sister Sarah. By doing so, you'll be providing them with a more level playing ground and investing in brighter futures. Thank you so much for your time and I look forward to any questions you might have. [LB216]

SENATOR CAMPBELL: Questions from the senators? Ms. Peters, you have testified here before. At the interim study? Was that it? Or maybe last year. [LB216]

AMY PETERS: Yeah, I did speak in October. Yep, and last year. [LB216]

SENATOR CAMPBELL: But you were in school then, were you not? [LB216]

AMY PETERS: Yes. [LB216]

SENATOR CAMPBELL: And have you graduated? [LB216]

AMY PETERS: I graduated in December. Yes. [LB216]

SENATOR CAMPBELL: Congratulations. With a degree in? [LB216]

AMY PETERS: With a degree in criminology and a minor in psychology. [LB216]

SENATOR CAMPBELL: And are you going on at some point? [LB216]

AMY PETERS: I am in the process of applying to law schools right now, so I'm hoping to enter law school in August. [LB216]

SENATOR CAMPBELL: I remember that story when you were here. So congratulations on graduating. [LB216]

AMY PETERS: Thank you so much. [LB216]

SENATOR CAMPBELL: And, yes, you are an inspiration, so thanks. [LB216]

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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AMY PETERS: Thank you so much. [LB216]

SENATOR CAMPBELL: Our next testifier. Welcome. [LB216]

DOUG CHRISTENSEN: (Exhibit 7) Thank you. Senator Campbell, members of the committee, my name is Doug Christensen, C-h-r-i-s-t-e-n-s-e-n, and I want to thank you for your attention to this bill and for the opportunity to provide testimony in support of it. I want to say that I've personally been a strong advocate for our young people aging out of foster care dating back to when I was an educator, as a teacher, a principal, and as a superintendent, continued as Commissioner of Education for the state of Nebraska and now as a board member of the Nebraska Children and Families Foundation, and that's who I'm representing here today. I never felt that we were able to provide enough to the youth in these situations, and I would guess that few of us would handle as well the stories that these individuals have been telling this afternoon if we were left on our own at that point in our life. In spite of the hardships they endure, this overwhelming desire to yet be successful and be productive adults is to me just truly amazing. They deserve more support as they head out into the world and they don't deserve to be out in the world, heading out into the world totally on their own. I want to thank Senator McGill for her leadership in advancing this bill and doing the work to bring it to this point. We are in support of extending the supports and services to age 21 as provided in this bill. Everything the Nebraska Children and Families Foundation does with Project Everlast is youth-driven and it's based upon what we think the youth need and according to their statements and testimony that you've heard here today. What we know from talking to young people and from the other states that have extended care to age 21, we know that this program can't look anything like foster care. It has to be different. Nineteen- and twenty-year-olds are at a different developmental stage than younger youth, and should be treated differently. The program should be voluntary and guided by the voices of the people like the ones you've heard here today. The supports and services that are offered need to focus on permanent connections while supporting their goals to be successful and contributing adults. We've provided some resource documents for you and want to call your attention to the chart with the graphs on it, the Project Everlast data. The bar graph shows some positive changes, and I'm not going to go through all of that for you. But what has happened in terms of the support, there's changes that have occurred through the support of Project Everlast starting at age 19. More youth have received a high school diploma or GED as a result. More have gone on for training and to prepare for a career. And as you can notice, that leap is a 10 percentage point leap during that time period. There was a significant gain in the number of youth with a paying job, and that jumped significantly from 55 percent to 65...68 percent. Then look at also the increase in the youth that have found full-time, stable employment, from 26 percent when they started to 53 percent in just over two years. I think those are remarkable pieces of data. In addition to those gains in the areas where youth identified...in addition, there were significant gains in the areas where youth identified access and more emotional and financial support, and basically were accessing the

Health and Human Services Committee  
January 31, 2013

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things that were out there. But we need to extend those...that access. These data points are indicators of success of a program like Project Everlast, and we need to continue this work that we've started. We know what causes the greatest strain on our young people and how it impacts spending also in areas like criminal justice, social services, healthcare, unemployment, and public assistance. We also know that we'll all win: our youth, our communities, and our state, if youth can receive a high school diploma; prepare for meaningful work; find emotional support and connection when they need it; and have a safety net when money and housing becomes an issue. They need a significant adult or a place to which they can go to have that contact and touch they so disparately need. The simple fact is this, that age 19 to 21 is a very critical time, as you've heard here today, and there is no support for youth during this...if there is no support for our youth during this period of time, we're all going lose instead of the ways in which we could win and all benefit. I've personally been a strong advocate for these youth in providing support, and I've always been aware of the need for this from the standpoint of the data that we would collect and look at the issues that they face. But once you've read the stories from the voices you heard today, it has to give you pain. It breaks my heart to hear those stories. I can't imagine my own children having to, although they thought they were ready to face the world at age 18 when they left for college, found out very quickly that they were not. And I can't imagine them being totally on their own that point. In fact, our children of 38 and 40 years old and they haven't gotten there yet. (Laughter) That wasn't part of my testimony, but I thought I'd just throw that in. In spite of those issues that they gave voice to today, I've never heard any of them say they want a handout. They want a support system. They want caring adults who can help them get access to the supports they need, they want to know that there's someone out there who cares, and, above all, they want to succeed in their life. I see the red light is on. My goodness! My life goes by in a hurry when you're sitting up here. [LB216]

SENATOR CAMPBELL: It does, it does. [LB216]

DOUG CHRISTENSEN: We have a letter from the Sherwood Foundation that's part of that, and we want to clarify exactly what that letter is about. It basically says a lot of work has been done, and they have given a great deal of support to the work on behalf of foster youth and aging out of the system. It also says they're willing to be a partner and have been a partner and want to continue to be a partner. And they want you to recognize, as we do, that there is a lot of work...although a lot has been done, there's a lot more to do than already has been done. And the accessing the federal funding and the continuation of the work that we're now doing, we're all simply going to gain if we can do those kinds of things and leverage the funding through all of the contributions of public as well as private. I'm amazed at the resilience of these folks. I'm amazed at the promise that they show in their voice and the willingness to do whatever it takes to be...to succeed. So I appreciate the opportunity to comment on LB216. Thank you for your consideration of this matter. We hope you will support LB216 and send it to the

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Health and Human Services Committee  
January 31, 2013

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floor and support its adoption. [LB216]

SENATOR CAMPBELL: Questions for Mr. Christensen? Senator Crawford. [LB216]

SENATOR CRAWFORD: Thank you, Senator Campbell. Thank you for your testimony. I just wanted to ask about the bar chart. When it's talking about pre-post, are the post bars results for people who are graduated out of the system or are those post results for people who are now being supported in the system? [LB216]

DOUG CHRISTENSEN: I think supporting, people who are now being supported in the system, yeah, through Project Everlast. [LB216]

SENATOR CRAWFORD: Okay. [LB216]

DOUG CHRISTENSEN: Yeah. This is the Omaha data that shows you what can be done. [LB216]

SENATOR CRAWFORD: While they're in the system. [LB216]

DOUG CHRISTENSEN: Yes, yes. [LB216]

SENATOR CRAWFORD: Okay. Thank you. [LB216]

DOUG CHRISTENSEN: Thank you. [LB216]

SENATOR CAMPBELL: Any other questions? Thank you, Mr. Christensen. [LB216]

DOUG CHRISTENSEN: Thank you. [LB216]

SENATOR CAMPBELL: Our next testifier. Good afternoon. [LB216]

MARY FRASER MEINTS: (Exhibit 8) Good afternoon. Senator Campbell and members of the Health and Human Services Committee, I am Mary Fraser Meints, M-a-r-y F-r-a-s-e-r M-e-i-n-t-s. I am the executive director of Youth Emergency Services. We provide critically needed resources to at-risk and homeless youth to help them become self-sufficient. We do this through a continuum of care from a street outreach program, to shelter, to transitional living apartments, and a mentoring program. In 2012, we served 807 young people; 704 through our street outreach program and 103 in our housing programs, either shelter or apartments. We see the impact of young people not having the supports. Seven of the 14 young people in our apartments today have been former wards and were homeless when they came to us. You heard the young people talk about their struggles, and we are there to provide the resources for them. In January of last year, there was a point-in-time count done by the Metro Area Continuum

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Health and Human Services Committee  
January 31, 2013

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of Care for the Homeless, and they counted 267 young people on the streets; 51 percent had been in the foster care system. So that's consistent with the federal national data that Amy shared with you. There are many causes of homelessness, but being in the foster care system should not be one of them. Self-sufficiency is particularly hard for many of these young people because now they are on their own and they need the supports and help of other people. They can do it when they're connected to resources. When they're homeless, it creates instability and impacts their ability to get a good-paying job, stay in school, maintain friends and relationships, and keep their health going. No young person should have to go through this. We have found when young people receive the supports and the connection to resources and housing, they can be successful. We have had many success stories; they're resilient and they're amazing and they're fun to work with. We appreciate Senator McGill supporting this bill, and we appreciate the involvement of lots of stakeholders and young people in this, and we urge your support in moving this forward. [LB216]

SENATOR CAMPBELL: Any questions from the senators? Good to see you again. [LB216]

MARY FRASER MEINTS: Good to see you. Thank you. [LB216]

SENATOR CAMPBELL: Our next testifier. Good afternoon. [LB216]

SARAH CALDARARO: (Exhibit 9) Hi. I'm Sarah Caldararo, S-a-r-a-h C-a-l-d-a-r-a-r-o, and I'm here as a permanency services supervisor for the Child Saving Institute. Dear Senators of the Health and Human Services Committee: Child Saving Institute is here in support of LB216. Child Saving Institute is a private, nonprofit organization working to prevent, intervene, and treat child abuse and neglect. Services provided to over 2,500 individuals and families annually include childcare, school-based services, in-home services, foster care, and emergency shelter for at-risk youth. As a point of reference, CSI provides agency-based foster care and emergency shelter care; an independent living program for youth who will be aging out of the foster care system. This community-based program includes case management, skills-based classes, and mentoring. CSI provides programming for youth parents, some of whom are or have been foster youth. CSI is an active partner with Project Everlast. Thank you to Senator McGill and Senator Dubas and to the organizations that have been working to write and develop LB216. This bill addresses a great need for young adults aging out of the foster care system and the need of our communities to effectively launch teenagers toward productive and successful adulthood. While CSI is in support of LB216, we would like to see the age with which extended adoption and guardianship assistance becomes eligible reduced from 16 years of age to 13 years of age. CSI believes that there would be a neutral fiscal impact as this is a small population. Moving children 13 and older towards permanency and establishing lifelong connections early provides better life outcomes for youth. There is concern that some stakeholders may delay adoptions and

guardianships for youth until they reach the age of 16, which is not the integrity of this bill. I, and all CSI staff members, have personally encountered foster youth within our programs that age out at 19 and are in crisis, scared, and unprepared. Youth today have many more barriers and challenges than the youth of yesterday. CSI sees foster youth not graduating from high school before aging out. We see foster youth aging out of shelters; foster youth whose plan is couch surfing until they save up enough money or find someone to share an apartment. We see foster youth aging out with multiple barriers that include: having no adult support system; educational deficits; behavioral and physical health challenges from their neglect and abuse history; former foster youth going from youth shelters to adult shelters; former foster youth showing up in the criminal justice system; showing up with babies and entering the ADC welfare system; former foster youth who are bombing out of their first semester of postsecondary education and potentially losing their Former Ward supports when this happens; limited foster parents are financially able or willing to launch from a foster family well beyond the age of 19; some youth returning to the home they were originally removed from to get the support needed to launch. We see limited numbers of youth successfully utilizing their Former Ward supports, attending college, and working. LB216 does not reduce the number of kids in the foster care system that are aging out of foster care. It does not relieve us of the responsibility to assure these kids in the foster care system reach permanency much earlier than age 19. LB216 does not relieve us of the responsibility to intervene earlier and safely serve more children and families in their home. It does not relieve us of the responsibility of supporting all young adults in our community toward successful independence. LB216 is important work that advances Nebraska's commitment to vulnerable children who have been abandoned, abused, and neglected. LB216 has the potential to increase the number of youth meeting educational goals and becoming gainfully employed while reducing the number of adults utilizing adult shelter and adult corrections. Please consider moving this work forward in our state. Thank you. [LB216]

SENATOR CAMPBELL: Thank you very much for your testimony. Any questions from the senators on the testimony? Thanks for coming today. [LB216]

SARAH CALDARARO: Thank you. [LB216]

SENATOR CAMPBELL: Our next testifier as a proponent. Good afternoon. [LB216]

RONALD DUPELL: Good afternoon. Thank you. I'm here as a private citizen, although I serve on the local Foster Care Review Board in Papillion, and... [LB216]

SENATOR CAMPBELL: Your name, sir? And you do have to spell it. [LB216]

RONALD DUPELL: Oh, excuse me. Yeah. Okay. My name is Ronald Dupell, R-o-n-a-l-d D-u-p-e-l-l. I serve in the Foster Care Review Board on a local board in

Sarpy County, and I'm also a CASA volunteer, and also mentor children through the teenage program in Sarpy County. In listening to the testimony given today, I was deeply impressed by the wide variance of need. And my original thought of LB216 was that it would be very narrow in scope, but my opinion is that this will profoundly affect how services are applied to children. I am currently a CASA volunteer for a young man age 16 who by the time he was 15 had been subjected to 12 different living situations, moving around from his mom to his grandmom to other people who his mother had literally dumped him off on to take care of him while she led her life. He had been repeatedly separated from his mom for years at a time. His dad has not been involved in his life throughout all his life except for a few phone calls. He was diagnosed with ADHD in the sixth grade while in Chicago and was placed on meds, and his mother has repeatedly removed him from those medications because she thought that he really didn't need them. He has made poor progress in school since the sixth grade, and it appears he lacks the fundamental skills to progress through high school without a lot of assistance. He has been in eight different school systems. He's been subjected to bullying at school and stopped going to school and started skipping classes because of it, and very little was done to protect that child. His mother reportedly or admittedly, excuse me, placed her own lifestyle above the needs of her child. He has received no high school credits towards graduation even though he started the ninth grade 18 months ago. He only has one credit so far this school year. He has not been on his medications for over nine months. In speaking with this child, it was very difficult. In every five to ten minutes, we had to take a breather so he could regather himself. The prognosis or probability that he will graduate on time in the next two years is very, very poor. He simply does not have the ability to do things on his own, to complete assignments, or to read things and get through it, and part of his problem is he fails to complete assignments. Although I am advocating a lot of things for him in both NFC and the Department of Health and Human Services is reacting in a very positive manner to assist him, it's very unlikely that he will be able to complete what he needs to complete before age 19. In my opinion, as I look at what it...will happen with LB216, it will allow administrators within the system to restructure some of the programs designed to help young people like this. Instead of trying to force him to complete something in two years, they may have five years, and that is going to be, obviously, the difference between him being successful or not. That is all I have and thank you for this moment to testify. [LB216]

SENATOR CAMPBELL: Any questions? Thank you very much for your dedication to working with this young man. [LB216]

