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Health and Human Services Committee  
October 22, 2015

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[LR248]

The Committee on Health and Human Services met at 10:00 a.m. on Thursday, October 22, 2015, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LR248. Senators present: Kathy Campbell, Chairperson; Sara Howard, Vice Chairperson; Roy Baker; Sue Crawford; Nicole Fox; Mark Kolterman; Merv Riepe; and Patty Pansing Brooks. Senators absent: none.

SENATOR CAMPBELL: Good morning, everyone. I want to welcome you to the interim study hearing on LR248. This is the Health and Human Services Committee. Senator Patty Pansing Brooks may be joining us as a representative from the Judiciary Committee. I'm going to go through a few preliminary procedures that we usually do for the Health and Human Services Committee. Just to remind you if you have a cellphone, please turn it off or put it on silent. If you are planning to testify today, and we have a list of the testifiers, but even though you're on that list, we do need you to complete one of the orange sheets on the side. And I think that may be all the procedures today that we need to go through. As is our custom, we introduce ourselves on the committee. So I'm going to start on my far right, and so, Senator, you want to introduce yourself?

SENATOR FOX: Hi, I'm Senator Nicole Fox, District 7.

SENATOR KOLTERMAN: Senator Mark Kolterman, District 24.

SENATOR BAKER: Senator Roy Baker, District 30.

SENATOR CAMPBELL: Senator Kathy Campbell, District 25.

JOSELYN LUEDTKE: Joselyn Luedtke, I'm the legal counsel for the committee.

SENATOR CRAWFORD: Good morning, Senator Sue Crawford, District 45, which is eastern Sarpy County, Bellevue and Offutt.

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SENATOR RIEPE: I'm Merv Riepe. I represent District 12, which is Millard and Ralston.

BRENNEN MILLER: I'm Brennen Miller, I'm committee clerk.

SENATOR CAMPBELL: And the pages, would you introduce yourselves?

RYAN MACDONALD: Hello, I'm Ryan. I'm an undergrad at the University of Nebraska.

BRANDON METZLER: Brandon. Undergrad as well, at the University of Nebraska-Lincoln.

SENATOR CAMPBELL: If you need any assistance today, knowing where something may be in the building, or whatever, feel free to ask the pages. They are an enormous help to the committee and we appreciate their being with us, particularly in what we would call the off-season, with the Legislature not being in session. I'm going to give a few opening remarks. Senator Pansing Brooks, you have a spot here. I wanted to catch you before you went all the way to the back.

SENATOR PANSING BROOKS: Thank you.

SENATOR CAMPBELL: Senator Pansing Brooks is from the Judiciary Committee. And would you like to tell us your district?

SENATOR PANSING BROOKS: Yes, it's District 28, right where we're sitting, right now. Thank you. Sorry, I didn't know I was sitting up here.

SENATOR CAMPBELL: Thank you. No, you're fine. I'm going to give a brief introduction to LR248. Usually we open...we can sit at the table and open, but we have some just excellent testifiers today with a great amount of information, so I felt that it was very important that we get right to them. But I do want you to know that I want to thank all of the people who have participated in the stakeholders meetings over the summer. An enormous amount of work has gone into getting ready for today's hearing. And particularly want to thank Appleseed and Nebraska Children and Families Foundation, who first initiated this topic of discussion with me, saying we need to do something in Nebraska. So with that, our first testifier today is Jennifer

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Rodriguez. And Ms. Rodriguez, I would like you to spell your name, and that's for the transcribers who listen to this. So go right ahead. [LR248]

JENNIFER RODRIQUEZ: Okay, thank you. And thank you for the introduction, Chairwoman. My name is Jennifer Rodriguez, and that's J-e-n-n-i-f-e-r R-o-d-r-i-g-u-e-z. And I'm the executive director of the Youth Law Center. And we're a national public interest advocacy organization that is focused in on making sure that young people in the child welfare system and the juvenile justice system have the support services and parenting that's really necessary to help them develop and thrive in a healthy way. And I'm very pleased to be with you here this morning in Nebraska. I am here specifically because I think that I have a little bit of lessons learned from our experience with working both in California and in Florida to implement our Prudent Parent and Normalcy Acts. And so I'm going to talk with you a little bit about that. And I want to just preface my comments by saying that while I am a lawyer and I'm an advocate for children, I think that maybe one of the most important perspectives that I bring to this particular conversation is that I myself grew up in foster care and I'm a mother. And so I'll say a little bit more about that as I speak to your committee today, but I did want to say that I think on this particular issue, I appreciate the judicial member being here. That this is really a...although it's a legal issue, it's so much more about how we can really ensure that our young people have what's necessary in a very common sense kind of way. So I will start by saying that in California, we have 12 years of experience with implementation of our Normalcy Act. I actually had the pleasure of working--staffing our normalcy bill back in 2003. And just as context, in 2003, I was actually in my last year of law school, I was pregnant with my first child, who I'll say more about a little bit later, and I was the lobbyist for the California Youth Connection, which is our state's organization of current and former foster youth. And this issue around normalcy and really empowering caregivers to make clear and sensible decisions around allowing children to have the opportunities necessary to help them develop was one that was critical to me, because of my own experience in foster care. I had spent the formative years of my childhood and adolescence institutionalized, touring just about every kind of congregate care that was available. I'd been in big group homes, small group homes, shelters, juvenile hall, psychiatric hospitals and there wasn't a single normal thing about my experiences. The one very basic thing that every child needs to grow and thrive, that parenting from somebody that has dreams for their child, who supports their child's goals and aspirations, I never got. Instead of parenting, my behavior was

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supervised in the form of midnight bed checks by college student staff with flashlights that had no life experience whatsoever. My life was managed by complicated level systems, rather than somebody making careful, individualized decisions about what was best for me. In order to do something like go to 7-Eleven to go get a Slurpee, I had to put in outing requests weeks in advance. I could never go to the mall with friends, but I was allowed to leave with my 36-year-old boyfriend, because he had a driver's license, he had insurance that could be copied and placed in my facility file. I'd experienced everything you can imagine, yet I had experienced nothing. I was an expert on psychotropic medications, how to tongue them, how to get the good ones, what side effects each one caused. I had spent years on the streets and I had a record documenting my experiences of being arrested, spending time in juvenile hall for prostitution, for assault, for shoplifting. I knew how to hot-wire group home vans, how to make college student staff cry and quit, how to get myself out of just about every dangerous situation you can think of and probably some you can't think of. But I'd experienced nothing that other children my age had experienced. I'd never eaten dinner as a family, I'd never learned how to make smalltalk, I'd never gone camping, never gone to the beach, never eaten dinner at a fancy restaurant, never flew on an airplane, never been to a Macy's or a Nordstrom's--not until my mid-20s. I had never played sports or been to a sports game, I'd never gone to school dances, I'd never had a legal and legitimate job. And this is why working on normalcy in California and Florida mattered to me and why the Strengthening Families Act matters so much here in Nebraska. Because the child welfare system had not protected me from all the experiences that could break my spirit and break my body, but it had managed to completely insulate me from just about every experience and relationship that might have helped me heal, might have helped me form a new, positive identity and might have helped me thrive as an adult. It wasn't until after I left foster care and found the California Youth Connection and had the chance to travel, to advocate, to talk to folks like you, to get involved in policy that my world finally opened up and I learned who I was meant to be. As a mother now of two children, I'm more convinced. Having never been mothered myself, I kind of watch it with wonder. My children completely rely on their relationship with me: my nurturing, my belief in them, in order to understand and to navigate the world. As I seek out new activities for them, I literally see my children transform before my eyes. My anxious, very hard on himself, perfectionistic, easy to frustrate son has learned patience, confidence, peace, and the payoffs of hard work through playing competitive baseball and basketball. My shy, reserved, gentle, and sweet daughter, who was very slow to