RONALD DUPELL: Thank you. [LB216]

SENATOR CAMPBELL: We appreciate that. [LB216]

RONALD DUPELL: Thank you. [LB216]

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Health and Human Services Committee  
January 31, 2013

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SENATOR CAMPBELL: Our next testifier. That was pretty close. No, I mean, I was about ready to move on. [LB216]

SARAH FORREST: I was supposed to go last, so. (Laughter) [LB216]

SENATOR CAMPBELL: Okay. You were very polite in making sure. [LB216]

SARAH FORREST: (Exhibit 10) Yes. Good afternoon, Senator Campbell and members of the Health and Human Services Committee. My name is Sarah Forrest, S-a-r-a-h F-o-r-r-e-s-t, and I'm the policy coordinator for child welfare and juvenile justice at Voices for Children in Nebraska. I won't belabor all of the powerful testimony and the convincing research that's been provided up to this point in the hearing. But suffice it to say that Voices for Children strongly supports LB216. Research on brain science and youth development shows that adolescence is a crucial time of growth and opportunity, and LB216 presents a key chance to help vulnerable youth transition successfully and access developmentally appropriate resources. We hope that the passage and implementation of LB216 will be the beginning of a conversation on greater changes that will enhance permanency and ensure that all of our youth have the skills and relationships to be productive and healthy adults. We strongly urge you to consider this bill, and we hope that you will advance it. And I would welcome any questions that you have. [LB216]

SENATOR CAMPBELL: Are there any questions? [LB216]

SARAH FORREST: Thank you. [LB216]

SENATOR CAMPBELL: Great cleanup there. (Laughter) All right. Oh, Mr. McBride. [LB216]

TOM McBRIDE: (Exhibit 11) Good afternoon. My name is Tom McBride, the common spelling Tom, M-c-B-r-i-d-e. I am the retiring chief executive officer of Epworth Village. Everything that has been said so far, I don't need to repeat that. I think the stories of the young people speak for themselves. I think, as the way that LB216 is structured, you will see engagement and commitment from those young people that are involved in that and celebrate Senator McGill bringing this bill forward over the years. The 34 years that I've been involved in human services, you know, we have seen hundreds and hundreds of youth that a bill like this would provide stability, purpose, and guidance for. And I don't mean to delay anything going to the next hearing, so that's all I have to say. [LB216]

SENATOR CAMPBELL: Any questions for Mr. McBride? I refuse to believe that you are retiring, I want you to know that (laughter). I expect to see you next year no matter what. [LB216]

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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TOM McBRIDE: I'll show up. I'll bring something for you. [LB216]

SENATOR CAMPBELL: All right. That would be great. All right. [LB216]

DAVID NEWELL: (Exhibit 12) Good afternoon. My name is David Newell, N-e-w-e-l-l, and I'm president and CEO of Nebraska Families Collaborative. I won't read to you my testimony. You've already heard enough. I think Christmas came early for the Legislature this year, and I would particularly like to thank Senator McGill for her leadership on this issue. There's not very many bills that allow the Legislature to do the right thing...that it's a prevention bill because these kids, these young adults who are aging out of the system are also some of our most at-risk young adults for having children that can come back in the system. So it's a prevention bill. It's a highly cost-effective bill. All the research that you've seen has shown that in the long term, if we don't help youth who are aging out, they will return to either homelessness or have medical difficulties or be in the corrections system. And so you can do all the right things, and it's a good cost-effective decision. The one thing that I would add to some of the testimony you heard earlier is we are very much in support of this bill, but would ask that you consider going just a little bit further and dropping the eligibility age for the guardianship incentive, and guardianship and adoption, down to the age of 13. And the reason we encourage you to consider that is that we start to lose the window on guardianships and adoptions in Nebraska as youth enter the age of 13. And we...just as the foster youth need the support, so do adoptive parents. And we think that 13, it's a very small number of youth that would be impacted and it will help move those youth to permanency. So we would encourage you to consider that. And we also see on occasion guardianships dissolving at the age of 18 in order to qualify for Former Ward benefits. And so for all those reasons, it's a great bill. We urge you to support it, and maybe just look at dropping the age down to 13. [LB216]

SENATOR CAMPBELL: Thank you, Mr. Newell. Any questions from the senators?  
Senator Crawford. [LB216]

SENATOR CRAWFORD: Thank you, Senator Campbell. I would like just a little more clarification about the age 13 issue here. It was raised also by another testifier. What exactly do you anticipate or what exactly is the...what's happening that lowering that rate...and I know you said it once, but maybe I need just to hear it more slowly.  
(Laughter) [LB216]

DAVID NEWELL: Sure, sure. So what happens is because people...first of all, when you become an...I'm an adoptive parent. When you become an adoptive parent, it's difficult enough if you've had 18 years to save for college; that's difficult enough. But sometimes what will happen is people will be hesitant to consider foster care or adoption because they don't know whether they can help support that youth. [LB216]

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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SENATOR CRAWFORD: Okay. [LB216]

DAVID NEWELL: And then other legal parties will also be concerned because, as to what you've heard in the testimony, whether a child is adopted or not, they don't hit the same developmental milestones sometimes as other kids do. And so they need more time. And so whether the child is in the system or whether they're adopted or guardianship, those adopted guardianship families also need time, that extra window. So...and I think you would find the same results is that it would be a very small number of youth that would be in the program. And here again, it would result in net savings in the long term. [LB216]

SENATOR CRAWFORD: Thank you. [LB216]

SENATOR CAMPBELL: Any other questions? Thank you, Mr. Newell. Our next pro-testifier. You were noting I didn't say "and last." (Laughter) Those who wish to testify in opposition to the bill. Good afternoon. [LB216]

THOMAS PRISTOW: (Exhibit 13) Good afternoon, Senator Campbell, members of the committee, Senator McGill. My name is Thomas Pristow, T-h-o-m-a-s P-r-i-s-t-o-w, and I am the director of Children and Family Services for DHHS. I must say, I've been very impressed with hearing the testimony today of the youth and others. However, I am here to testify in opposition to LB216. LB216 provides for the extension of foster care for youth to age 21. In 2012, Mainspring, an independent consultant, reported that the cost to provide foster care to age 21 for fiscal year '14 would be \$2.8 million of state General Fund. This number is underestimating the cost. It's based on assumptions that would result in the program being underfunded and would cause a deficit in my budget. The department has calculated the costs for fiscal year '14, and the projection is \$11.5 million of state General Funds, which excludes possible Medicaid fiscal implications, as this would be calculated by the Division of Medicaid and Long-Term Care and be impacted by the Affordable Health Care Act. The department's calculation utilized the same revenue streams that the consultant did, assuming title IV-E funds, Chafee funds, and the Former Ward Program funds. The extension of foster care to age 21 would be an entitlement program, meaning if the youth met the criteria for the program and they wanted to enroll, they will receive the benefits. The department's calculation assumes a 50 percent participation rate for eligible youth. Some may believe this projection is high given that...the current utilization of the Former Ward Program, which is approximately 10 percent. However, the Former Ward Program has far more eligibility restrictions and provides for far less benefits than the extension of foster care to age 21 as written in the proposed bill. Therefore, the assumption of a 50 percent participation rate is reasonable and is fiscally responsible. The consultant's fiscal projections did not include funding for youth who were adopted or were appointed a legal guardian after the age of 16. These youth would be eligible for foster care to age 21 in the proposed bill. This adds an

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

additional potential 228 youth being served through this program. Also, the consultant's fiscal projections do not include additional funding for administrative and legal staff that would be needed based on the proposed bill requirements. These costs associated with salaries, etcetera, would be roughly \$1.1 million. As the director of CFS and as a clinical social worker, I remain committed to supporting youth in their efforts to plan for a healthy and successful transition to adulthood. And I am happy to take any questions anybody may have. [LB216]

SENATOR CAMPBELL: Questions from the senators? Mr. Pristow, one of the questions I have is, is the assumption that if we adopted this program in the state that the Former Ward Program would be folded into this program? [LB216]

THOMAS PRISTOW: Yes. [LB216]

SENATOR CAMPBELL: Okay. How many staff people do we now have available to work with the Ward Program we have now? [LB216]

THOMAS PRISTOW: I don't have that number offhand, Senator. [LB216]

SENATOR CAMPBELL: Would we be able to just move those staff? [LB216]

THOMAS PRISTOW: Yes. [LB216]

SENATOR CAMPBELL: So when we talk about the additional administration for salaries and benefits, we're making the assumption we're going to need more staff. [LB216]

THOMAS PRISTOW: Also, Senator, the way that the bill is written, it calls for state attorneys to go and petition the court, not county attorneys. So there's an additional eight attorneys that we would have to pay for, for salaries and benefits for that also. [LB216]

SENATOR CAMPBELL: Do county attorneys presently now do that... [LB216]

THOMAS PRISTOW: I believe so. [LB216]

SENATOR CAMPBELL: ...in the State Ward Program? So it would come from the county attorney of the originating county. [LB216]

THOMAS PRISTOW: Yes. [LB216]

SENATOR CAMPBELL: Why would it need to change to state attorneys at all? [LB216]

THOMAS PRISTOW: As I read the bill, that was the...that it would require the state to

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

have our attorneys do it. [LB216]

SENATOR CAMPBELL: And it all...and many times, it always comes down to participation rate, I realize that. Do we think that the program would go to 50 percent right away? [LB216]

THOMAS PRISTOW: I think within the first year that would be a reasonable assumption because it's a good program. I mean, clinically speaking, it is...conceptually, it is a good program, and it has far less restrictive abilities or protocols in it than the Former Ward Program does. So I think it would be utilized. And it's...I have to balance my budget, and I have to be careful about assuming costs that I can't further...I can't find the money for. We...I don't have the flexibility that I had in previous years of being able to move money between line items in order to offset costs that may otherwise not be anticipated. [LB216]

SENATOR CAMPBELL: And while I know...I mean, I think the concept is a terrific concept. And we hear from young people who testify at the hearings and that we've talked to. But I guess I also know that there are some young people who have been very clear to say, you know, I'm ready, I know what I want to do, and I've got programs in place. And so I do know that there are youth that are ready to age out, and they want to be far away from the system, and I understand that. [LB216]

THOMAS PRISTOW: But we are trying to make the system way more user-friendly than we have in the past, Senator. [LB216]

SENATOR CAMPBELL: Well, and we have the foster connection bill in which we require the department to have a plan for young people... [LB216]

THOMAS PRISTOW: Yes. [LB216]

SENATOR CAMPBELL: ...in place. So have you had an opportunity to sit down with Senator McGill? I mean, is this a question of whether we need to go over the fiscal note or your concerns? [LB216]

THOMAS PRISTOW: I've actually had a number of meetings with the senator, among other folks, and my team has met with her and her staff... [LB216]

SENATOR CAMPBELL: Okay. [LB216]

THOMAS PRISTOW: ...on at least one occasion. We provide technical assistance to the senator and her team on our concerns and our supports. [LB216]

SENATOR CAMPBELL: Okay. All right, because I'm sure there is going to be some other

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

questions of the committee. Senator Crawford. [LB216]

SENATOR CRAWFORD: Thank you, Senator Campbell. Why don't you just clarify what you mean when you say that your estimate excludes possible Medicaid fiscal implications? [LB216]

THOMAS PRISTOW: Because of the ACA and the different Medicaid qualifications, we did not include that in our fiscal note of what that would account for. [LB216]

SENATOR CRAWFORD: So \$11.5 million doesn't include any costs for health coverage... [LB216]

THOMAS PRISTOW: Correct. [LB216]

SENATOR CRAWFORD: ...or it assumes a... [LB216]

THOMAS PRISTOW: It did not include any Medicaid offsets. [LB216]

SENATOR CRAWFORD: ...or money we might get back for that. [LB216]

THOMAS PRISTOW: That's what I mean. Yes, Senator. I'm sorry. [LB216]

SENATOR CRAWFORD: Right. Okay. Thank you. [LB216]

SENATOR CAMPBELL: Because at this point, we would have to look at the ACA program for foster children and figure out what money we could draw down from that... [LB216]

THOMAS PRISTOW: Yes. [LB216]

SENATOR CAMPBELL: ...for those. And it is an eligibility, I mean, it would be an income eligibility program, would it not? [LB216]

THOMAS PRISTOW: Yes, Senator. [LB216]

SENATOR CAMPBELL: But at this point we have to make, I'd think, with fair certainty most of the young people would qualify on an income basis. [LB216]

THOMAS PRISTOW: If it's a family of one, more than likely. You know our experience is that is the case. But I was not able to make a projection on the cost or the offset on that. [LB216]

SENATOR CAMPBELL: Yeah. Okay. I just thought maybe we'd have a clearer idea of

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

how that's going to operate and might be able to tell that, but you didn't include that figure in your estimate. [LB216]

THOMAS PRISTOW: I did not, ma'am. [LB216]

SENATOR CAMPBELL: Okay. So we'd have to figure that out at some point. Any other questions from the senators? Thank you, Mr. Pristow. [LB216]

THOMAS PRISTOW: Thank you. [LB216]

SENATOR CAMPBELL: Other testifiers in opposition to the bill. Those who wish to provide testimony in a neutral position. Senator McGill, I think we're back to you. [LB216]

SENATOR MCGILL: Fabulous. It's almost time for me to leave for my other bill, so good timing. Thank you. Thank you, committee, for listening to all of that. You didn't have a lot of questions, but I know many of you have been here before on this bill and have gotten to learn some. And welcome to the new senators who are getting a quick and fast education on foster care and kids aging out. We have had some great discussions with Health and Human Services throughout this process and had a spirited debate over some of the fiscal note aspects, including the 50 percent that you brought up, which I think is high and Mainspring thinks is high. But, you know, we can continue to have those discussions behind the scenes and work out with our friends on Appropriations as well, you know, if this is something that they think is a priority. And I know a few of them do, so I plan on working with more of them and chatting with them about how we can make this work, as well as those private entities who are interested in investing in this, that want to see a state investment that they'd be willing to help match as we move forward, which I think is great. It's the direction I think a lot of programming has to go in, both here in Nebraska and across the country, some good private/public partnerships. We've heard from so many great and talented youth here today. But we also can't forget about the other youth. For every one of them, there are a couple others who are literally homeless, on drugs, in jail right now, conceiving children that are going to end up in the same cycle of abuse and neglect that they came from. This is for them, for the youth that aren't here to testify about their happy ending that they've had, but for the ones who didn't have it quite as well as the folks who are here today. So thank you for your consideration. I hope you'll advance this bill. [LB216]

SENATOR CAMPBELL: Thank you, Senator McGill, and for your commitment to this issue, longstanding, I add. [LB216]

SENATOR MCGILL: Thank you. [LB216]

SENATOR CAMPBELL: (Exhibit 14) Before we close the record on this, we will note

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

that we did receive a letter in support of LB216 from the Nebraska (sic--National) Association of Social Workers, the Nebraska chapter. So with that, we will take a five minute...and I do mean five minutes. So if you are leaving, would you leave quietly and take all conversations to the hall. Thank you if you are leaving. [LB216]