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learn to read, literally lit up the stage as the lead in a play. Her voice was the loudest and the clearest, she read and memorized the line of every single character, not just her own, and she supplied the encouragement and confidence for the rest of her classmates. I could not believe that was my daughter on the stage. I was so proud of them, and they knew it, and they basked in that. And I want that for every single child and youth in foster care here in Nebraska. And implementation of the Strengthening Families Act, it gives us that chance. One of the most helpful things that these new requirements do is help us identify where we have critical gaps in our ability to have a system that's oriented around and able to meet all of the needs of children: safety, well-being, permanence, their development. So I would ask you to think about the issues that come up as you're thinking about implementation and what they mean for our overall child welfare system. Pure concern that foster parents can't be trusted to make these clear, sensible decisions? That means that we, in fact, have some urgency around the quality of care, because foster families already have our children 24 hours a day and have to make parenting decisions not just daily, but actually, every minute, every hour. One of the initiatives that we do at the Youth Law Center is the Quality Parenting Initiative. And our focus in that initiative is really making sure that we reorient our system around excellent parenting. And what we've seen is that this issue around normalcy and trusting and empowering our caregivers gets to the heart of that. If we're worried that caseworkers won't know how to evaluate whether a good decision was made, that foster parents are worried about what will be considered a reasonable decision, that means that everybody needs developmental and trauma training. In Florida, they've instituted a Know Before You Say No Campaign that encourages all social workers and all foster families to by default say yes to a request that a child makes to participate in a experience to travel, to participate in an extracurricular activity, and to investigate whether there are in fact any barriers. This is really beyond balancing risk and safety in decision making. It's important that guidance for those who are acting in the role of the youth's parents also focuses on building up those protective and promotive factors that are associated with well-being and helping youth to thrive. Our foster families are willing to have youth participate in activities, but there are no resources to help them do so? That means we need advocacy in the budget process. It means it's time for new partnerships with community agencies, with folks who might be willing to sponsor and subsidize activities for young people, with businesses who have to recognize that this role of raising children is all our collective responsibility. If we're worried that disputes might turn ugly around whether a good decision was made, then we need to look really carefully at our licensing

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function and our investigatory process to make sure that that process is one that can support and encourage good parenting and not be punitive and law enforcement based. Caregivers are going to need to feel like they are a member of a team who has their back and who's supported if one of their decisions come into question. This is the work that we have been doing in California for the last 12 years, so I can tell you it's definitely a lesson learned. And work that we're currently underway in Florida, is completely revising our investigatory and complaint process for caregivers. This is particularly important because your state, as every other state, has an issue around having enough homes that are willing to care for older youth in care. And this fear around what happens if a young person does what young people do, which is go out and investigate the world and maybe make some not so great decisions--if caregivers feel like they are going to be investigated and lose their license if that happens, you won't have anybody who wants to care for teens. So this is really a critical issue. If we're worried that biological families and foster families will have differing opinions about what children should do, then that highlights the need for partnership and for teaming between biological parents and foster parents. And we have to ask ourself the question about how child welfare agencies can really facilitate these relationships and support coparenting between those folks. If we have concerns about how young, untrained staff in congregate care will make these type of decisions when they themselves have little life or parenting experience, that's a good question. It's very difficult to do that. It highlights the larger issue around whether these facilities are appropriate places to have children grow up. They may be appropriate places to stabilize children and to provide a therapeutic intervention, but as a long-term placement, this is something that definitely calls into question our decisions around placement. In California, we've just passed, I think, some landmark legislation that transforms our group care system into one in which we will no longer be using congregate care placements as a long-term intervention for this very reason. But instead, we'll be using them as a short-term therapeutic intervention. Where will youth go to enforce these new rights and to ensure that they are getting the opportunities they need? This calls into question what we need here in Nebraska. Whether it's an independent agency, whether your state administrative agency or your court, or you need something like what we have in California, an ombudsman's office, whether your children's attorneys need to be trained your guardians ad litem, how to bolster your licensing process. And maybe, most importantly, I think the thing that everybody worries the most about is are we worried that youth are going to make bad choices? If we let them make these decisions and give them more freedom, are they going to

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make poor choices? So I'll just say that those poor choices often come from lack of any support and healing from trauma and loss. They come from not having strong relationships with adults and from lack of experience. So my answer to you is will they make poor choices? Yes, they will. And developmentally, that's exactly what they're supposed to do. And let's let them make those poor choices now, while they're in care, while they have a safety net and while we can really support them through the consequences and help them grow into healthy adults, rather than waiting for them to leave the system and to learn the hard way, through experiences like homelessness and incarceration. If we're particularly concerned about special and specific groups: parenting youth, fathers, youth with mental health challenges; that highlights our need to focus in on making sure that those youth are served in our child welfare system while overall. I will tell you that some of the lessons that we have learned as we've worked on implementation in California and Florida is that it's critical in implementation to partner with local advocates to determine what changes are needed to state law and policy. You've just undergone a very comprehensive process, which you will hear more about in testimony with over 300 young people, advocates, caregivers who have identified exactly what the road map is for what needs to happen here in Nebraska. That is going to be critical. Those lawyers and other advocates will be essential to helping folks understand the details of the new law and existing law in your state, making sure if there is any policy that conflicts with this goal of normalcy, that you take that policy down while you promulgate new policy. Find advocacy partners who you trust, who will really work with you as partners. Secondly, this is really a chance to create the policy that you want. Too often, when we have directive from the federal level, we just simply take what they've given and implement that and put that into law. But this is really the chance to think about what's happening here in Nebraska, about what your stakeholders have told you, and use it to design the statute...the solid statute that you feel like will really get you to this goal of making sure every single youth has the chance to grow up in a way that allows them to thrive. Third lesson is: really think about enforcement and accountability. Consider working closely with your state partners to make sure that there are mechanisms to ensure that state, local, and private agencies are held accountable for implementing the provisions, and that they do have the intended impact on youths lives. For example, when we passed our youths rights legislation in 2001, we simultaneously created a state ombudsman's office to educate youth about what their rights were, and to investigate complaints and enforce those rights. Without our ombudsman's office, it would have been much more difficult to ensure that youth rights complaints are investigated and

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enforced. State leadership buy-in, fifth lesson. This is one that you all actually have headway on. It's so important to make sure that your state leaders are on board and that they understand the why as much as they understand the specifics of the new federal requirement. Without that support and encouragement around understanding why this is so necessary, the law may not feel as pressing and may not be implemented in the way that we designed. Your headway is that you already have a state agency who's made significant progress on pushing forward this issue of normalcy as a goal, even in advance of the Strengthening Families Act. So bringing them in as a partner, as you develop your policy moving forward, will be critical. Making best practices part of implementation. We now have lessons learned and best practices from youth advocates across the country and those will be really valuable implementation tools. We are happy to play the role of helping you connect with others who have successfully implemented the legislation to understand what has worked, what hasn't worked, and how to best go about it. The last that I'll say is that a critical part of this implementation is training with all partners. Ongoing, repeated training on both the technical requirements of the law and the reasons why it makes a difference to youth is going to be essential in implementation. All partners who have a role in the new implementation, like your foster families, your providers, your foster youth, your social workers, your guardians ad litem, lawyers, court officials they need regular reminders. Even 20 years out, we are finding that we need to have ongoing training. Our work force turns over constantly. People need a constant reminder of why this is critical. I will leave you with saying that from my own experience, children need, really, two things in order to develop into successful adults: they need roots; they need those relationships to heal, to thrive, the parenting that helps them recover trust in adults and to simultaneously explore. That is part of the Strengthening Families Act as well, the elimination of another planned permanent living arrangement. We need to make sure that we're finding youth families, doing the permanency work, keeping them with siblings, really ensuring that every single youth has those connections to establish roots. But the second thing that young people need in order to develop into healthy adults is they need those wings. They need their new experiences that are necessary to develop their full potential and to find their each individual gifts. I had the pleasure of meeting a young woman named Claribelle, who recently worked on a movie called Know How, and it was her first experience ever leaving Harlem in New York. And in the process of this movie, she was a writer and she was also an actress, while she was only 17, still in care. She had the opportunity to travel to Spain to receive an award and she said that she could never imagine that there was a world outside of Harlem. And while her



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career goal previously had been to be a waitress, the minute she went to Spain she decided her career goal was now to become a flight attendant, because she wanted to travel the world and see other places, and couldn't believe how friendly and supportive and nice...and that there was any place other than Harlem where people actually spoke Spanish. I thought that was the most interesting piece. These are the type of experiences that really help our young people develop and think that they have the ability to have those wings to fly into their life. So I thank you so much for your attention to this issue. I look forward to continuing to work with you as a partner as you implement your new provisions. And please let me know any other way that I can be of assistance. Thank you. [LR248]

SENATOR CAMPBELL: Thank you, Ms. Rodriguez. Questions from the senators? Senator Howard? We should introduce Senator Howard. What district, tell us. [LR248]

SENATOR HOWARD: I represent District 9 in midtown Omaha. [LR248]

SENATOR CAMPBELL: And we all expected you to be on your honeymoon. [LR248]

SENATOR HOWARD: Well, no, I'm taking my honeymoon after Christmas. [LR248]

SENATOR CAMPBELL: Oh. Senator Howard was married last weekend. [LR248]

JENNIFER RODRIGUEZ: Congratulations. [LR248]

SENATOR HOWARD: This weekend. I'm a little wedding hungover. (Laughter) But I do have a question for you. You mentioned that California and Florida are no longer using congregate care for long-term interventions, just for short-term interventions. [LR248]

JENNIFER RODRIQUEZ: California. Florida actually has a statute that is being presented this session. In California, we just passed our statute. [LR248]

SENATOR HOWARD: So we have a little bit of a tension between the services that are available and the judicial branch's wishes for state wards. What did California do to sort of address...if

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we're only going to use congregate care for short-term interventions, how did they beef up their other options for long-term interventions? [LR248]

JENNIFER RODRIQUEZ: It's a really good question. So I think that a big part of the work is while there are restrictions placed on congregate care, it's around building up child welfare's capacity to provide family care. And actually, this particular piece, this normalcy piece, and ensuring that foster parents are supported in the licensing process and that they're getting the resources that they need to parent is a key part of that. What we hear so often from foster families, when we really talk to them, is that the issue around foster families not wanting to take teens, it is less about them not liking teens and much more about all of the barriers that we put in front of them to actually caring for teens. So it's things like: if they know that teens might sneak out and have a night where they go out and drink with their friends, how do we respond to them? Do we blame that, sort of, on the parent and threaten to remove their license when that happens? Or not place any more children in their home? Or do we say this is a normal experience that can be expected. Good for you for turning this into a life lesson. It's also around, you know, sharing appropriate information. We found that just about in every state we really have issues around providing foster families with the information that they need, in a timely fashion, to care for children. And this is a particular issue for teens and those teens who have...may be struggling with mental health issues or with behavioral challenges. So foster families by and large say they are willing to care for teens if we simply give them the support necessary to do so and bring them onto a team. And in California, what I will tell you, just sort of anecdotally, one of the very interesting things that we have seen is there's been a lot of panic about our new legislation. And in particular, we've had some large group home facilities who have been in the news saying we're now needing to shut down and all of our children will have no place to go. And what has happened in response is that those county's administered state oversight system...those counties have been flooded with people from the community saying I saw this story, there are these children on there, I want to parent them. So we realize we have to do a much better job at sort of putting the individual...doing the individualized recruitment for these young people and letting the community know that they exist. And by individualized recruitment, I mean making sure that we tell the specific stories of the youth that are awaiting placement and that are growing up in facilities. But we also need to do a much better job at the outset. Many of these young people already have adults that they are connected to in their life, whether they are relatives or, you

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know, a third grade teacher who was involved at some point. We don't do all that we can do. Especially in...we're in a day and age of technology, where any one of us can, probably in five minutes, find our boyfriend or girlfriend from fifth grade, right, or sixth grade, you know, through Facebook and social media. But somehow, we can't even find children's paternal family and we can't find, sort of, their extended family. There are many, many more ways that we can be innovative immediately to make sure that there are 10 options available--extended family members that are available. So I think, in my mind, and of course, I'm somewhat biased, having been through this, but in my mind, it's really about deciding that that's your goal. And so your question may be how do you convince people that that's the goal that you want to get to. And I think on that one, it's clear. We now have a lot of research that tells us not only are outcomes worse for congregate care, but that actually the process of living in congregate care interferes with healthy youth development. [LR248]

SENATOR HOWARD: If I may, a followup? [LR248]

SENATOR CAMPBELL: You bet. [LR248]

SENATOR HOWARD: Thank you, Senator Campbell. Just out of curiosity, you're on a county system, and so are you using independent agencies for recruitment of foster parents or is the county doing it themselves? [LR248]