SENATOR KRIST: Okay, let's try to get back to focus, please. Thank you. And, Senator Campbell, please proceed. [LB269]

SENATOR CAMPBELL: Thank you, Senator Krist and members of the Health and Human Services Committee. I am Kathy Campbell, K-a-t-h-y C-a-m-p-b-e-l-l, Senator from District 25. Today I am here to testify on LB269, and I would say to my colleagues that if you have the bill summary, you can kind of follow; my opening would correspond to it. You have a little bit more information than I'm going to testify. And it is rather lengthy, although I felt it was important that we enter into the record some of the intent for the components that are in LB269. The bill is here to address the child welfare issues revealed by reports and studies completed as a result of the child welfare legislation enacted last session and the LR37 study conducted by the Health and Human Services Committee. LB269 makes changes to Nebraska's Children's Commission as one component. It provides that the CEO of the Department of Health and Human Services and the director of Children and Family Services become nonvoting members. They will continue on the commission, but it has been at times I think they have abstained from votes and reasonably so because they carry out the major policy; and so we've tried to be very cognizant of that. They are vital members, but at this point I think sometimes that voting membership put them in a very tight situation. It also adds as members the Inspector General of the Nebraska Child Welfare and the executive director of the Foster Care Review Office--the Inspector General will take an amendment and you will see that later; because of the separation issues in the constitution, she cannot have a voting position on the Children's Commission--moves the office of the commission from the Department of Health and Human Services to the Foster Care Review Office; and provides for the hiring of a policy analyst to assist the commission with child welfare and juvenile justice public policy research analysis. LB269 takes action to increase Nebraska's Title IV-E funding. First, it increases reimbursement Title IV-E administrative costs for what is known as foster care "candidates," children who are still in their homes but who are receiving services to prevent placement. If the state claims administrative costs for case management for the candidate children, 50 percent of the administrative claims could be eligible for Title IV-E funding. LB269 adds, for noncourt, voluntary, and wards of the state who are receiving services at home, that the case plan shall clearly indicate, when appropriate, that children are receiving services to prevent out-of-home placement and that absent preventive services--foster care--is the planned arrangement for the child. Second, according to federal guidelines, in order to receive Title IV-E reimbursement, children must be placed in a licensed placement. The LB820 final Title IV-E report in 2012 stated that the majority, approximately 52 percent, of children in Nebraska are ineligible for

Health and Human Services Committee  
January 31, 2013

---

Title IV-E reimbursement due to the child's placement in an unlicensed home. Accordingly, LB269 requires the department to adopt and promulgate rules and regs, renew foster home licensing requirements that ensure children's safety, health, and well-being, but minimizes the use of licensing mandates for nonsafety issues. The rules are to provide alternatives to address nonsafety issues regarding housing, to provide assistance to families in overcoming licensing barriers, especially in child-specific, relative, and kinship placements. And this change will also increase the option of claiming Title IV-E revenue through the Guardianship Assistance Program. We have been working with Senator Coash on the bill you will hear yet this afternoon and the department on licensing and will continue to do that as issues may be raised today by some testifiers. Third, Nebraska should submit allowable maintenance costs for reimbursement that would include personal incidental items for the child, school supplies, clothing, allowable transportation, and respite care. The bill requires that on or before July 1, 2013, the department shall develop a policy for reimbursement of all allowable foster care maintenance costs. Fourth, the Medicaid analysis report recommended that Nebraska pursue Title IV-E claiming for services provided through the Nebraska Juvenile Services Delivery Project, a favorite of Senator Krist's, I might add. Currently, the pilot is only funded through General Funds. LB269 requires, on or before July 1 of 2012, the department to apply for reimbursement under Title IV-E for costs associated with the NJSDP, and those funds can be provided to probation for reimbursement of expenses incurred by that project. Fifth, currently, training costs for case managers under the NFC lead agency pilot program are not eligible for federal reimbursement. For funding to become available, training would have to be provided by the department and/or contractor. LB269 would encourage to facilitate consistency in training of all case managers and requires the same programs for initial training of case managers to be provided by the same entity, either the department or a contractor, to all case managers whether public or private. LB269 requires that if a contractor is utilized for initial training of case managers, the department shall create a formal system for measuring the quality of training. All case managers shall complete a formal assessment process under initial training to demonstrate competency prior to assuming responsibilities as a case manager. LB269 focuses on the necessity to train caseworkers within the same program and by the same entity in a training curriculum that includes an understanding of the benefits of utilizing evidence-based and promising casework practices; guaranteeing service providers fidelity to evidence-based, family-centered casework practices; and a commitment to evidence-based, family-centered casework practices that utilize a least-restrictive approach for children and families. And finally, LB269 makes some basic requirements regarding child welfare contracting. The LR37 report completed by our committee last year in 2011 indicated repeatedly the lack of financial readiness of lead agencies to enable them to complete their contracts had a devastating impact on Nebraska's child welfare system; the results of which are continuing today, including the number of foster care homes and child welfare services that we have lost. The lack of financial stability and the cost to the system, especially children and families and foster parents, was identified by the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

Nebraska Auditor of Public Accounts, the Legislative Fiscal Office report, and the Legislative Performance Audit report. Additionally, the Child Welfare evaluation and the Medicaid analysis completed in December of 2012 both state that there are continuing issues with the department's contract management. LB269 introduces some very basic contract requirements in response to LR37, the evaluation, and Medicaid report. The bill: one, requires that Child Welfare providers show financial stability prior to the contracting for services; two, prohibits "noncompete clauses" in the employee contracts to ensure flexibility and expansion where needed services; and, three, requires the department to complete unannounced site visits. And with that, Senator Krist, that completes my opening. [LB269]

SENATOR KRIST: Thank you, Senator Campbell. Thank you for all your leadership in the last few years. [LB269]

SENATOR CAMPBELL: Appreciate that. [LB269]

SENATOR KRIST: Any questions for Senator Campbell at this point? I bet she's going to be here for...I'm sorry. Senator Crawford, go ahead. [LB269]

SENATOR CRAWFORD: Thank you, Senator Krist. Just wondered if you would clarify just what the...what it means when you're talking about do not inhibit service development by prohibiting noncompete clauses. [LB269]

SENATOR CAMPBELL: We've had some express concern from workers within the system that there may be a move to have noncompete clauses, which is in a situation where the workers have brought that to our attention. And these are in private agencies. They feel that they could not then work for another entity maybe in close proximity and holes them into that position. We had not run into that before when we had done hearings across the state, but we felt that the concern expressed by those workers in those agencies warranted us saying there should not be that kind of a clause. [LB269]

SENATOR CRAWFORD: Thank you. [LB269]

SENATOR KRIST: Any other questions? Thank you, Senator. Can I invite anybody up who is going to speak in favor, a proponent? Hi, Melanie. [LB269]

MELANIE WILLIAMS-SMOTHERMAN: Good afternoon, Senators. My name is Melanie Williams-Smotherman, M-e-l-a-n-i-e, Williams-S-m-o-t-h-e-r-m-a-n. I am the executive director of the Family Advocacy Movement, a collaborative of birth families who have been involved in the system, and professionals. I'm speaking as a proponent to this bill, which is unusual for me because I usually speak in a neutral capacity; typically because I will never be satisfied, you know. And I think that members of this committee and many people in this room are familiar with that position that I take. But, you know, I

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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really do, I have strong convictions and passion for what I do as a volunteer helping families in the system, and what I see is shameful. What is done to families and children in the name of child protection is heartbreaking. And, you know, I know that we're speaking to LB269, but just a brief supportive comment for Amanda McGill's bill from...the last bill. I can't come up and speak to every bill, but I think that even if there were 100 percent of the youth aging out, they deserve the support. It doesn't matter whether it's 50 percent or 100 percent. The state takes an obligation to help these children if it assumes custodial responsibility. Back to LB269, I want to acknowledge the amazing and very hard work that this committee has done, particularly in the last couple of years. One of the most significant things to come out of what this committee has done is opened up an opportunity for members of the public and affected families to be able to come forward and tell their stories. And that doesn't happen enough; we need more opportunities for that. And through the very, I guess, deep work that this committee has done by going to different parts of the state and allowing people to come forward, something really important happened. And I think that this bill reflects a lot of the hard work that came out of that and a lot of the input that this committee heard. Again, I will never be satisfied enough, but I do want to express that appreciation. I have just four points that I want to quickly make about what I would like...just notes about some of the features of this bill. The membership to the Nebraska Children's Commission, I would really love to see a defense attorney on that list. We have a prosecuting attorney that is listed. I really appreciate that there is a foster youth...a former foster youth now that is on that, and a birth parent who's been involved in the system. But we do need a professional representing the defense of families that can be someone to be a spokesperson in that commission. The Title IV-E Waiver, the Demonstration Project, the tone is still very punitive to families. I think that, you know, it talks about increasing positive outcomes for children and families in their homes and communities and improving the safety and well-being of children, and that's great; but it...nowhere does it explicitly say preventing the removal of children by providing for the needs that typically are the sources of neglect allegations, which is poverty. And you know, we had other speakers, again, who are more knowledgeable and documented than I, like Caren Kaplan, come and speak recently to this committee. And her statistics were overwhelmingly convincing about how the majority of cases that come into the system are due to poverty and allegations of neglect. And I think we need to start changing our tone about approaching the realities based on that. The change to the rule in regulations relating to foster care and licenses, I am so appreciative of this bill that Senator Coash is bringing forward, LB265. I see families being denied placement all the time. They don't have the resources to go through classes and jump through hoops in order to have their grandchildren or their nieces or nephews or their next-door neighbors that they have come to be very close to. And finally, to provide for a grievance procedure, you have no idea how much I support that. The only concern that I have is that whenever there are grievance procedures or any other opportunities for people to say or to give their side of the story or to tell someone what's happening, there's no accountability step or cross-referencing. There needs to be an

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

independent...and maybe the Inspector General serves that purpose, I don't know yet. But we need to have independent cross-checks because where does this go? You know, I appreciate the part that says you can't retaliate; but where's the accountability if there is retaliation, because families don't believe that there won't be? So, thank you. [LB269]

SENATOR KRIST: Thanks, Melanie. Good questions on a very dynamic topic. Any other questions for Melanie? Thank you very much. Next proponent for LB269? Hi, Georgie. [LB269]

GEORGIE SCURFIELD: Hello. Good afternoon, Senators, nice to see you all. I'm here to speak as a proponent of LB269 and there are only two pieces that I want to talk about. And the first one is... [LB269]

SENATOR KRIST: Can you say and spell your name? [LB269]

GEORGIE SCURFIELD: Oh, sorry. My name is Georgie Scurfield, G-e-o-r-g-i-e, Scurfield is S-c-u-r-f-i-e-l-d. [LB269]

SENATOR KRIST: Thank you. [LB269]

GEORGIE SCURFIELD: There are just two parts of the bill that I want to talk about and the first one is the training of case managers. As we...I'm going to echo what Melanie has just said in that as we move--we hope--the system from being a system which is out to catch parents doing a bad job to assist in where we encourage parents to do a good one. And that's really what the flip we need to make over the next few years is. I want to talk about having training of case managers that is social-work based rather than legally based. I'm a social worker, and I work every single day in the courts. And much as I love and respect the attorneys that I work with every day--and the one I'm married to--I recognize that their training is adversarial, that they're always looking for a winner or a loser. And even those of them who have done mediation training and are moving into that kind of thinking are not always thinking holistically about the needs of families. They're looking to win or to lose. And so I think we need to, if we're going to be doing some centralized training, it needs to be social-work based so that the people who come into those jobs understand from their very earliest training, their first degree, that that's what they're talking about is the well-being of families. As we make this transition, that's where the training should be focused. The second piece that I wanted to mention--and just...this is just because I want to praise and encourage--is on page 11, the proposal that the Children's Commission should have a policy analyst who's working with the Foster Care Review Office and will be reporting back and helping the commission to make their decisions, I think, is a brilliant one. I think the Foster Care Review Office--who is an organization, as you know, who I have great respect and affection for from my six years on the board--have that information and can collect that

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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information well. And it would be helpful to them to have a policy analyst working with them and certainly helpful to the commission who I believe have taken on an enormous task. And so I want to thank you for this bill. And if you have any questions, I'm happy to answer them. [LB269]

SENATOR KRIST: Any questions for Georgie? I have one for you. [LB269]

GEORGIE SCURFIELD: Sure. [LB269]

SENATOR KRIST: In that analyst position, I've talked with the new Foster Care Review committee, and the office structure... [LB269]

GEORGIE SCURFIELD: Um-hum, um-hum. [LB269]

SENATOR KRIST: It seems to me that what we did in reorganizing, potentially, has maybe short-sheeted them. Would you see that analyst better suited to stay in that office, to be there on-site, potentially, or... [LB269]

GEORGIE SCURFIELD: I think that's a possibility, but they don't have a lot of space either. I don't want to overcrowd them; that's one of the issues we've always had. [LB269]

SENATOR KRIST: Sure. [LB269]

GEORGIE SCURFIELD: So I think, as long as the work is cooperative, it doesn't matter where they are as long as the commission is getting the help they need in understanding the complexity of the policies they're looking at and that the Foster Care Review Office has the ability to communicate with that person and give them the data. That would be the way to go. [LB269]

SENATOR KRIST: Good. Thank you. Any other questions? Thank you very much. [LB269]

GEORGIE SCURFIELD: Thank you. Thank you. [LB269]

SENATOR KRIST: It should be said that Georgie convinced her husband, Bob, to retire from the military and stay in Nebraska and practice this kind of law which is...thank you for that. Hi, Sarah. [LB269]

SARAH HELVEY: (Exhibit 15) Hi. Good afternoon, my name is Sarah Helvey, it's S-a-r-a-h, last name, H-e-l-v-e-y, and I'm a staff attorney and director of the child welfare program at Nebraska Appleseed. And I'm a proud attorney, but I don't disagree with Georgie's sentiments. We want to begin by again thanking the committee for your

leadership as part of the LR37 process. We understand that this bill, in part, seeks to implement some of the recommendations that grew out of the LR37 reports, and so we really want to thank you for your continued commitment to that process. I want to mention just a few of the specific provisions that we support. With regard to some of the shifts with the Children's Commission, we think that the Children's Commission has been an incredibly valuable mechanism to bring together representative stakeholders for strategic planning. And as Georgia said, they have a lot of work to do. And so we very much support making adjustments to this important vehicle as the reform process continues to move forward. We also continue to believe that accountability and oversight are critical pieces to reforming our system and, therefore, we support the provisions in this bill that seek to do so, including implementing a formal grievance process and also the changes or the clarifications with regard to caseworker training. With regard to the provisions on kinship placement, prioritizing the placement of children with their relatives and kin is important to helping them maintain their familial and cultural connections, and this has been a key issue for Appleseed for several years. Therefore, we're supportive of the provisions that direct the department to promulgate rules and regulations that ensure children's safety, health, and well-being but provide alternatives and assistance to address nonsafety barriers to licensure. And so we urge the committee to advance this provision to remove licensing barriers and maximize for reimbursement. However, we also hope the committee will continue to examine other aspects of that issue and other barriers that prevent children from being placed in child-specific or kinship placements, including pre-service training. We also generally support the provisions in this bill that seek to utilize all allowable IV-E funding in Nebraska, to more fully integrate the Juvenile Services Delivery Project, and to make case plans in voluntary cases more specific as to the provision of services for children. Again, we're pleased that Appleseed, you know, called for and supported a number of the independent evaluations, again, that I think led to some of these recommendations. And so we are so pleased that that process is moving forward and that the recommendations that are flowing out of them are being considered by this committee and by the legislative body moving forward. Thank you. [LB269]