JENNIFER RODRIQUEZ: We have a mix. So in California, we have a system where county...the public agency does recruitment, but they are also working with a number of private agencies who do their own recruitment. And so part of the work around, sort of, expanding capacity has also been getting people more on the same page around what the message is around recruitment. Most states that we've seen, you know, we don't have experienced marketing and sort of sales folks who are in charge of recruitment. What you typically have is somebody who has a child welfare background, who is like me, who picks the clip art that they like the best, which oftentimes is like the cutest baby you can find on the clip art and sort of puts up and says do you have room in your home for this baby, when what we know we have is sibling groups and teens. And so it's sort of been around saying let's really make this a priority and recognize it as the specialized job that it is. And we know, you know, companies spend millions of dollars on

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their marketing to target exactly who the right demographic is--the right group of people. We know who we need to be foster parents. We know we need people who genuinely like teens. They're the people that you find volunteering to coach, you know. Sort of looking...they're those neighborhood moms. And so if we really thought about how to target them, the people that are in the PTA, I think we would find that we had probably more homes than what we actually need. [LR248]

SENATOR HOWARD: Thank you. Thank you for your testimony today. [LR248]

JENNIFER RODRIGUEZ: Thank you. [LR248]

SENATOR CAMPBELL: Senator Riepe. [LR248]

SENATOR RIEPE: Thank you, Senator Campbell. You mentioned sixth grade and I reflect back that I don't recall having a girlfriend in the sixth grade, but I had a great dog named Lucky. (Laughter) [LR248]

JENNIFER RODRIQUEZ: That might have been a little fast. [LR248]

SENATOR RIEPE: I was fortunate in that regard. I also want to commend you for your perseverance personally in your life and serving as a role model. [LR248]

JENNIFER RODRIGUEZ: Thank you. [LR248]

SENATOR RIEPE: The question that I have is your change from a...correct me where I'm wrong here, but you've gone from a model of more congregate approach to more, I assume, what is an individual approach, if you will. [LR248]

JENNIFER RODRIQUEZ: Absolutely. [LR248]

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SENATOR RIEPE: How long have you been at that and how successful has that been? And have you had any financial rewards in the sense of the cost per encounter is better or outcomes are better? Could you share a little bit for me with that? [LR248]

JENNIFER RODRIQUEZ: Absolutely. So I will say that in California, our...the statute that I'm referring to, literally just passed and will go into effect January of next year. However, the writing has been on the wall, in our state, for several years. So in anticipation of changes, we've had county agencies already reducing. So, for example, one of the counties that I've worked closely with was the county in our state that had the highest percentage of young people in congregate care, has managed to decrease that by half over the two years waiting for this bill to be passed. And there's absolutely a cost savings. And in fact, our legislature approached this issue, not as much from a policy perspective, as it was from a fiscal perspective. Group care...congregate care is exceedingly expensive and we have a model where we're saying you can only get these type of intensive mental health services if you live in a particular setting. Where, in just about every other arena, whether it's developmental disabilities, mental health, we've moved away from that and said people can be served in their communities. You can get the services you need while you live at home. And so that's where we're moving to in child welfare as well. And there is a cost savings. The big question, I think, for systems is whether you want to make a reinvestment of those cost savings. And I would encourage you, if this is something that you're thinking about, to say that absolutely, you should be making a reinvestment, and those are some of the dollars that can fund some of your normalcy activities, that can fund some of the training that's necessary for your foster families, for your social workers who are in the system. There are so many things that are needed in order to really give foster parents the support that they need to parent and to make sure that those options are available outside of congregate care. But it does take a sort of a choice to say we do want to make that a reinvestment. [LR248]

SENATOR RIEPE: May I ask a follow-up question? [LR248]

SENATOR CAMPBELL: Yes. I'm going to have one more question and then we're going to move on, because we have a number of people. [LR248]

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SENATOR RIEPE: We are a very rural state, couple of urban centers...and California obviously has some rural too. How did this play out in relationship to the urban application and then in some of your more remote...Bakersfield or wherever, whatever is remote in California? [LR248]

JENNIFER RODRIQUEZ: We definitely have just as much rural as we have urban. And despite what people think, California is not all L.A., which I constantly remind... [LR248]

SENATOR RIEPE: Or Hollywood. [LR248]

JENNIFER RODRIQUEZ: Or Hollywood, yeah. Exactly. So it's actually, to be honest with you, it is easier for us to move towards this goal around expanding capacity for family-based care in rural areas than it is in our urban areas. In our urban areas, the cost of living is higher, people are far less likely to have an extra room or two in their home, in order to care for children. The challenge in rural areas has been twofold. One, it's getting the word out to people and providing them with the support that they need because of the huge geographic distances. So if you have a young person who lives in your home who, for example, has family visitation three times a week and might be to your urban center...that might be where your biological parents are, how can we support that family, so that they're not spending 20 hours of their week commuting back and forth? And there's definitely ways to deal with that. The second challenge has really been around...when you have biological families and foster families who live in the same rural areas, the communities are so small that there are a lot of fears that people have around being foster parents. And so thinking about our, you know, we have foster families who are worried, if I care for this child, everybody will know where that child lives. And so am I putting myself at harm, you know, by doing that. And so the solution in those is really for the child welfare agency to step up and to take a role in encouraging and facilitating those relationships between birth families and foster families in a safe and supported way. So instituting practices like icebreakers, where the child welfare agency brings in the birth parent and the foster parent together and everybody sits down and sort of gets on the same page about parenting for a child. So I think it's sort of...it's getting the word out, dealing with the logistical issues in rural areas, but then also listening to what those...what potential foster family's specific concerns might be and figuring out a fix for what those issues are. [LR248]

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SENATOR RIEPE: Thank you. [LR248]

SENATOR CAMPBELL: I do want to remind the senators that we will have an opportunity after the hearing to again sit down and have a conversation with Ms. Rodriguez, so if you've got questions, we can get to it. Senator Pansing Brooks, do you want... [LR248]

SENATOR PANSING BROOKS: I'll wait for that, thank you. [LR248]

SENATOR CAMPBELL: Okay. Excellent. Thank you, Ms. Rodriguez for your testimony and coming today. [LR248]

JENNIFER RODRIGUEZ: Thank you so much. [LR248]

SENATOR CAMPBELL: And I agree with Senator Riepe, you are a role model. Our next testifier is Jennifer Pokempner and I bet I'm just murdering that name. [LR248]

JENNIFER POKEMPNER: (Exhibits 1, 2) No, you are very close. [LR248]

SENATOR CAMPBELL: Okay. Go ahead and pronounce your name and spell it. And go right ahead with your testimony. [LR248]