SENATOR KRIST: Any questions for Sarah? One quick one. In your last paragraph, on the first part you talk about kinship. I think it's very important for seeing that without licensure there is no IV-E. How would you propose the gap between kinship-unlicensed, kinship-licensed, IV-E application? [LB269]

SARAH HELVEY: So, I mean, I don't...I know there's another bill that will be heard next and we'll be supportive of that as well. I think it's really a balance to try to...as federal law allows, to minimize those nonsafety barriers so that we can make as many IV-E eligible as possible. But Nebraska Appleseed's position is that we should not require kinship placement with those child-specific placements to be licensed. [LB269]

SENATOR KRIST: Okay. Maybe I'll save my questions for the next bill then too. [LB269]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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SARAH HELVEY: Okay. Right. [LB269]

SENATOR KRIST: Thank you. [LB269]

SARAH HELVEY: Uh-huh. [LB269]

SENATOR KRIST: Any other questions? Senator. [LB269]

SENATOR CRAWFORD: Could you just clarify? You mentioned something about another issue of concern was pre-service training. [LB269]

SARAH HELVEY: Right. So currently, in order...and this might seep into the next hearing as well. But there is a requirement for...to be licensed, to participate in training prior to being licensed. And so there's an issue that, particularly for those child-specific placements, those placements of children who are previously... [LB269]

SENATOR CRAWFORD: Sure. [LB269]

SARAH HELVEY: ...families who are previously known to the child, that they aren't able to directly...immediately go into those placements if they haven't received that kind of training. [LB269]

SENATOR CRAWFORD: Thank you. [LB269]

SARAH HELVEY: Yes. [LB269]

SENATOR KRIST: Thank you, Sarah. Any other questions? Yeah, thank you. Any other proponents? Seeing none, any opponents? Good afternoon. [LB269]

TOM McBRIDE: Good afternoon. [LB269]

SENATOR KRIST: It's like old home week around here. [LB269]

TOM McBRIDE: (Exhibit 16) Senator Krist, members of the committee, thank you. My name is Tom McBride, common spelling is Tom, last name is M-c-B-r-i-d-e. Senator Campbell, thank you. This is a continuation on your promise to address certain, you know, situations, problems, issues with children and families across Nebraska for several years, and a continuation to see that we're doing the right thing. The 28-page bill I think just carries a lot of information in it, a lot of very positive change in it, the prevention of out-of-home placements. We started out as an orphanage 123 years ago. Despite the fact that I am retiring, I was not there when that began. The...you know, even as a residential provider, that's not appropriate for but a small number of children.

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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So we also believe in the prevention of out-of-home placements, training of the caseworkers. The IV-E, you know, issue has been on conversations and dockets for a couple of years. The part about changing the placement of the commission within the Foster Care Review Office, I think is...and the membership, is a very important piece of this legislation that we would support. And the policy analyst position I think is highly beneficial. You know, we all know that if you don't...we've got data coming in from so many different places, so many different sides. We don't have a data set that everybody is measuring, you know, the same data sets all the time. I think this would be a step towards that. I would even support the unannounced, twice-a-year visits to childcare providers just to see that good practice is taking place. So I think this is, even though it's a short number of pages, it's a very important bill that carries a lot of very worthwhile, you know, elements to it. And with that, I would take any questions if anybody... [LB269]

SENATOR KRIST: Any questions? [LB269]

TOM McBRIDE: Thank you. [LB269]

SENATOR KRIST: Oh, I'm sorry. Go ahead, Senator Cook. [LB269]

SENATOR COOK: To confirm that it's in support because I thought that we had moved to opposition, but you are in support of this proposal, yes? [LB269]

TOM McBRIDE: I got in under the wire, I believe. [LB269]

SENATOR COOK: Okay. Thank you. [LB269]

SENATOR KRIST: Thank you, Senator Cook. Good count. Any other proponents, people in favor? Okay, now for real, we're moving into the opponents. Anybody not in favor of the bill? Seeing none, how about neutrals? Can I see a hand from everybody who wants to testify in the neutral capacity? One, three, four, okay, great. Thank you. You all get one minute. No. Just a joke. Welcome. [LB269]

KAREN AUTHIER: (Exhibit 17) Thank you. Good afternoon, Senator Krist, and thank you, Senator Campbell, for introducing this bill, and good afternoon to everyone on the Health and Human Services Committee. My name is Karen Authier, K-a-r-e-n A-u-t-h-i-e-r, and I serve as the chair of the Nebraska Children's Commission, and I am testifying from a neutral position regarding the content of LB269 and specifically and exclusively related to the provisions that would make some changes that would affect the Children's Commission. I am definitely, as chair of the commission, welcoming the possibility that we might add the Inspector General and the executive director of the Foster Care Review Office as voting members of the commission. Both of these individuals, whether they're the people who currently serve in those positions or someone who might replace them, work on a day-to-day basis with the kind of content

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

that the commission is dealing with, and I think they would bring unique insight to our work. Regarding the provision to move the CEO of NDHHS or his designee and the director of Children and Family Services to ex officio status, I'm comfortable with that. I think the input of Kerry Winterer and Thomas Pristow has been extremely important and will continue to be extremely important to the work of the commission. I can't imagine their not participating in that discussion, so registering their opinions is critical. At times I am aware that it could be uncomfortable or impossible for them to actually take a position on a vote that's up before the commission, so I'm comfortable with that. And the move of the commission from Department of Health and Human Services as proposed would be...place us in the Foster Care Review Office. I can say nothing but positive things about how hospitable the Department of Health and Human Services has been to the commission being physically located there. Especially Kerry Winterer has been very helpful in assisting with anything administrative that we needed. But I think that we would be a good fit with the Foster Care Office. Now if next year if you came back with Department of Roads, I don't know, I might rethink that. But I think that this move would be...I don't see that it would interrupt our work at all; and because we are not really part of any other agency, we are basically housed there. As I said, Department of Roads might be a stretch, but I think for the most part this shouldn't make any difference. Finally, the addition of a policy analyst to support the work of the commission, I can tell you I would be very pleased to have that added to the resources. What I have found...I think all of us as commission members have found that the scope of this work is overwhelming. I don't need to tell any of you that, and I suppose especially the new senators as you're beginning to understand what all is involved in this work. And, of course, it involves not only Health and Human Services but juvenile services, so it requires a broad breadth of information and knowledge, and so someone to help the commission members pull those pieces together, the kinds of data, research, policy, and practice that is needed to inform decisions. What I do know is that I have found, as chair of the commission, when that's not there I have to rely on either myself to pull some of that together or a very able staff assistant, Leesa Sorensen, or commission members who can feed us that information. So this would be a very useful resource for the commission. Again, thank you for your work, thank you for your support of the commission, thank you for your confidence that a group of people from across the state with broad base of experience can make a real difference in providing recommendations and input to this committee. [LB269]

SENATOR KRIST: Any questions for Karen? I think your pay scale is just a little bit worse than ours, so thank you for all your service. I appreciate it. Next testifier in a neutral capacity on LB269. Hi there. [LB269]

VICKY WEISZ: (Exhibit 18) Hi, Senator Krist, and nice to see the former senators as well as the new senators. My name is Vicky Weisz, V-i-c-k-y W-e-i-s-z, and I'm the director of the Nebraska Court Improvement Project which is a federally funded project through our Supreme Court that addresses the courts' work with abused and neglected

Health and Human Services Committee  
January 31, 2013

---

children and children in foster care. Many of you have heard about the Through the Eyes of the Child Initiative, which is part of our program. I'm also a research professor of psychology at the Center on Children, Families, and the Law. And I do believe my introduction may be longer than my comments, and I apologize. I am also an ex officio member of the Children's Commission, and I served on the subcommittee that addressed the IV-E Waiver and the IV-E participation and reimbursement. I'm not speaking on behalf of any of these groups, but I was asked to provide some basic information about Title IV-E and as it relates to LB269. And if people have any questions about it and I can answer them, I would be happy to try. Title IV-E is the federal program that provides funding to states for costs related to foster care. As many of you know, the department has recently applied for a IV-E Waiver to allow the state to use some of those funds to keep children in their homes. But what I'm going to talk about today is the regular program, not the Waiver. One thing that I think is important for people to understand is that the most significant factor that limits the amount of IV-E funds that Nebraska can draw down is that children's IV-E eligibility is partly determined by the family income of the home from which the child is removed, which is typically their biological family. The eligibility rate is tied to Nebraska's 1996 AFDC eligibility standard, and that was the former poverty program that TANF has replaced. And that's the same...every state has to look back to that 1996 rate to determine the financial basis for IV-E eligibility. Nebraska's rate is very low, with only four states lower than Nebraska. And just in this area, Nebraska's cutoff is \$364 a month for a family of three. Iowa is \$849 a month, Missouri is \$846 a month, and Kansas is \$429. And I think that's important just for people to realize that when people say Missouri is doing a lot better than Nebraska, it's in part because of that basic test that has to be passed or failed, I guess, before being eligible. Around 60 percent of Nebraska's children in out-of-home care are ineligible because of their family income, which means that there can be no more than about 40 percent of children who would be eligible. So the penetration rate, which is the term that refers to the number of children that can be eligible, it really can't be higher than 40 percent. So when you see other states are higher than that, it's not that Nebraska is that far off. Now recently I understood that the current penetration rate is about 34 percent, so there's still a little area for improvement, but it's not like it's half or a third of what it could be. As part of this Children's Commission subcommittee that I was on, we wanted to look--because we were supposed to try and see if there were recommendations that could improve the IV-E drawdown--and so the first thing we did was we asked the department to get all of the cases that were eligible financially, and then see what are the other things that could be done or why are these children who are financially eligible not eligible for other reasons. In doing that, we found two areas where there could be some improvement. One involved judicial findings and the other involved the licensing of kinship homes, which you have already talked about. The other thing, just briefly, LB269 addresses the language that Senator Campbell talked about that (inaudible) children who are candidates for foster care to have administrative costs drawn down for them, and it also addressed the pilot Juvenile Services Project and its ability to be reimbursed for IV-E funds that are drawn down on their behalf by the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

department. And just a piece of information that you might not know is that every state can only have one IV-E agency and other entities have to work through that agency to get IV-E. So it's not like this pilot project could be an independent actor. If anyone has any questions, I'd be happy to undertake them. [LB269]

SENATOR KRIST: Any questions for Vicky? Thank you very much. Thanks for coming. [LB269]

VICKY WEISZ: You're very welcome. [LB269]

SENATOR KRIST: Next testifier in neutral capacity? Hi. [LB269]

KIM HAWEKOTTE: Good afternoon, Senators. I am Kim Hawekotte, it's K-i-m H-a-w-e-k-o-t-t-e, and I am the newly appointed director for the Foster Care Review Office. And we're testifying in a neutral capacity with regards to LB269. There's just three quick areas I do want to bring up. First, we do appreciate the opportunity to be a voting member of the commission. We do feel that we could provide some very valuable information and data that would greatly assist the commission and we appreciate the opportunity to do that. Second, with regards to the commission being located in the Foster Care Review Office, we're more than willing to do that. We can accommodate the staff and provide the administrative oversight to it. We have submitted a fiscal note with regards to what some of the costs might be in order to do it, including the policy analyst position. The commission is doing extremely important work and it would be very beneficial for both agencies and both to be placed together, so we don't have any difficulty in which...doing that. Third is more a request from us with regards to some cleanup language on 43-285, it's subpart (7), it's on page 6 of the bill. There was recently some statutory changes made under 43-1313 with regards to the Foster Care Review Office and their recommendations and their ability to get into court. And that statute specifically says that the recommendations shall be included in the court record, which we thought would alleviate problems of getting our wonderful local board findings and recommendations into court; but it hasn't. In some areas of the state...and some of it is based upon the language in 43-285(7) which basically states that they are admissible. But by admissible within the court it usually means one of the parties at the table are actually offering them into evidence and, if that isn't happening, then they're not coming in. So what we are requesting is maybe some work on some of the language under 43-285(7) where maybe we at least refer to the statutory changes that were made under 43-1313 that says they shall come in so that we don't have inconsistency between the two statutes because it's our position that those recommendations and the hard work of our local boards need to be considered by the court and need to be put into evidence before it. That's all I have this afternoon. If you have any questions, I'm more than willing to answer them. [LB269]

SENATOR KRIST: Any questions for Kim? Thanks for taking on the role over there, we

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Health and Human Services Committee  
January 31, 2013

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appreciate it. [LB269]

KIM HAWEKOTTE: Well, thank you. [LB269]

SENATOR KRIST: And we appreciate you accommodating. My only question would be in the analyst's capacity. Every time we get to this point we hear about "SHERPA," "ERPA," "WERPA," whatever. Something is going to keep us from sharing information. Are we going to have any of that...those issues in terms of the analyst in this capacity and (inaudible) data? [LB269]

KIM HAWEKOTTE: Not that I anticipate in this capacity because it...they will be a state employee housed within the Foster Care Review Office so there should not be any issues with that. [LB269]

SENATOR KRIST: Okay. Good. And I don't mean to make light of that, but there's always some privacy issue, so... [LB269]

KIM HAWEKOTTE: Right. [LB269]

SENATOR KRIST: Thank you so much, appreciate it. [LB269]

KIM HAWEKOTTE: Right. Thank you. [LB269]

SENATOR KRIST: Any other testifiers in the neutral capacity? Shall we call the room to attention when the IG comes up here or can we all stand at ease? Welcome, Julie. [LB269]

JULIE ROGERS: (Exhibit 19) No, no. Yes. Thank you. Good afternoon, my name is Julie Rogers, J-u-l-i-e R-o-g-e-r-s. I am the Inspector General of Nebraska Child Welfare. I'm here to testify in a neutral position on LB269. First, Section 3 of the bill includes my position or designee be a member of the Nebraska Children's Commission. Insofar as the intent of creating the Office of Inspector General is to provide increased accountability and legislative oversight of the child welfare as well as assisting in improving operations of Health and Human Services and the system, it's proper to be a member of the commission. Consistency, competency, and quality assurance of case manager training is required in Section 7 of the bill. This is very important for several reasons. The better informed and competent case managers are, the better families are treated, making the job of social worker more of a profession rather than a job with better training, giving them the tools they need to competently do their important work with families. This will also help in turnover which is very important in the stability of children in the system. Section 9 deals with holding providers who have contracts with Health and Human Services accountable. Through an investigation being conducted by my office, it became known that employees of a private provider of child welfare