JENNIFER POKEMPNER: Thanks. And thanks very much for letting me testify today, I really appreciate the opportunity. My name's Jennifer, J-e-n-n-i-f-e-r, and it's Pokempner, P-o-k-e-m-p-n-e-r. So again, I work very closely or get the opportunity often to work very closely with Jennifer Rodriguez and Youth Law Center, so I'm going to be reiterating, but hopefully not repeating too much, except that a lot of what she's saying is just so core to what you're doing today and going forward. I do thank...not just for the opportunity for testifying today, but I've gotten the opportunity to work with the stakeholder group and many of the advocates in Nebraska and have really appreciated that opportunity, because it helps us not just learn from Nebraska and bring some of what we know nationally. But I think what Nebraska is doing is going to help the rest of the states move forward in exciting and hopefully embracing this opportunity that the Strengthening Families Act provides all of us across the country. But as I

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said, I work at Juvenile Law Center in Philadelphia. We are one of the oldest non profit law centers in the country. We are located in Philadelphia but we do do national work and have worked in Nebraska, I think, for the past year with a lot of the advocates, but have gotten the opportunity in the last year to really focus on Strengthening Families Act implementation. And so gotten to look at what other states are doing and look at what some of the trends are and to see what is the best out there, to bring it back to states who really do want to embrace this work and move things forward. In the last year, we've been doing this work on the Strengthening Families Act by looking at policy and practice in other states like California, is one example, there's several other states who have moved forward on some of these issues like normalcy and improving permanency, even before the law was enacted...the federal law, so we have a lot to learn from them and then having again the chance to work on the ground in states. Across the country, we do continue to see large numbers of older youth leaving the child welfare system without families, without the skills they need to embrace all the opportunities in adulthood. We know that we are failing these youth and we can do a lot better. And as Jennifer, and I think everyone, will reiterate today, the Strengthening Families Act really gives us the opportunity to do that. And it's not an exaggeration to say that the Strengthening Families Act is a huge and immense law that's going to take a lot of work to implement well, but it's also not an exaggeration to say that the opportunity to embrace it and move things forward could really leave you in a situation where your outcomes are so improved for kids and for families. So I wanted to give a little background...or was asked to give you a little broader context of what is this whole immense law: the Strengthening Families Act. And it is, as Jennifer and others have said, really mirrors the structure of the child welfare system, or the objectives of safety, permanency, and well-being. The safety provisions really target some of the things we've seen as putting older youth very at risk for poor outcomes and so the first section of the act really focuses on assisting youth and providing services for youth who are victims of sex trafficking or at risk of sex trafficking, as well as youth that are running away from foster care. So those first series of provisions really focus on getting systems to think about how they can better identify, track and serve, most importantly, those youth, so that they really...we do address their needs and so we don't lose them. Because these are the youth that are leaving the system early, they're running, we're not meeting their needs and they are the most at risk for really bad outcomes. The second large chunk of the law is...we might call the well-being provisions, and that includes the normalcy provisions, which you're going to hear a lot about today. And they really do focus on



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providing normalcy for kids, not just by giving caregivers more authority to make decisions, but also really putting an obligation on the agency to promote and support these activities, and that can be done in a lot of ways. And the act also puts the court in a role of also overseeing these things and reinforcing them. So normalcy isn't just about decision making authority, it's also about promotion and, as everyone today is going to say, changing the culture and changing the structure of the system so that normalcy is central and core. It's not something we will do if we get to it. If we get to safety and permanency and then we'll worry about activities, it's really core to well-being. The second portion of those well-being sections are some provisions that were mentioned earlier, about case planning, about involving youth in their case plan, about giving them knowledge, giving them a list of their rights, so they understand how the system works and can advocate for themselves. Those provisions also include some requirements around giving youth more opportunity to select people to be part of the case planning team: advocates, people they care about, so that that planning process can be more meaningful and so that they have more support to do it well. And then, also importantly, for the youth who are leaving care at 18 or older, that they are provided these vital documents that we all take for granted, that are essential to adulthood: birth certificate, Social Security card, information about health insurance. They can't have a successful adulthood without those things, those very basic things. The third large section of the law would be called the permanency provisions. And as you'll hear today, and we'll continue to talk about, permanency is central to the child welfare system and it continues...achieving permanency for older youth continues to be a challenge across the country for systems. And the Strengthening Families Act really focuses on saying that we can no longer just leave older youth in a holding pattern and wait until they age out. That we really need to be pushing for permanency for them and family in a lot of different ways. And it can look very different for each youth. And so the permanency provisions focus on limiting the kids that we put in this permanency plan, that sadly is known by five letters: APPLA, another planned permanent living arrangement. If you think back to 1997, when the Adoption and Safe Families Act passed, which was another, I guess, two huge federal laws ago, the big thing that that law did was say you can no longer have long-term foster care as your permanency plan. We're going to replace that with APPLA, it's going to be completely different and better. But what really has developed over the years is that APPLA is simply five letters that mean long-term foster care. And they really haven't significantly pushed the envelope forward in terms of saying older youth deserve families and connections. So what the Strengthening Families Act does, is say you

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cannot use APPLA for any youth under 16. And if you're going to use it for youth over 16, we're going to make the bar a lot higher for you to get there, with the goal being we don't want you to get there, because we want you to have done better and connected youth with families. So that's a very important provision section of the law to remember. But in terms of after looking at that, kind of, big sweep of the law, and there's a lot more detail, and some of the material we're providing you, if you want to read every section of the law, you can. We have that and some summaries. But where is the nation in different states on implementation, now that we know more about this huge law? And the truth is, is that most states are in the same position as you and they are making crucial decisions about what do we want to do with this law? Because this federal law, as most federal laws, leave you a lot of room for how you're going to do this. And that's good, but it does mean embracing the opportunity and really making some key choices. And so as we're looking at how states are implementing things, at least in the last year, we're seeing a lot of states rushing to put things in law that really just repeat the exact language of the law. And it's unclear how far that's going to take states. And we do understand the rush to compliance, but there is the concern that if you're just going to repeat the language, it may not fit to your particular jurisdiction and the laws and practices that you have. So we definitely do encourage states to do what Nebraska's doing and about a handful of other states are doing, which is pulling stakeholders together and not just looking at the law itself and say what does it require, but how is it consistent with our law, our foundations, and how does it help us move our goals forward? And so there really are only a handful of states that are doing this, but those are the states, I think, that are going to make it a big difference in making this law make a difference for kids and families. But we can look at the states, as Jennifer mentioned, that have already implemented normalcy laws prior to Strengthening Families Act: and they include California, Florida, Washington, Utah, and Ohio. So those are very diverse states. So you can see that states have made this happen and they are from very different parts of the country, with very diverse populations. And I think we can learn a lot from those states, because we don't have a lot to compare in the year since the Strengthening Families Act has passed. We have a little, but not a lot. But here, these states tell us a little bit, at least in the respect of normalcy. And Jennifer will probably be able to answer more questions about Florida, but a lot of us have looked at Florida, because similar to California, they started working on normalcy many years ago. So their first attempt at working on normalcy was in 2005 and they started putting forward a lot of policies and memorandums telling foster parents, telling caregivers, and telling youth that they could

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participate in these activities, and giving foster parents and caregivers the authority to make those decisions. And they really struggled for about eight years to really find that kids weren't getting these experiences and caregivers were still fearful of liability. And so they did end up, in 2013, enacting a law, because they really felt like they needed legislation to anchor this policy. It wasn't enough to have policy promulgation. And that that really did make a difference. And so Florida's law, which actually is the model for the Strengthening Families Act, provides some key aspects that I think are important to know. That they really did create this right to participate or have the opportunity to participate in age-appropriate activities. They gave foster parents the authority to make the decisions, but protected them from liability if they exercised that standard. And they also...Florida provided some financial assistance for foster parents and caregivers to promote normalcy. So that was one thing that they did think through, which I think is important. California, Washington, Utah, and Ohio have similar aspects to their law that I think are highlighted in Florida, of having clear rights, an entitlement to this participation, supporting foster parents, but also making the agency responsible for promotion and support, because all of those pieces are necessary. I think that Nebraska, as I said, in terms of the stakeholder and pulling people together, the process is really ahead of the mark in pulling groups together and getting all the people on board that you're going to need for successful implementation. And I think that what speaks highly of where you're going to go is this is not new for you. This is how you develop bridges to independence, this is how you wrote that law and all the details of that law is what puts you in a position to think through and have this really strong base. In terms of things to bring to...or recommend to Nebraska, and some of these are going to echo Jennifer, and I'll run through them really quickly, of just I think what we've learned from states is that there are some key things that we know need to be in every law and policy. And there can be flexibility and uniqueness based on your own policies and practice, because you do, as I said, have a lot of foundational base that's strong, but that just really need to be considered. And the first, really, is that effective implementation requires the system wide change, and you're going to hear that over and over again. This is so immense that you can't just do policy. You need administrative policy, but you need law and you need regulation. I know we're lawyers and we really like the law, so I admit that bias, but we've seen that we need to anchor strong policy and law, because then it does become more...the enforcement and also the clarity of what people know and understand in terms of expectations isn't as solid. You need administrative policy, you need training and you need all the guidance at every level, but if you don't have the base in law, I think it does make

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it...the change a little less long lasting. You also really do need clear requirements and enforcement mechanisms to be part of implementation. And again, I know coming from a lawyer, that sounds like: oh, of course you're going to say you want an enforcement mechanism. But frankly, for me, and working with young people, part of building enforcement mechanisms is about building confidence in the system and sending a message that we think this is important enough and we're going to stand behind it. We expect you to follow these things. If you don't, there are consequences. We want to provide the support in the system, so people can follow the law and we don't need those things. But I think that for me, enforcement is most about clarity, but it's also about...we have enforcement for the things we think are most important and shouldn't we here? And so there's a lot of ways...Jennifer mentioned some great ways that you have enforcement: you have court oversight, you can have ombudspeople and you can really do a lot with grievance procedures. And when I was working with the stakeholder group, it's clear that you have a lot of vehicles to build the enforcement onto, so you don't need to start from scratch, but thinking about how you make sure those processes are accessible to youth. And this is something that Nebraska...this third principle, I think, you guys have already embraced, is that youth involvement has to be integral to implementation and it has to be consistent and throughout. So I don't need to tell you much about it. You guys are doing this really, really well, but I think, you know, we always have to be vigilant about it and never take it for granted. And we have to be considering, as we move forward, all the different ways we have feedback loops for youth to tell us how we're doing. A lot of times, I know in my experience, we put a law in place and we just expect that it's going to do good and everything's going to be perfect. And we know that, and you guys know that as legislators, that never is true. And the enforcement and implementation and the feedback loop from youth, we need to have that ongoing and there's lots of ways to do that. And finally, and I think you're going to hear us all coming back to this: safety, permanency, well-being are interdependent and equal priorities. And I know you all know that. I think we repeat that over and over again because the system really hasn't functioned in that way, particularly for older youth. We've tended to prioritize one, so you can maybe get...definitely you'll get safety, well-being, maybe, but I don't know if we can do permanency too. That would be too much for a 17-year-old, that's too challenging. We need to think of them all together and that they deserve all three of those things. And so one of the things...I think normalcy, the normalcy provisions are so important, but people shouldn't forget the permanency provisions, because the best the way to provide normalcy is to get youth in normal situations, which are with

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families. And again, what that family and connection is can look very different for each youth. Every youth doesn't need to be adopted. A legal permanency is the gold standard, but it's not the only standard. And I think one of the things that the Strengthening Families Act gives us the opportunity in looking at permanency, is not just beefing up the resources in recruitment...across the board for foster families, for adoption, for caregivers, for mentors, for just supportive adults. And I think that it is really important that we identify...we support the individuals that youth identify as important, but we also really work to increase who they're connected to. I think that we need to make sure that youth lead the process, but we really do need to confront challenges of both: what are the barriers to youth accepting and wanting permanency, but also what are the barriers as adults and professionals we have to thinking that it's possible? So I think we need youth to lead this process, but it's a system that we need to consistently, and I would say relentlessly make clear to youth, you deserve a family and connections. And even as they're striving to be independent and adults, that we want them to have all those things together. So again, I thank you for letting me testify. I brought some information that gives you...if you want more information about the national context, and look forward to working with Nebraska, but also seeing you guys lead, so that we can take it to my home state, which can follow your model, but take it to other states as well. Thank you. [LR248]

SENATOR CAMPBELL: Thank you. Will you be staying to visit with us afterwards? [LR248]

JENNIFER POKEMPNER: Yes. [LR248]

SENATOR CAMPBELL: Okay. So I'm going to hold the question. Senator Pansing Brooks, you have a quick question? [LR248]

SENATOR PANSING BROOKS: No, it's just come up twice. And I'm just concerned about the leaving caregivers...I understand making sure that they are not liable for somebody going out and drinking. But in the balance...and you talked about a multifaceted approach, which is so important to bringing all these groups, I am concerned because there are human traffickers that are within the foster system. So you're not talking about that extent of keeping them...holding them harmless or... [LR248]

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JENNIFER POKEMPNER: No, I mean, I think the liability issue is very multifaceted and complicated. Whatever you do in your state law around the Reasonable and Prudent Parent Standard and the protections, you're also going to want to look at...you will have either a statutory law or case law that already provides certain protections, both for your county agency and foster parents. So I would...it is very complicated, but I think this is built onto an existing system that both protects both state actors and foster parents, but definitely doesn't protect everyone from everything. Every liability protection has points at which you don't receive immunity or protection because of the level of egregiousness of the act. So I don't think this is a blanket for everything. But it is to say that it inserts, and asks you to insert in your law, this general principle that if an injury happens as a result of a decision that was made that was reasonable and prudent, then you would get protection. And so that means that, you know, the accidents that really do happen, even when you've made the best decision, that's what this would target. So a youth might get hurt playing sports, but that doesn't mean you don't do it. So...but no, this doesn't hold you harmless for everything and there's definitely a patchwork of law that protects, but also allows suit for egregious harms. [LR248]