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

services are required to sign a noncompete agreement. Service capacity should be encouraged, especially where services may be scarce like in rural areas. By limiting workers in the child-welfare system in this way, potential capacity building is hindered. Contract accountability is very important. Finally, most complainants that I speak to--whether parents, foster parents, or providers--they are very hesitant to allow the office, my office, to identify them in fear of some sort of retaliation by the Department of Health and Human Services. To the extent that Section 10 addresses that issue, the better. Thank you. I'm happy to answer any questions. [LB269]

SENATOR KRIST: Any questions for Julie? Doing a great job. [LB269]

JULIE ROGERS: Thank you. [LB269]

SENATOR KRIST: Okay. No other questions? Are there any other testifiers in a neutral capacity? Welcome, David. [LB269]

DAVID NEWELL: (Exhibit 20) Good afternoon, Senator Krist and members of the committee. My name is David Newell, N-e-w-e-l-l, and I am the CEO of Nebraska Families Collaborative, and I am testifying in a neutral capacity on LB269. One thing that isn't in my written testimony but I...in hearing the conversation earlier, one thing I did want to share with the committee is, first of all, I would like to thank you for Senator Campbell and the committee's leadership in regards to legislation last year that resulted in the creation of the Nebraska Children's Commission. I think the commission is doing great work, and I might be a little bit biased since I'm a member; but I think it's a very good group. And one thing I would suggest that the commission or the senators consider is considering a tribal representative for the commission, so just something to think about, but that's not in my written testimony. In my testimony here before you, I'm going to be touching on basically the training component of LB269 and, in regards to that, a few things for the committee to know. NFC's current contract with the Department of Health and Social Services requires us to do the child case management training for our work force; that went into effect April 1 of this year. In regards to that contract, we are required to meet all the learning objectives that any other child case-management worker receives in the state of Nebraska, and that was reviewed and approved prior to implementation. Also in regards to that, we also add our own evidence-based practices so, as an example, NFC was a strong proponent and encouraged the department to adopt Structured Decision Making as an evidence-based practice so we're strong proponents of that. And so in addition to Structured Decision Making, we use another evidence-based component, as an example, which is called Signs of Safety. And so not only is our work force trained in Structured Decision Making, but we're trained in other things like Signs of Safety which is another practice. So I met today...actually, ironically, today was our new-employee orientation. And I joke about them that they are like shiny new pennies. And they are predominantly young, they are excited, and they are ready to really engage and work with these families. And in fact,

Health and Human Services Committee  
January 31, 2013

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as you all know from your work last year for those of you who were here last year, this is some of the hardest work that you can do. And if any of you would ever like to come and shadow one of our workers, I would really encourage you to do it because it's challenging work and they are a great bunch of predominantly young folks. With that said, let me just say another thing. As great as these folks are, there is a work force shortage in the state of Nebraska, both for the public and the private sector. And so we find--and you'll see the reasons illustrated here--we found since we've brought training in-house that it actually has really allowed us to increase the capacity, it's an insignificant amount of our actual expenses, and we fully support IV-E funding for it. And actually my experience has been--and I would encourage the committee to explore--that we probably could contract in such a way that would allow NFC's training to draw IV-E funds. But the bigger issue is, for us to meet our long-term work force needs in Nebraska, is we need to expand social work education and training in this state. Many states will require B.S.W. education, at the least, for their direct practice and supervisors...M.S.W.s for their supervisors. NFC currently requires our supervisors to be master's degrees, but we can't find enough M.S.W.s--I'm an M.S.W.--but we can't find enough of us, as an example, as supervisors. So what other states have done is around a ten-year plan that allowed schools of social work in those states to expand social work education and so that, by the end of that ten-year period, you grandfather in your existing work force and then moving forward, you require people to be social work educated from thence on. And I think what we experience with our nonsocial-work-trained work force is...what our frequent conversations are, we have to train them as social workers. So what happens is if we can start with a social work, work force, then that helps us to start at a higher level and then do additional training specific to child welfare in Nebraska in addition to their social work education. And in my written testimony, that is one of the recommendations from the Children's Commission is looking at social work education in Nebraska. And I think that is really what's going to get us to where we need in the long term, and I would really encourage the committee to explore that. [LB269]

SENATOR KRIST: Any questions for David? Just two comments. The first one is Senator Howard, Sr. would be very proud of your recommendation, continuing education for social work. And the chair of this committee that you need to talk to about a tribal rep is sitting right behind you as is Judi gaiashkibos in the back. So I would echo your sentiments, at least one person with...in the tribal area be a representative. It's a good recommendation. Thank you very much. [LB269]

DAVID NEWELL: Thank you. [LB269]

SENATOR KRIST: Okay. Anybody else in the neutral capacity? Okay, seeing none, we're going to close the hearing on LB269. And if I had a gavel, I'd pass it back to you, Chair. [LB269]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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SENATOR CAMPBELL: Could I say a few words? [LB269]

SENATOR KRIST: Oh, I'm sorry, yes. Can you close? [LB269]

SENATOR CAMPBELL: No, I'm just going to make a few comments from here in the essence of time. I just want to acknowledge the hard work of the department in submitting the Title IV-E application. We had all thought that that was going to be later in the year. We kept saying, you know, in 2013 at the most, and a window seemed to appear for the department to submit that. And so hours went into that in order to make the deadline, and that should be acknowledged. I do want to thank the commission and the IG for their great startup and going...I think it's exceeded, certainly, this committee's expectations of where we're going. And as you can tell, when the IG speaks and makes...and brings down and says, you need to know about a problem, we did address that in the bill. And so it is working. I would like to say to everyone in the audience that every bill that we had on child welfare last session and the hearing, the hearing brought about changes in those bills in every single case. And so if you think that taking time to come and testify doesn't make a difference, we changed every single bill based on testimony. So thank you very much for taking time on this bill. And thank you to Senator Krist for filling in. All right. We'll proceed on the agenda. Senator Coash is with us this afternoon with his bill on LB265, which would change the foster care licensure and kinship home and relative home provisions. Senator Coash, great to have you. [LB269]

SENATOR COASH: Thank you very much, Senator Campbell. You have better attendance than Judiciary in your... [LB265]

SENATOR CAMPBELL: We do? [LB265]

SENATOR COASH: You do. [LB265]

SENATOR CAMPBELL: All right. Oh, you mean on the committee? [LB265]

SENATOR COASH: On the committee, everybody's here. It's about 50 percent on Judiciary most of the time, so... [LB265]

SENATOR KRIST: We like it here. [LB265]

SENATOR GLOOR: We get paid for it. [LB265]

SENATOR CAMPBELL: We have a great committee and we...and I must say, my colleagues are just very good about being here, so we're glad to have you. So you go ahead and start whenever you're ready. [LB265]

SENATOR COASH: (Exhibit 21) All right. Thank you. Good afternoon, members of the

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

HHS Committee. For the record, I'm Colby Coash, C-o-a-s-h, and I represent the 27th District right here in Lincoln. I'm going to introduce LB265. The purpose of LB265 is to allow children easier access to foster care placements with their kin or with relatives. Currently, all foster care homes in Nebraska must be licensed. This is a barrier to placement with kin and relatives as these caregivers typically have no desire to become licensed foster care parents, they simply want to provide care specifically to their loved ones and not to the general foster care population. The barriers to this, when a child finds itself in a situation where he or she can't be at home, the department will often try to find somebody who that child already knows. And that person or family may be somebody who had never thought about being foster parents, but are willing to step up to the plate for that particular child. Very often it's an example where the child has a best friend and so they go to that best friend's parents and they stay. And those parents may say, well, I didn't really want to be a foster parent in the traditional sense but, this little boy is best friends with my little boy and we'll be glad to take him into our home because we know him, until his parents can get their stuff together and take him back. So that's the barrier. In order to lift this barrier, LB265 exempts kinship and relative foster care homes from licensure. Such homes, however, would have to meet HHS approval by means of criminal background checks, a home visit, and a check on the Child Abuse and Neglect Registry. So who are these relative and kinship foster placements? Who exactly would we be exempting? Relative foster homes are homes where the caretaker is related to the child or children by blood, marriage, or adoption. The caregiver might be aunts, uncles, grandparents, etcetera. Kinship foster homes are homes where the caregiver has significant contact or relationship with the child or these children. These caregivers could be godparents, close friends, neighbors, teachers, coaches, mentors, and that type. While LB265 does exempt such homes from licensure, it still encourages such homes to be licensed and to obtain such assistance as necessary from the department. For the purposes of drawing down IV-E funds, a relative home could become fully licensed by waiving nonsafety-related measures. For example, a home that has a 59-square-foot bedroom rather than a 60-foot bedroom could be considered fully licensed if it met all other safety requirements. In closing, I do have a couple of things. I've got a letter here of support from the ARC of Nebraska, and they do suggest an amendment regarding some "people first" language--and I'm ashamed I missed that in my own bill--but I'll consider that a friendly amendment. And I've also talked with some members of this committee, including Senator Howard, about tightening up the language of kinship care. That may be reasonable and I'll leave that up to the committee, and we'll consider that friendly as well should the committee decide that that needs some more tightening up with regards to that language. With that, I will close.  
[LB265]

SENATOR CAMPBELL: Are there any questions for Senator Coash? Senator Gloor.  
[LB265]

SENATOR GLOOR: Thank you, Senator Campbell. Senator Coash, I just want to make

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

sure that the children placed in these homes are still considered to be placed in foster homes, not in...it's not an in-home placement, it's a foster home placement. Is that correct? [LB265]

SENATOR COASH: That is correct. [LB265]

SENATOR GLOOR: Thank you. [LB265]

SENATOR CAMPBELL: Senator Howard. [LB265]

SENATOR HOWARD: I told you I would ask the question. I'm...my concern is on page 8 in the new definition of a kinship home which is somebody who has lived with the child or has had significant contact with the child. And we would...my concern is that significant contact doesn't imply an emotional relationship, and so that was sort of what I was touching on with the senator previously. But I was hoping you could state a little bit more around your intent in placing the language "significant contact" in the bill. [LB265]

SENATOR COASH: Well, certainly a child who goes to school every day and sees the janitor every day may have significant contact because he sees the janitor every day, but I wouldn't consider that an appropriate kinship placement. My intent would be there has to be a relationship that that child...I mean, the intent here is that as traumatic as it is to pull a child out of the home, you reduce that trauma to the extent that you can by at least placing that child in a home where they know somebody and they've built a relationship with. So I do think a relationship where the child is going to feel safe in there, not just a familiarity, is the intent of this. [LB265]

SENATOR HOWARD: Thank you. [LB265]

SENATOR CAMPBELL: Any follow-ups? Okay. Senator Coash, will you be able to stay? [LB265]

SENATOR COASH: I'll stick around. [LB265]

SENATOR CAMPBELL: Okay. Thank you very much. With that, we'll proceed to the testimony. Our first proponent for the bill? Good afternoon. [LB265]

EMILIO FRANSO: (Exhibit 22) Good afternoon, Senators. Thank you for having me today. My name is Emilio Fraso, F-r-a-n-s-o. Up until the tenth of this month, I was a child-specific foster parent and the child was placed recently. I'm speaking as a proponent to LB265 because I believe that child-specific homes are of benefit to the child, to the department, to the people who work in the department, and foster homes in general. While we were respite caregivers for one foster child whose foster mother needed time to herself, we became acquainted with the foster child; we spent time with

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

him almost as family. We got to befriend him, and his mother...his foster mother was a friend of the family's. When she found out that this foster child was to have a half sibling born soon and was going to be taken away from their mother, it would need a home, we were immediately thought of as people that could be trusted to take care of the child, think of the child as family, and not have too many other obligations in the way from preventing us...to prevent us from doing any such or taking on any such responsibility. We did so and what we found out was that, first of all, we fell in love with the baby immediately. We were very caring for the child, and we did everything needed. With...one thing I did not write in this testimony or did not add in here in the written testimony, we already knew about medical problems with the older child. We knew that those medical problems would also be inherent in the newborn. We were already...we've taken time to research, we've taken time to look into those matters, and to already have a step ahead as to what doctors were going to need to see and so on. While it wasn't as bad as we anticipated, this baby certainly did have medical troubles, and we did everything we could to get the baby to the necessary doctors. We worked very closely with the physician. And I believe while, of course, foster homes do great work for the children that they take in, we were able to put all of our energy into this one child as opposed to being overwhelmed with any number of children and dealing with a number of cases. I have other things written on my...should I go over them or... [LB265]

SENATOR CAMPBELL: We can...if you wanted to just hit the high points maybe. You have a great list here, I was just reading ahead of you. So out of that list, what do you think are the most important two, maybe, that you'd want to mention to us? [LB265]

EMILIO FRANSO: Very obvious to us was that we already felt...well, "significant contact," which I do feel...I put that in there also. I do feel that should be amended to either define "significant contact" or just change the terms used. But we did have significant contact with the brother, and we already knew the coming medical troubles for the baby which, again, not as bad as anticipated. But we got the baby to more doctors. We were already anticipating what kind of doctors he would see, and we were, again, working closely with a pediatrician to be very proactive in what...in getting the baby the care he needed as opposed to a foster home that would not have any clue as to what was coming to them and then finding out that...too late that there's a problem that needs to be dealt with and so on. [LB265]

SENATOR CAMPBELL: Any questions for the gentleman? Senator Crawford. [LB265]

SENATOR CRAWFORD: Thank you, Senator Campbell. How about the term "significant relationship," do you think that would capture what... [LB265]

EMILIO FRANSO: Yes, I believe that would keep it in a nutshell and perhaps strengthen the meaning a lot. Being a person who likes things defined, I would take at least a couple of sentences to define it for the very reason that the senator, himself, named: a

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Health and Human Services Committee  
January 31, 2013

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janitor could have significant contact, and that's not going to be feasible in this matter. [LB265]

SENATOR CAMPBELL: Okay. Any other questions? Thank you very much. And thank you for the care you've given to those children. [LB265]

EMILIO FRANSO: No problem. Thank you, Senators, have a good day. [LB265]

SENATOR CAMPBELL: Thanks for coming. Our next proponent? Now you're not last, are you? [LB265]

SARAH FORREST: (Exhibit 23) No, not this time. Good afternoon again, Senator Campbell, members of the Health and Human Services Committee. My name is Sarah Forrest, S-a-r-a-h F-o-r-r-e-s-t, and I'm the policy coordinator for child welfare and juvenile justice at Voices for Children in Nebraska. Voices for Children in Nebraska is strongly supportive of LB265 which we believe will strengthen kinship care in a number of ways, and we appreciate this committee's attention to it and we appreciate Senator Coash's leadership. For those of you who have been following over the past couple of years, Nebraska has really taken a couple of strides in kinship care. And that's because research nationally shows how important and crucial kinship care is to children's well-being. When children can't be with their own family safely, being with people who they know, love, and trust has seen proven benefits. It minimizes the loss of parental separation. Children in kinship-care situations have increased stability in their lives. It often has been shown to result in permanency more quickly, and it benefits children's mental and behavioral health. It also increases stability in terms of their educational access; they're more likely to stay in their own schools. So there are many, many benefits to kinship care, and we think that LB265 will particularly help in a number of ways. First, LB265 removes barriers to placing children with their kin, both relatives and especially those close family friends, sometimes called fictive kin, that states have defined in a number of different ways in statute and in rules and regs, from significant contacts to significant emotional relationship, trying to sort of get at those people who might have been the teacher a couple of years ago or the baseball coach, you know. So you have some flexibility in how you define it there, but the key thing is that those people who the child knows and loves and trusts and that loves the child can be there and provide placement for them. So we think that LB265 is key in removing that barrier to licensure. I've provided a fact sheet, and you can see that Nebraska's rate of kinship care has actually been declining in recent months relative to its nonkinship care. Those are numbers provided by the Department of Health and Human Services, so we think that this is very important given the documented benefits of kinship care. Second, LB265 encourages greater support for kinship and relative families. We know that these families have needs just like foster families, needs for support, needs for specific training; they often face different challenges. And then the fact that it supports and encourages licensure and provides that the department can develop kinship-specific

Health and Human Services Committee  
January 31, 2013

---

training, relative-specific training, we think that this will better address their needs, and their unique needs, in providing safe and loving placement for these children. Third, we think LB265 removes barriers to licensure by allowing Nebraska to use variances, waivers of nonsafety standards. Licensure should be more accessible for these families, and that is a very good thing. Licensure will first allow our state to draw down more federal funds, but it also makes those families eligible for the kinship Guardianship Assistance Program established under Fostering Connections. Currently, unlicensed homes are not eligible, and it's important to note that Nebraska has one of the lowest rates of licensed kinship care in the entire country. Only 6 percent of our relative and kinship caregivers were licensed in 2010. The national average is that 48 percent are licensed. So we think that there are some administrative barriers that LB265 addresses which should allow kinship and relative homes to gain licensure more simply, if that makes sense. And with that, I would urge you all to advance this bill and would welcome any questions that you have. [LB265]

SENATOR CAMPBELL: Questions? Senator Krist. [LB265]

SENATOR KRIST: We don't want to allow licensure to happen just to pull down IV-E, but we want to make sure that these homes have more access to be licensed in terms of the process. So we're putting our faith in the judgment of waivers to those kinds of licensure requirements. And you feel comfortable that, just in terms of what we've gone through the last few years, that we're not on a path to expedite to make sure everybody gets a license, I guess? Just comment on that, would you, for me? [LB265]

SARAH FORREST: I can definitely comment on that. You know, I think Voices for Children's position is that licensure should never be a barrier to placing a child with the best family for them where they feel emotionally cared for, taken care of, where they can draw down those kinship-care benefits. That being said, you know, the research is really clear that supporting kinship families is important and that we have a responsibility both as government entities but also as communities to find new ways to do that. So I think in granting the nonsafety waivers we can...yes, it's good for the state. Ultimately, it could also be good for the family. If they were to choose to become guardians of that child, they would be able to access subsidies which they wouldn't otherwise be able to. I do think that we're comfortable allowing that discretion because we think it's important to provide those incentives. Offer the training; don't require it. Make sure that you can waive things like square footage that, you know, would be difficult to change on a short-term basis. Nobody expects their godchild to be removed from their parents, and they're not going to be ready maybe to have all the licensure requirements in place. But working with families, engaging them, that's been shown to be very successful in other states. And we think that this is a step in the right direction, although it will definitely be up to all of you and the department and community providers to continue us down the road of properly supporting kinship families. [LB265]

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Health and Human Services Committee  
January 31, 2013

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SENATOR KRIST: Well, the proof is in the pudding and the oversight as it comes through. So... [LB265]

SARAH FORREST: It will be, yes. [LB265]

SENATOR KRIST: Thank you for your assurances, and I'll hold you to that. [LB265]

SARAH FORREST: I'll be watching on this too. [LB265]

SENATOR KRIST: All right. [LB265]

SENATOR CAMPBELL: Other questions? We should note and thank Voices for Children. You had a panel in Omaha last year right after the session ended and the room was packed... [LB265]

SARAH FORREST: It was. [LB265]

SENATOR CAMPBELL: ...with people, and really highlighted the testimony of people who wanted to be relative or kinship and illustrated, I think, what we are seeing in Senator Coash's bill to take us to that next step. So thanks for drawing a... [LB265]

SARAH FORREST: Yeah, thank you. [LB265]

SENATOR CAMPBELL: ...light on the subject. [LB265]

SARAH FORREST: Yeah, thank you very much. [LB265]

MELANIE WILLIAMS-SMOTHERMAN: Hello, again. My name is Melanie Williams-Smotherman, M-e-l-a-n-i-e, Williams-S-m-o-t-h-e-r-m-a-n. As I stated earlier on LB269, we work very closely with birth families who are caught up in the system. And in doing so, we observe every element of their experience from the removal of their child initially--the petition for removal--to court hearings and how they're conducted, to where their children are placed, and then what happens to reports of even abuse within the foster care or out-of-home placements, which I would really love for this committee to take a better look at, as well, because nationally the statistics suggest that as many as 25 to 30 percent of children in out-of-home placements may experience neglect and abuse. And we don't, I don't think, give enough thought to that when we're considering placement. And the mandate is that we are prioritizing health and safety of children. That's the number one priority when we're talking about child protection and the system. When we think about that and when we're talking about that, we cannot exclude the necessity for considering the emotional well-being of children who are removed from their loved ones. Oftentimes these children are very young. We've heard other people report that the experience for a young child who doesn't understand what's happening is

Health and Human Services Committee  
January 31, 2013

---

really akin to a kidnapping. Whether that's the intent or not, it's the expression of the child and his experience. That's pretty severe; it's pretty serious. So LB265 addresses part of this. The removal of barriers to help reduce the trauma that a child experiences upon an allegation of abuse or neglect that has not even yet been proven, investigated, should be of utmost concern to everyone. And right now, the way that the practice is, there are so many barriers that even if LB265 were to be passed, which would at least help by statute, the Department of Health and Human Services still has incredible discretion as to where these children are placed. You know, there seems to be this sense that the apples don't fall far from the tree; and the parent who is having the child removed oftentimes will request placement with, for instance, a maternal or paternal grandparent. And that's not always taken serious or considered because there is this sense that, well, if this, you know, guilty mother wants her child placed with this person, that's probably not the best placement. We hear a lot about the trauma that is present in foster children, but most often it's mentioned in the context of the abuse and neglect they have suffered. But as this committee hears more and more testimony by experts such as Caren Kaplan, who is an expert on differential response and who brought to this committee this last fall information about how--in Nebraska especially, which has higher numbers than she's seen anywhere--the level of neglect cases are the primary cause of children being brought into the system. And we just had discussions at Voices for Children with their report that they just released that shows a significant number--they say 80 percent; I've heard as high as 97 percent--of these cases are alleged neglect with roots in poverty, that these aren't serious abuse cases; and if we want to alleviate the trauma that is a guaranteed harm to these children, we must consider having them temporarily placed with people they know and trust and are most loved by. And that is usually a grandparent or a relative; but sometimes, in communities that are very close, it's a neighbor. So thank you, and I really do appreciate Senator Coash and his introduction of LB265. [LB265]

SENATOR CAMPBELL: Thank you very much for your testimony. Any questions? Thank you. Our next proponent? Good afternoon. [LB265]

LESA BULIN: Hi. My name is Lesa, L-e-s-a, last name, Bulin, B-u-l-i-n, and I am a mother. I have two daughters; my parental rights were terminated to both children. I also have raised successfully two other children. And I come in support of LB265, and my story is a little bit different. My second daughter...my two girls were taken from me at different times. The first one was at birth. The second one was when she was 21 months old. When she was taken away from me, my parents immediately stepped up. My parents ended up spending over \$50,000 trying to have my second daughter placed with them. They actually wanted both girls, but they were told by the department that when they expressed interest the first time that they were too late and the juvenile court upheld their position on that. My second daughter, however, they were there when the department came and took her away. They begged them to leave her with them. Unfortunately, the department never would see that. My parents don't have criminal

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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records. My parents are hardworking, healthy adults that had a secure, loving, innocent relationship with my daughter--and her name is Piper (phonetic) and I'm going to just refer to her as Piper. My parents begged for the police to place me somewhere rather than place my daughter somewhere, and it went all the way through court. There was an appeal that went through the Supreme Court...the Nebraska Supreme Court, and they were denied every time. I feel that LB265 is so important because it provides the avenue and it takes down the barriers that my parents faced, but it also would have saved my daughter from all of that trauma. I am also diagnosed with posttraumatic stress disorder. After my second daughter was taken, I went to CenterPointe. I got myself involved in their six-month inpatient program. I learned all about the diagnosis that I had been given that I did not have the opportunity to even explore the first time. And one of the things that I learned during that period of time in CenterPointe was that life events are classified with big "T's" and little "t's." The big "T's" are the big traumas, the little "t's" are just minor ones. For a baby, the biggest "T" is separation from their mother, and if you would see pictures of my daughter before and after the removal you would be able to tell the difference. She looks different, she looks visibly different. She was placed with perfect strangers; however, that was all upheld through juvenile court because the Department of Health and Human Services found a loophole that I would really like for this to be explored with this bill because the language of this bill allows for this to reoccur. My daughter was placed with perfect strangers; however, the department testified under oath that they placed her with family because they placed her in the same home as my first daughter. They lied to me. They told me, no, we didn't put her there when, as a matter of fact, they did. They had already sought placement. They already had child-specific placement for my daughter, my second daughter, because they had already told this family that I was pregnant and would they consider having my subsequent child? And they said they would. So my parents were never even considered. The department had it all figured out for us already. And the language of the bill does allow for that to reoccur, and I don't know how I would change it; but I would change it. I also with this bill would like to see some accountability when the child is not placed with kin. There's nothing in...that I can see that requires or even requests it. I think that there should be some accountability to the department when they don't place the child with kin to report why. Also, I feel that there's a lot of authority given to the department on the decision of where the child goes, you know. The reason they said that...the reason they gave for not placing my daughter, my second daughter, Piper, with my parents was because my father...oh... [LB265]

SENATOR CAMPBELL: Mrs. Bulin, we probably need to kind of summarize where your testimony is and if we have any questions. [LB265]

LESA BULIN: Well, okay. Consider exhausting all avenues of relative placement before putting the child with strangers. Okay? That was something that I saw also. The authority for decisions based on a background check is given to the department. I'd like to see that maybe revised a little bit also to include some kind of verbiage about the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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Central Registry. That's why they said my parents couldn't have my daughter. My father was on the Central Registry and he didn't even know it, so the background check does not include or deny anything about Central Registry. The accountability with kin... [LB265]

SENATOR CAMPBELL: And as you think, I mean, if you come up with additional...an idea...you know, you said, I'm not sure that I have the idea right now; but I'm sure you can visit with Senator Coash or his staff. [LB265]

LESA BULIN: Right. Sure. [LB265]

SENATOR CAMPBELL: And when you think--because you said, I'd like to think about, you know, a suggestion there--you should feel encouraged to visit with the senator. [LB265]

LESA BULIN: Uh-huh. Absolutely. Oh, and the other thing that it didn't address was the emergency, immediate placement of a child that I feel could be injected also, you know, to allow for that to happen. And the last thing I would like to point out is that my parents would have taken my daughter 100 percent for free. Thank you. [LB265]

SENATOR CAMPBELL: Thank you for coming and telling us your story. Our next proponent? [LB265]

THOMAS PRISTOW: Yes, proponent. [LB265]

SENATOR CAMPBELL: I noted that. [LB265]

THOMAS PRISTOW: (Exhibit 24) Afternoon, Senator Campbell, members of the DHHS Committee, and Senator Coash. My name is Thomas Pristow, T-h-o-m-a-s P-r-i-s-t-o-w, and I'm the director for Children and Family Services, DHHS, and I'm here to testify in support of LB265 which changes current statute to allow for someone other than a licensed foster parent...foster home or relative to provide foster care. LB265 supports our shared commitment to place children with those with whom they are most familiar. As you all know, this reduces the trauma that children experience if they cannot remain safely in their home. The definitions provided in LB265 provide clarity in implementing the provisions of this bill. In addition, the allowances to waive nonsafety-related requirements in licensing relative homes gives us reasonable flexibility to assure that a placement with a relative can be given full consideration, and federal funding can be secured at the greatest extent possible. This bill is also projected to be cost neutral for the department. I do appreciate Senator Coash and his staff for the introduction of LB265, and ask that...the Health and Human Services Committee to support this bill. Thank you. If you have any questions, I'd be glad to answer. [LB265]

Health and Human Services Committee  
January 31, 2013

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SENATOR CAMPBELL: Any questions for the director? Thank you for your testimony. Our next proponent. [LB265]

JEWEL SCHIFFERNS: Hello. [LB265]

SENATOR CAMPBELL: Good afternoon. [LB265]