SENATOR CAMPBELL: I'm going to get a lot tougher on the rest of the testifiers, only because we're trying to get through a lot. So now we're going to go to what I would call the more local people. And so we are going to use the light system, Brennen, because we've got one hour left and we have a number of testifiers. So we're going to start with Mr. Weinberg, from the department. And while he is coming up, I want to emphasize to the audience, and I was going to cover this at the end, but I can cover it now. You know, there are two different LRs here, there's LR248 and LR186, and LR186 was put together by Senator Morfeld. So tomorrow afternoon, at the Judiciary hearing, we'll center and spotlight on sex trafficking. What we're mainly covering today, and you know, it's like no good deed goes unpunished, but Senator Morfeld and I were trying to save people from having to testify both days. So today, we're concentrating on the normalcy portion and Strengthening Families Act. So that's kind of why the division between the two, okay? Mr. Weinberg, would you go ahead and spell your name for us? [LR248]

DOUG WEINBERG: (Exhibit 3) Doug Weinberg, D-o-u-g W-e-i-n-b-e-r-g. Good morning, Senator Campbell and members of the Health and Human Services Committee and Judiciary Committee. My name is Doug Weinberg, I am director of the Division of Children and Family

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Services of the Department of Health and Human Services. I would like to thank Senator Campbell and Senator Scheer for introducing LR248 and initiating a conversation regarding Public Law 113-183, otherwise known as the Preventing Sex Trafficking and Strengthening Families Act. In the spirit of brevity, I will just speak to the highlights of my testimony. You will receive full written copies. Since January, CFS has consulted with many public and private partners including the Attorney General's Office, the Court Improvement Project, the Federal Bureau of Investigation, the Child Advocacy Centers, the Office of Probation and the federal Departments of Homeland Security and Health and Human Services. Through this collaboration, division has developed procedures to recognize signs of sex trafficking, document the occurrence and determine appropriate services utilizing the existing structured decision-making assessments. Utilizing that same collaboration, the division implemented guidance for expeditiously locating and responding to any missing child...missing from placement. The CFS specialist will discuss with the child the experiences he or she has had while missing in placement and the reasons why he or she was missing from placement. The CFS specialist will also work to resolve the identified reasons the child was missing from placement. The CFS specialist will finally contact the DHHS Child Abuse and Neglect Hotline if they observe any possible signs of sex trafficking. Working with the Foster Family Treatment Association and the Nebraska Association of Homes and Services for Children, the division has developed and implemented program guidance requiring foster parents and child caring agencies to exercise a Reasonable and Prudent Parent Standard when making decisions regarding participation by the child in extracurricular, enrichment, cultural and social activities. In addition, CFS has implemented new program guidance regarding the development of a Transitional Living Plan. The Transitional Living Plan is developed in consultation with the child and two trusted adults designated by the child who are not the foster parent or the caseworker. The Transitional Living Plan must include the child's acknowledgment of their educational, health, visitation and court participation rights explained in the Nebraska Foster Youth Bill of Rights. I am pleased to tell you that on September 25, of this year, CFS submitted and amended State Title IV-E Plan, demonstrating full compliance with the Preventing Sex Trafficking and Strengthening Families Act. I appreciate the opportunity to testify before you today regarding the development and implementation of the Preventing Sex Trafficking and Strengthening Families Act and look forward to future opportunities to improve the effectiveness of the work CFS does, day to day, to help children and families of Nebraska. I would be happy to answer any questions. [LR248]

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SENATOR CAMPBELL: Could you just briefly go through for us...you've attached a lot of things here, can you just kind of tell us what's in the packet? [LR248]

DOUG WEINBERG: Basically what you have received are various policy pronouncements that have gone to the field, regarding the different policy initiatives associated with this act, including the Reasonable and Prudent Parenting Standard. We have also...have written communications to all foster parents, all licensed foster homes regarding the Reasonable and Prudent Parenting Standard. And our child placing agencies, our foster care agencies, private agencies are also providing, you know, face-to-face training for existing foster parents. [LR248]

SENATOR CAMPBELL: Questions? And in a conversation with Senator Morfeld last evening, we'll make sure that this testimony is also given and provided during the hearing tomorrow. [LR248]

DOUG WEINBERG: Thank you. And I also submitted some written testimony to that hearing. [LR248]

SENATOR CAMPBELL: Okay, thank you, Mr. Weinberg. [LR248]

DOUG WEINBERG: Yeah, thank you. [LR248]

SENATOR CAMPBELL: Our next testifier is Sarah Helvey. Good morning. [LR248]

SARAH HELVEY: (Exhibit 4) Good morning. My name is Sarah Helvey, 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 in Nebraska Appleseed. As a member of the SFA stakeholder group, I will be summarizing stakeholder recommendations for how we can fully implement the normalcy provisions of the SFA to improve opportunities and outcomes for children and youth in care. Today, we released a report which is being passed around right now, summarizing the input from over 300 stakeholders and young people across the state through two stakeholder meetings, stakeholder youth and foster parent surveys, and focus groups of young people and parents. As you have just heard, the department has made policy changes and issued proposed regulations regarding the agency's



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compliance with the SFA and a number of other things as well. In addition, as a result of Senator Campbell and this committee's leadership in recent years, our state statute closely tracks the federal Fostering Connections Act in many of these areas, which was the 2008 precursor to the SFA and includes a number of best practices related to the Fostering Connections Act as well. I also want to note that Project Everlast is already doing many things to support the normalcy for youth in foster care. So while Nebraska is already ahead of the curve in many ways, there is more work to be done in Nebraska to improve outcomes as the law intends. And so these stakeholder recommendations are focused on that additional work for how Nebraska law and policy can be amended to make sure that baseline requirements are met and to continue Nebraska's path of instituting best practices in this area. So I'll get right to it. In terms of the recommendations with regard to the Reasonable and Prudent Parent Standard, stakeholders reached consensus around several issues. First, Nebraska statutes should state that children in foster care have a right to take part in age and developmentally appropriate activities. That a grievance process should be available for youth who feel they have not been heard or are facing consistent disagreement about normalcy activities. HHS and Juvenile Court should work collaboratively to remove or reduce barriers to youth participation in these activities. Nebraska statute should include a description that the legal rights of biological parents are not impacted by the Reasonable and Prudent Parent Standard, meaning parents whose rights have not been terminated still retain those constitutional and other existing rights with respect to their children, and that those rights and their important role must be respected. And Nebraska state statute should require the Juvenile Court to provide oversight to ensure that for all youth, the caregiver is following the Reasonable and Prudent Parent Standard. The stakeholder group in both groups of survey respondents, including every youth respondent, also recommended that the Reasonable and Prudent Parent Standard and normalcy should be applied to all children and youth in care, including those in the system due to child welfare, juvenile justice, status offense, or mental health in all placements and levels of care. And there was strong consensus around this recommendation, however, because these are only initial recommendations, the stakeholder group did not have an opportunity to develop specifics around how this recommendation should be implemented. And therefore, the stakeholder, including representatives from the juvenile justice and mental health systems, will need to collaborate to further develop this recommendation about what this should look like. And also note, you know, consistent with what Jennifer Rodriguez said, we need to remember that congregate care by itself, by definition,