JEWEL SCHIFFERNS: (Exhibit 25) Senator Campbell, members of the committee, my name is Jewel Schifferns, J-e-w-e-l S-c-h-i-f-f-e-r-n-s. And I am the manager of kinship care with Nebraska Families Collaborative, and I'm here today to testify in support of LB265. I would like to thank the HHS Committee for allowing me this opportunity and to thank Senator Coash for introducing this bill. NFC is a nonprofit partnership of five Omaha-area organizations with more than 400 combined years of experience and expertise in the care of children and families. And currently NFC provides case management and service coordination and delivery to all the child welfare and juvenile justice population in Douglas and Sarpy Counties which is approximately 38 percent of the children and families in the Nebraska system of care. Nebraska Families Collaborative supports LB265 because the bill respectfully recognizes the importance of kinship relationships and extended-family connections for children and offers a broader definition of kinship families. The bill also allows for flexibility among the currently rigid state foster-care licensing regulations and allows families that are known to the children to be exempted from the licensing requirement. Sarah Forrest with Voices covered the reasons why kinship care is beneficial to children so I'm not going to go into that. Though the intent of the current law was commendable, it interferes with the ability to place children with someone they know. By requiring nonrelative caregivers to be licensed foster parents, we are eliminating valuable resources as options for placement for children. These include people such as teachers, coaches, ministers, childcare providers, neighbors, a best friend's parents, a half sibling's relatives, former foster parents who are no longer licensed, and the list goes on. Under the current legislation, when these caring adults are identified they are not able to immediately care for children during their most vulnerable state. By the time the family begins the process of licensing until they are eventually issued their license, several months will have passed. And a month in the life of a child is an eternity, so one can only imagine how four months must feel. I think the best way for me to illustrate the reasons that NFC supports this bill is to tell the stories of some of the children who have been impacted by this bill. Two young siblings, ages one and three years old, were removed from their mother. Their father was unable to be contacted and no relatives were appropriate for placement. Instead of being placed with their godmother whom they have known since birth, they were immediately placed with a strange family as the godmother begins the process of becoming a licensed foster home. The children are now living in the family that is not known to them and find themselves in a strange environment, in a strange neighborhood, surrounded by strange toys, strange faces, and strange smells. The three-year-old child, partly due to the trauma that lead to the removal from his mother

but also partly due to the anxiety from all the changes he has undergone in one short day, begins to act out his feelings of anxiety and uncertainty. The new foster family understands intellectually why he is behaving this way; but they have children of their own, and he's so much work. They've tried hard, but decide this was not what they were expecting, and a few short weeks later they asked the children to be removed from their home. The children are placed into a second new, strange home with new, strange faces, strange toys, and strange smells. The cycle of the three-year-old acting out his feelings continues in the new, strange home, perhaps with more intensity this time. And the new family finds themselves also in a position where they can't manage; and a few short weeks later they inform their foster-care agency they would like the children moved to a new foster home. The godmother stands by and watches helplessly as her precious godchildren prepare to move to their third foster home in three months. She has only just begun the foster-care classes and is told it will take at least a couple of months before she is able to be licensed; and for no other reason than because the law says so, they can't be placed with her until that happens. She is forced to watch in anguish as her godchildren are further harmed by a law that was intended to protect them. Even when the placement need for a child is not emergent, the current legislation still creates unintended consequences. Such is the case for a 16-year-old girl who is waiting to be adopted. This young lady has been in foster care for over seven years and has experienced more than 15 placement changes. She speaks fondly about her younger half siblings with whom she wishes to have more contact. These siblings were able to be placed with a paternal relative when they came into care and those relatives have provided them a forever family. Her half siblings' forever family has recently decided that they would like to have her join their family permanently. However, since they're not related to the 16-year-old girl legally or biologically, they must become licensed before she can live with them. For this young lady, that means not only another four-month stay living with strangers instead of with her siblings and with the family who wants to adopt her, it also means the adoption day she's been dreaming of will be extended for at least another four months. See, there's another law that requires a child to be placed in a foster home for at least six months before an adoption can be finalized. NFC supports the licensure of foster families as it provides benefits to the family directly as well as to the state of Nebraska. And we currently work with all of our kinship families to provide information on the benefits of licensure. The real-life examples illustrated above are only two of the many that NFC children have been impacted under the current legislation. NFC is committed to having relative and kinship homes become licensed, but we recognize that's not always possible. In the interest of allowing children to live with families they know and trust without delay, NFC supports LB265. And I welcome any questions. Sorry, I didn't realize I went...look at the time. [LB265]

SENATOR CAMPBELL: You did fine, just fine. Thanks for providing the extra information; and you also provided placements by type for us, a chart. [LB265]

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Health and Human Services Committee  
January 31, 2013

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JEWEL SCHIFFERNS: Yeah. I think it's probably a duplicate of the information that Sarah provided on placements but maybe a little bit different. There was also a letter from one of the kinship families that has been personally impacted as well. [LB265]

SENATOR CAMPBELL: Thank you very much. Any questions from the senators? Thank you for coming today. Our next proponent. Good afternoon. [LB265]

SARAH CALDARARO: (Exhibit 26) My name is Sarah Caldararo. I'm the supervisor of the permanency services program at the Child Saving Institute. Dear senators of the Health and Human Services Committee: Child Saving Institute is writing in support of LB265. Child Saving Institute is a private, nonprofit organization working to prevent, intervene, and treat child abuse and neglect. Services provided to over 2,500 individuals and families annually include childcare, school-based services, in-home services, foster care, and an emergency shelter for at-risk youth. As a point of reference, CSI provides agency-based foster care and emergency shelter care, independent living programs for youth, programming for youth parents--some who are or have been foster youth. CSI also maintains the staffing needs for the triage center at Project Harmony. Thank you to Senator Coash and Senator Campbell and to the organizations that have been working to write and develop LB265. The bill addresses a great need for foster children to be able to be placed with persons known to them when possible. Keeping known connections for youth while in state care is very important to the well-being of all children. Through the triage center, CSI has seen a decline in the percent of children placed in homes known to them from 80 percent in January 2012 to only 32 percent in December of 2012. Many children in 2012 were placed in stranger foster care when a child-specific placement could have been possible. The practice is detrimental to the development and well-being of our Nebraska children. LB265 works to correct this action and secure Nebraska's commitment to vulnerable children who have been abandoned, abused, and neglected. LB265 has the integrity to keep children placed with persons known to them. We urge you to please consider moving this work forward in our state. Thank you. [LB265]

SENATOR CAMPBELL: Any questions? Senator Gloor. [LB265]

SENATOR GLOOR: Thank you, Senator Campbell. Thank you for your testimony. Thank you for starting "Dear Senators," by the way. I don't think I've been called "dear senator" all week long. Senator Coash serves on Judiciary; he probably is used to hearing that a lot. The paragraph that says, "Through the triage center, CSI has seen a decline in the percent placed in the homes known to them from 80 percent to 32 percent," was 80 percent a common percentage of in-home placement? That's...I'm trying to get my mind around an 80 percent placement in homes known to children. That strikes me as incredibly high. [LB265]

SARAH CALDARARO: Yeah, I would say that 80 percent was the peak for that year;

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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that was the highest. It seemed to be a little under that more stable, but 30 percent...32 percent was definitely a decline. Yes. [LB265]

SENATOR GLOOR: Oh, sure. Certainly, yeah. I would...I'm just... [LB265]

SARAH CALDARARO: Yes. That was the peak for 2012; yes, the 80 percent. [LB265]

SENATOR GLOOR: Okay, thank you. [LB265]

SARAH CALDARARO: Uh-huh. [LB265]

SENATOR CAMPBELL: Thank you very much. Good afternoon again. [LB265]

SARAH HELVEY: (Exhibit 27) Good afternoon again. My name is Sarah Helvey, S-a-r-a-h H-e-l-v-e-y, and I'm a staff attorney and director of the child welfare program at Nebraska Appleseed. And I have to apologize for some confusion, and I may just be very frazzled at having three bills in one day or just getting up to go to the session. I believe on the last bill I handed out testimony on LB269. [LB265]

SENATOR CAMPBELL: You did. [LB265]

SARAH HELVEY: So you're now getting...anyway...the correct testimony now in your pile, hopefully. [LB265]

SENATOR CAMPBELL: Please put them in the right files, huh? Okay. [LB265]

SARAH HELVEY: So I won't, either, cover what previous testifiers, including Sarah Forrest, went over about the research and the benefits of kinship care for kids. But in light of those benefits, we support this bill because we think it does a good job of minimizing barriers by permitting kinship caregivers to be exempt from licensure and then also allowing waivers of certain requirements that don't affect the child's safety and makes it easier for them to become licensed; and also encouraging kinship caregivers to become licensed whenever possible by providing some assistance, including information, training, and other resources. We think it's also important and helpful that this bill specifies that even all kinship placements and all foster-care placements must still go through an approval process, as Senator Coash mentioned. That's currently set out in state regulations and some of that's also required by federal law, as Senator Coash mentioned, to still require a home visit and criminal background checks of those...of all placements for children. I also wanted to mention that, again, we think that kinship...one thing that's important about kinship care is that it allows children to maintain important cultural connections. So we want to just mention a specific provision of the bill that cross-references the Indian Child Welfare Act so that it's clear that in cases involving Indian children, the tribe's definition of extended family is to be applied.

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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And then in the absence of a tribal definition of an extended family, LB265 also makes a change that the sort of default definition of extended family under the Indian Child Welfare Act includes clan member and band member. And from our work with the Nebraska ICWA Coalition, we understand this to be a more inclusive and culturally appropriate definition. So again, we thank Senator Coash for his work on this bill and to the committee for your dedication for improving this system for children. [LB265]

SENATOR CAMPBELL: Questions? Senator Gloor. [LB265]

SENATOR GLOOR: Thank you, Senator Campbell. Sarah, somewhere in here I ran across the term "clan." Is that also a term that's recognized under the Federal Indian Welfare Act? Do you know? [LB265]

SARAH HELVEY: I don't know that that term is specifically in there. I could get back to you; but, again, from our understanding, that that's a term that's more broad and inclusive from our work on the Nebraska ICWA Coalition which includes representatives from all four tribes. [LB265]

SENATOR GLOOR: Yeah, it had certainly struck me as pretty broad. But I see some action in the back of the room so I bet, before I leave today, somebody will corner me and tell me. Yeah. [LB265]

SARAH HELVEY: I think there might be a testifier that could answer that better than I could. Thank you. [LB265]

SENATOR GLOOR: Thank you. [LB265]

SENATOR CAMPBELL: And we should note that we had a great hearing this summer on the Indian Child Welfare Act interim study by Senator Bloomfield, and the hearing was held at Macy. And I know that Appleseed had a great amount of to-do in working through that because you've had a team of people working on ICWA issues. So we're really glad Senator Coash picked up, as he would, and included that. [LB265]

SARAH HELVEY: Yes. Thank you, and thank you for traveling to Macy. We thought that that was a great hearing. [LB265]

SENATOR CAMPBELL: It was a great hearing, and we had a packed room. And that was really...I thought a real testament for how much people cared about Indian child welfare. [LB265]

SARAH HELVEY: Absolutely. Thank you. [LB265]

SENATOR CAMPBELL: Thank you. Good afternoon. [LB265]

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Health and Human Services Committee  
January 31, 2013

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HEIDI LONGE: (Exhibit 28) Hello. My name is Heidi Longe, H-e-i-d-i, my last name is L-o-n-g-e. I am currently a foster parent, but was initially kinship placement. I brought a picture of my daughter so you could all see that we are not related. And I'm just going to set this here because she couldn't be here because she's a freshman at Midland University. I am in support of LB265 for several reasons. Olga was placed in my home February 4 of 2010. She was placed in foster care because she was sent to South Africa and abandoned there by her caregiver here in the United States. Olga's...prior to her abandonment, I had met her as an acquaintance several times as she was a basketball player for one of my roommates' basketball teams. When I found out that Olga was abandoned in South Africa, I called her and started the process to try and help her get back to the United States. That's a long story that will take longer than the time I have here to testify to tell you. But at the point that Olga returned to the United States, she was placed directly into foster care; and at that time I was the only person in the United States that she trusted. When I found out she was going to return to the United States, one of her first questions to me was, will I be able to be placed in your home? Will I be able to live with you? Thankfully, at that time in 2010, I was able to say yes, that you could. But if she was currently placed, I would have to say no, because she would not have been able to be placed in my home. It was in Olga's best interest to be in my home as a kinship placement at that time because she knew that I would keep her safe. That's a feeling she had not had for six months. Upon her being placed into foster care, Olga was scared and afraid because she did not know what her future would hold. Knowing me and feeling safe in my home helped her feel comfortable to begin her recovery process. She is now 19, she's in the Independent Living program, she's a high school graduate, she's a freshman at Midland University and is flourishing there, and she still continues to be an integral part of our family even though technically she is out of the foster-care system and is now on to the Former State Ward Program. I feel that you may have to define the term "significant contact" in LB265 because my home was the correct placement for Olga; but I'm not sure I would have qualified under the term "significant contact." Most of the contact I had with her prior to this was just as an acquaintance saying hi to her here and there. She knew who I was, but I did not have any significant contact with her, at least not in person. When she was in Africa, certainly I had phone conversations with her, but other than that I was the only person she trusted and felt safe with here even though it was just a phone contact with her. Before I conclude, I also have some testimony from Olga I'd like to read to you. She said that she is also in support of LB265. She was placed in foster care on February 4, 2010, after being abandoned in South Africa six months. I'm happy that the state was able to place me with someone that I knew. Living with Miss Heidi helped me feel comfortable enough to allow her to know what I had been through, and I knew that she was there to help me. If I was placed in a stranger's home, I would have felt more of a sense of abandonment. This is already something that I was very afraid to experience again, so I am thankful that I was placed with Miss Heidi so she could begin to trust someone again...so I could begin to trust someone again. Even though I had only talked

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Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

to her on the phone, I trusted her and knew she would look out for my best interests. Since Miss Heidi already knew me, the transition into her family was easy because I did not have to explain who I was or what I was going through because she knew the situation. If I had been placed in a home where someone had never met me or did not know me, my depression would have worsened and I would become more withdrawn. I would ask you to please think about who you'd rather stay with if you were forced out of your home, a stranger or someone you have at least met before. For me it would not matter how well I knew the person, I would rather live with someone that I had met and trusted over someone I had never met. I am sorry that I am not able to testify in person, but I am a freshman at Midland University in Fremont and begin my second semester classes this week, so I am unable to be in Lincoln for this hearing. Thank you for taking the time to read my testimony. Before I conclude, I would like each of you to think of three of the most important things in your life. When I did this, mine would be my family, my friends, and my faith. But how would you feel if even one of those were taken from you? That's what foster children who are removed from their home experience; probably all three are taken from them at the same time. So I feel that if they're removed and placed with someone at least that they knew, that maybe they would have a sense of feeling that maybe they weren't as alone as they originally thought they were going to be. I know it's never a great situation. When they talked about the janitor, I thought, if they knew that janitor, why couldn't they be placed with them? If they felt comfortable with that, why couldn't they be placed with them? If the child knew them, I think that would be a great placement for them just to make them feel comfortable. A lot of times kids in the school know the janitor better than some of the other teachers. And so I just feel that if the child feels like that is a good placement for them and they have a...they're old enough to have a voice in that, that the term "significant relationship" or "significant contact" maybe needs to be defined or broadened a little bit. And I'd be happy to take any of your questions. [LB265]

SENATOR CAMPBELL: Any questions from the senators? Ms. Longe, this was...this story was told in the newspaper, was it not? [LB265]

HEIDI LONGE: It was. Yes, it was. [LB265]

SENATOR CAMPBELL: I know. That's where I first read about it. And I think they had, like, a story when she was first, you know, returned and then couldn't get back. So thank you very much for stepping forward to help this young woman. [LB265]

HEIDI LONGE: You're welcome, you're welcome. She's a great kid. Anybody would have done it if they had even met her before. [LB265]

SENATOR CAMPBELL: She looks like a great kid. That's a great photo, thanks for bringing it. [LB265]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

HEIDI LONGE: Too bad I can't take credit for the beauty in her, that's for sure. [LB265]

SENATOR CAMPBELL: Our next testifier. Good afternoon. [LB265]

JOAN FEDORIS: (Exhibit 29) Good afternoon, Senator Campbell and dear members, senators of the Health and Human Services Committee. My name is Joan Fedoris, J-o-a-n F-e-d-o-r-i-s. I am a licensed foster parent with KVC, and I am also a teacher at Lourdes Central Catholic School. I support the changes being recommended to the committee in LB265. I recommend to the committee that language defining "significant relationship" be included in the bill or teachers, coaches, and other types of kin could still be excluded for placement. Further, I would recommend that there be an option for emergency or temporary licensing so that people like me can care for children we know in need and still draw down needed IV-E dollars for the state. I'm not very versed but...on this whole bill, but I'm just going to give you my testimony of our experience with some children in need that we were able to help. In October of 2011 a mother of one of the students in my classroom was arrested and jailed. The child in my class, a nine-year-old girl, and her three-year old brother witnessed the whole event, which was related to a drug-sting operation. Obviously, it was quite traumatic for them. The children were taken by their maternal grandfather to his home for the night. HHS came in the next day as the children were officially removed from the home. As they were making placement arrangements with the grandfather with whom the children were very close, it became apparent that due to incidents in his past, he could not be allowed to care for the children. This, of course, was another very traumatic event for all of them. It was evening and there were no other family that they were aware of that would be able or willing to care for the children. My student asked the HHS team members if she could please call her teacher, me, because maybe I would take her and her brother. Through a series of phone calls, my husband and I were contacted by HHS and asked if we would be willing to take the kids. We said yes, but that we were not licensed foster parents. We were told that was okay as it would be an approved placement because kinship placement was approved at that time. The children have done remarkably well and were able to remain in their original schools and maintain relationships with their peers. If this approved placement was not available, these children and their grandfather and mother would have had one more traumatic event to deal with and process. The children in our care have had enough traumas. I believe that a kinship placement greatly reduced the impact and led to a much easier transition for them. We are very happy that we were able to take the kids and possibly have a positive impact in their lives and decrease the trauma and residual effects of it. After the children had been in our home for six months, we learned that kinship placement would no longer be allowed. That meant that the children could be uprooted and moved to a new foster home or we would need to get licensed, which is a lengthy and time-consuming process. Having the children moved from our home was not an option to us. We have committed to taking care of them, so we went through the licensing process. The classes were not offered in our town, so we traveled the hour drive to Lincoln each

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

Saturday for classes. We have four children of our own at home, so it did take a lot of rearranging of schedules, and I imagine that not all families could have made that work. There are many wonderful, caring, and loving people that have contact with children, some of whom may end up being asked to provide foster care. It would be an injustice to deny a child a safe, loving, and caring home just because an adult was not blood related or could not take the time to become a licensed foster home in the event that one day a child they know may need a foster home. We know there are many times that a foster child and foster parents have problems for any number of reasons. This often results in the child being moved yet again. With a kinship placement, the child and adult already know each other, and I would suspect that the incidents of having to find new placement are less. Anytime we can help to reduce the trauma to a child, the better the chance that child will be able to have a healthy development free of the many mental and behavioral issues that often plague these children. Thank you for the opportunity to testify before you today, and I'd be happy to answer any questions. [LB265]

SENATOR CAMPBELL: Thank you. Senator Gloor. [LB265]

SENATOR GLOOR: Thank you, Senator Campbell. Thank you for your commitment to these kids. Did you find the classes helpful? [LB265]

JOAN FEDORIS: We did. As a teacher, I've taken a lot of...it was a lot of information we already knew but, of course, there was new information and a lot of...there was information that was good. I think it could have been reduced to the information that we didn't know but, of course, there was always helpful information. [LB265]

SENATOR GLOOR: Well, and I'm wondering because you have the unique perspective and training to interact with kids in the first place. And so for me, it's...you know, if you found the classes helpful for yourself with your background, are classes something that might be helpful to others who don't have your background? [LB265]

JOAN FEDORIS: I'm sure that they would be helpful. I do like the idea of giving a kinship placement and then allowing for the licensing to come. And I don't know how you would write it into a bill to say at the level that the people need. I mean, anybody can use it. But the amount of hours and the amount that we had to travel in our unique circumstance with these kids, we probably didn't...we didn't, I don't believe, need the amount of training that we had; but it was what was required, and especially for the kids to not be taken away. [LB265]

SENATOR GLOOR: Okay. Thank you. [LB265]

JOAN FEDORIS: Thank you. [LB265]

SENATOR CAMPBELL: Thank you for your testimony and caring for the children. It's a

great story. Our next proponent. [LB265]

LANA TEMPLE-PLOTZ: (Exhibit 30) And I have to apologize. I brought two handouts today, but did not bring a copy of my testimony. I was... [LB265]

SENATOR CAMPBELL: Well, that's fine. You're fine. [LB265]

LANA TEMPLE-PLOTZ: Good afternoon, Senator Campbell and members of the Health and Human Services Committee. And thank you, Senator Coash, for introducing LB265. My name is Lana Temple-Plotz, L-a-n-a T-e-m-p-l-e hyphen P-l-o-t-z. I am the director of foster family services for Boys Town, but I'm here today as chair for the Nebraska chapter of the Foster Family-based Treatment Association or FFTA. FFTA is a national organization of foster-care providers established in 1988, and we have associations all across the country. I have a handout for each of you that further describes the association's mission and focus. I was very focused today on bringing two handouts because I watched the hearings yesterday and I remember you talking to Dave Newell about how he always brings at least two handouts, so I wanted to make sure I got in those two. But the Nebraska chapter of FFTA consists of 16 member agencies from across the state who provide foster-care services and those member agencies are listed on that handout. I am here in support of LB265, and I have submitted a position paper on a definition of kinship support that you all have, and I'll just read part of that. This...following LB820, the Nebraska chapter of FFTA published a position paper on the definition of kinship care in November of 2012, which I will read now. LB820 mandates no person shall furnish or offer to furnish foster care for one or more children not related to such person by blood, marriage, or adoption. FFTA Nebraska chapter members' agencies believes this excludes a significant population of adults with ties to the child and his or her family. The Child Welfare League of America defines kinship care as the full-time care, nurturing, and protection of children by relatives, members of their tribes or clans, godparents, stepparents, or any adult who has a kinship bond with a child. This definition is designed to be inclusive and respectful of cultural values and ties of affection. It allows a child to grow to adulthood in a family environment. The trauma children experience when they are removed from their homes is immeasurable, as we've heard today, and can have lifelong implications. Relative and approved-home placements are essential to reducing the degree of trauma these children experience. For many people it makes common sense to place a child with a relative when it is safe to do so. Those who often get overlooked are unrelated, caring adults who interact with many of our children on a regular basis. Teachers, coaches, ministers, school counselors, scout leaders, neighbors, and other caring adults are often willing and capable of providing temporary safety by opening their hearts and homes to children in crisis. And I will say that my parents took in my babysitter when I was little and she was 18 and needed a foster-care placement. And they were considered kin to her because they knew her, and she is a member of our family now. And that is actually why I'm in foster care now and have been working in foster care for the last 20 years is because

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

---

my parents were foster parents and we helped her, so on a personal note. But while they may not wish to become permanent, licensed, foster homes, they help ease the fear and anxiety through the existing relationships they have with these children. Kinship homes not only serve as a resource for children, but often continue to play a role in the parents' informal supports once the child returns home. By restricting approved or unlicensed home placement to persons related by blood, marriage, or adoption, we eliminate a large pool of safe, loving adults, which is why it's so wonderful that this bill has been introduced. The Nebraska chapter of FFTA believes this practice is detrimental so that is why we are in support of this bill. And I brought copies for all of you. We support LB265 which more broadly defines kinship and relative caregivers and encourages kinship and relative home licensure while waiving those nonsafety requirements. I appreciate your time and attention today and the ongoing commitment and priority you've placed on foster care recently. I'll take any questions and my red light went off, I think. So... [LB265]

SENATOR CAMPBELL: Thank you. Any questions? As a side note, you are the author, I believe, of the foster care rate study that was done in the children's... [LB265]

LANA TEMPLE-PLOTZ: The Level of Care Subcommittee? Yes. I put...a lot of us worked on it, but I put it together, yes. [LB265]

SENATOR CAMPBELL: But you put it together. That was probably one of the best researched and written papers that certainly I've seen in a long time, and you and that subcommittee should be commended. And I've thought, someday I'm going to meet this person so I can personally thank you for that great work. [LB265]

LANA TEMPLE-PLOTZ: Well, I thought someday I could meet you, so it's a mutual... [LB265]

SENATOR CAMPBELL: Yes, so thank you. And thanks for your testimony today. [LB265]

LANA TEMPLE-PLOTZ: Thank you. [LB265]

SENATOR CAMPBELL: Good afternoon. [LB265]

JUDI GAIASHKIBOS: Good afternoon, almost evening. I think I might be the closer. I'm Judi gaiashkibos, that's J-u-d-i g-a-i-a-s-h-k-i-b-o-s, I'm the executive director of the Nebraska Commission on Indian Affairs, and I am an enrolled member of the Ponca Tribe of Nebraska and I'm also a Santee Sioux. So I come today before you to rise in support of LB265, and I want to thank Senator Coash for introducing this. And I always enjoy coming to these hearings and it makes me appreciate the work of you dear senators because, sitting here, it's very emotional. It's hard especially on such topics as

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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this. The last year was really good work that the committee did and I agree that, you know, so much was done by people coming forward and telling their stories. And it's hard to do that. Because of the late hour I won't be lengthy here, but I would like to say, referencing the previous bill, LB269, I, too, thought that it would be perhaps helpful to have a Native person on the Children's Commission because I believe the Voices for Children's report...I went to their breakfast last week. They did a beautiful Kids Count report and I believe Thurston County has--where the Omaha and Winnebago Reservations are located--have the most out-of-home placements anywhere in the state. And as an Indian person, I have dual citizenship and all of our children do. And so it's really more of a challenge for our children when they're taken away from their families because they are losing that tribal identity, that extension of who we are, and it is so, so important. And I think that this kinship bill really addresses that. As far as that language on "clan," I would just urge that you look at compliance with the federal act and if the word is in there, be consistent. Personally, I don't know if it is. We, as Indian people, we belong to our immediate families and then we're members of clans and bands. I descend from Chief Smokemaker. My grandfather was a chief of the second rank of the Ponca Tribe. And my family history and all of my relatives, we say that that is our tiospaye, our extended family. And another Siouan word that we say is Mitakye yasin, we are all related. So for us, this kinship bill really respects that my...one of my little relatives, she calls me her auntie. She's really my first cousin. But when she moved here to go to the University of Nebraska I had never met her before, but she lived in my home for a while. And to...she's my niece, and I'm her auntie. Some people get a little bit confused about that. But Indian people, we believe in the larger family. Growing up in Norfolk, Nebraska, where Senator Campbell grew up, probably by today's standards I would have maybe been removed from my home. There were...I had ten brothers and sisters and I lived in a little three-room house without an outdoor outhouse until I was ten years old. I slept in the kitchen in a twin rollaway bed with my grandmother and my little sister. And...but here I am today, I survived. And my mother took in my cousin because his mother died of tuberculosis. And many times--he went to the Catholic school, I went to public school--there were several families in Norfolk that wanted to adopt my brother--in a way, he was my brother, in the Indian way--and he could have went to a much nicer place; but he would have lost his family and that was more important to him than all the financial gain. So being Indian is usually not at all a problem; we're very happy to be Indian. Being poor, that's more of the problem. I think this bill, the kinship bill, removes some barriers that impact people with poverty. So if there's anything that I can do at the Indian Commission on behalf of the ICWA Coalition, on behalf of our tribes in Nebraska, we extend support to this bill and thank Senator Coash. If...I would be happy to answer any questions. [LB265]

SENATOR CAMPBELL: Any questions? Judi, if you could check that language for us, that would be great just to make sure. [LB265]

JUDI GAIASHKIBOS: Okay. [LB265]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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SENATOR CAMPBELL: I think Senator Coash has probably teched it, but we'll make sure that we're including all the up-to-date federal language. [LB265]

JUDI GAIASHKIBOS: Okay. That was a reference to "clan?" [LB265]

SENATOR GLOOR: I caught the tail end. I heard a little bit on the television in my office. Thank you, Judi. [LB265]

JUDI GAIASHKIBOS: Okay. And I don't have written testimony so thank you. [LB265]

SENATOR CAMPBELL: That's fine. And I think your suggestion and the previous suggestion about a representative on the Children's Commission is an excellent one, and we'll pursue that. Any other proponents? Those who wish to testify in opposition to the bill? Those who wish to testify in a neutral position? Anyone who has a space heater would be very welcome. We are just freezing up here. The wind is just...there's something coming...must have gone to like zero. So anyway, if we all seem like we're huddled up here, that's why. So Senator Coash... [LB265]

SENATOR COASH: Take you home. [LB265]

SENATOR CAMPBELL: No. We're back to you. What would you like to close with today? [LB265]

SENATOR COASH: Well, I just want to thank the committee for sitting through that testimony. That's great. I do appreciate all the testifiers that have come. Licensure is a...just to wrap this up...licensure of foster home is a good thing. Being a licensed provider is a good thing. But it takes a lot of work and it takes a lot of effort to do that. That's not the issue. Most of the time it's an issue of time. People who want to be foster parents go through that process and then they take in children. It's the children who need that placement right now we don't have the time for, and that's what this bill is to address. I was going to give you an example, but I think Ms. Fedoris gave the best example. Thankfully, she stepped up and said, okay, I'll go get licensed. But that's really not what has happened over the past year or so. People have said, you know what, I'm more than willing to take this kid in, but I don't have the time to take those classes; and I don't have the time to jump through those hoops. Not that I don't want to, but if it's...you know, taking the kid in is about as much as I'm able to bear. And that's a big deal, and I want to remove that barrier. I want to remind the committee there's no waiver of anything that's safety related. We're not going to be taking any chances in placing a child in a kinship or relative home when that home or the people who live there pose a safety risk to that child. The department still has responsibility here; they still have to approve this. This is...they still have...they're still responsible. These are state wards, and they can't place a kid in an unsafe situation. This bill is about reducing trauma, and I

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
January 31, 2013

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think we've heard the stories about how traumatic it is for a child to be removed in the first place. And we can't erase that trauma or whatever caused or whatever the root cause of the removal is, but we...we can't eliminate the trauma but we can reduce it. And we can reduce it through these measures, and I would ask the committee to do the work with me, and we'll get this kicked out. And I'd like to see this move through quickly. We did put an E clause on this, simply for the fact is we know that there are families out there who would use this today if we could provide it. Thank you. [LB265]

SENATOR CAMPBELL: Thank you, Senator Coash. If there are no other comments from the senators, we'll close the public hearing. Oh, sorry, Senator Watermeier. [LB265]

SENATOR WATERMEIER: I just wrote down (inaudible)...right at the beginning you said, possible amendment. Was that to do with the "clan" issue or is that something else? [LB265]

SENATOR COASH: No, I...there's a...there were two things that need closer look at with the committee. [LB265]

SENATOR WATERMEIER: Just... [LB265]

SENATOR COASH: One is a suggested amendment by the ARC, which a letter was there. [LB265]

SENATOR WATERMEIER: Oh, okay. [LB265]

SENATOR COASH: And the second one was just further clarifying the definition of "significant contact" with regard to kinship. And Senator Howard has...she already did some homework and shared it with me this morning about how other states have defined that. And I defer that to the committee to find the right definition and move it forward. [LB265]

SENATOR CAMPBELL: (Exhibit 31) Right. And we should note for the record that we received a letter of support from the Nebraska Chapter of the National Association of Social Workers. So we'll put that in the record and make sure we note that. And with that, our hearings are closed for today, so please drive safely on your way home. (See also Exhibits 32, 33) [LB265]