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is not normal. And so we need to really look at how we can, you know, move that to be a more short-term intervention, rather than long-term. With regards to the requirement that the state must document in the case plan that all youth ages 14 or older have been provided a list of rights, the stakeholders recommended that the list of rights include all rights under state and federal law, not just those enumerated in the Strengthening Families Act. And also of note, nearly all the youth survey respondents agreed with that. One area of disagreement between the stakeholder group and the survey respondents surrounded an enforcement mechanism for those rights. The stakeholder group did not recommend that there be an enforcement mechanism in statute or otherwise, although some stakeholders thought that there were some existing mechanisms in place here that could take that on or address that. However, a strong majority of respondents from both the stakeholder and youth survey indicated there should be an enforcement mechanism for those rights. So that's an area also, for further discussion. We also...there was also some recommendations around case planning: that the case plan should document what efforts were made to engage youth. And around APPLA...I can see I've got the yellow light already. So I'll just make kind of one final concluding remark here, and that's that with a lot of stakeholders brought together during a short period of time, there are areas where consensus was not found and where follow-up work is needed. And so we would ask the committee to consider establishing a subcommittee or task force, perhaps under the Children's Commission or otherwise to monitor implementation of the SFA and changes in Nebraska law, policy, and practice going forward. And we look forward to working with the committee and the department in this implementation work going forward. [LR248]

SENATOR CAMPBELL: Questions? Ms. Helvey is the fastest talking testifier. [LR248]

SARAH HELVEY: When my mom watches it on-line, she always says you talk too fast, so I'll tell her you said that. [LR248]

SENATOR CAMPBELL: And tell her, I do that because Senator Campbell bugs me about it. So you can blame me. [LR248]

SARAH HELVEY: Okay, I will. Thank you, Senator. [LR248]

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SENATOR CAMPBELL: Thank you. Okay, our next testifier is a Raevin Bigelow. Ravein and I participated in a press conference before we came down, so we're very glad to hear from you. So state your name and then spell it for us. [LR248]

RAEVIN BIGELOW: (Exhibit 5) Raevin Bigelow, R-a-e-v-i-n B-i-g-e-l-o-w. Blessed and honored to be here--to be heard, seen and part of a movement, a movement that is making a big difference. Thank you is an understatement, but I would like to thank you for this opportunity to speak on Legislative Resolution 248. I speak to you as an alumni of the child welfare system. I am here to discuss how to implement the bill of rights portion and federal Strengthening Families Act. Three years ago, I aged out of the child welfare system after entering care at age 12. I spent many years trying to find myself, trying to be loved and accepted, which only caused me to run to the streets and get involved with things that affected and still affect me today as an adult. After aging out, I became a greater statistic. I was a teen mom, battered woman, addicted to drugs and alcohol, in and out of jail, and homeless. Today, I am a proud mother and an advocate for other youth that experienced what I have. Just this week, I spoke to a congressperson in Washington, D.C., and sat at a table with Nebraska juvenile justice system decision making as an equal. There are three points I'd like to make about the bill of rights outlined in the Strengthening Families Act. My first key point is that your rights are all you have after being removed from the only things you knew, so it's important to be aware of them, in order to fight for them. Second, I feel there should be a discussion with all members involved in the case to make sure the youth or child knows and understands their rights in the case. Finally, regardless of their age, a child needs to be aware and informed of their rights and have people to help them fight for these. First, your rights are all you have after being removed from everything you know, so it's important to be aware of them in order to fight for them. For example, when I was 16 and in a group home, I wanted to join a church and start on my road of redemption. Unfortunately, I wasn't able to attend church. In order to attend an outside activity, while in the group home, you had to be on a certain level with so many points for the week. I was told no to my right to religion. The Strengthening Families Act makes sure that certain fundamental rights are not taken away from a youth. Had this act been in place when I was in care, I might have been able to explore my beliefs and avoid many of the negative things I've experienced. I could have fought for my beliefs sooner. Second, regardless of their age, they need to be informed of and helped to understand their rights as a child or youth in the child welfare system. In this point,

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I want to focus on how to make sure that happens. Rights must be talked about in an age appropriate manner, given in writing and shared with the youth or child face-to-face. Most important is that the child or youth understands what they are told. It should be documented that the discussion happened. For me, I need time to think about what I've been told and ask questions, just seeing and signing a paper form is not enough. We can't let this become one more thing for a caseworker to check off a list. Instead, it must be a detailed, patient, and face-to-face...personal conversation. Finally, there should be a discussion with all members involved in the case to make sure that the youth or child knows and understands their rights while in care. I say everyone should be involved because some youth or children may not be able to understand or stand up for their rights, so it's important that others in their case do. As I've shared, the Strengthening Families Act bill of rights requirements gives a youth or child power when everything has become taken from them, so it's beneficial to help them stand up for those rights by making sure they understand and have other people to fight for them when they can't. As you start your legislative session in a couple months, I hope you'll remember what I've shared with you today. Thank you, again, for the chance to speak. I would be happy to answer any questions. [LR248]

SENATOR CAMPBELL: Any questions? I do want you to know, Raevin, you did just as great a job here as you did upstairs. You're very articulate. Thank you very much. [LR248]

RAEVIN BIGELOW: Thank you. Thank you. [LR248]

SENATOR CAMPBELL: Our next testifier is Payne Ackerman. I do want you to know, I have favorites here. And that is I always enjoy the testimony from the youth from Project Everlast. So we have a few of those speakers today and we're always pleased to have you. Go ahead and state your name and spell it for us. [LR248]

PAYNE ACKERMAN: (Exhibit 6) My name is Payne Ackerman, spelled P-a-y-n-e A-c-k-e-r-m-a-n. Can I start? [LR248]

SENATOR CAMPBELL: Go right ahead. [LR248]

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PAYNE ACKERMAN: Good morning, Senators, and thank you for the opportunity to speak on Legislative Resolution 248. I was in foster care from age 14 to 18, was in three foster homes and a shelter. I then went into the juvenile justice system for six months until I got my case closed early. I had two jobs and graduated high school early, while in care, and started college. I was halfway involved in my case, but not enough to fully use my perspective and understand what decisions and expectations were needed to be successful. There are three points I'd like to bring up when it comes to case management piece of the federal Strengthening Families Act. First, having a youth perspective on case decisions helps make sure that the youth is doing the best they can. Second, a youth having two support people involved in their case planning allows them to feel support and have advocates. Third, youth involvement in case planning helps a youth understand expectations and decisions while in care, which increases success. First, when it comes to youth perspective on case decisions, there are several things that need to happen. Most importantly, it needs to focus on the youth's goals, such as educationally and employment. Also, the team needs to understand the youth's permanency goals, like reunification and independent living, so they can achieve the best outcome for the youth. Finally, it's important to hear from the youth whether they feel their needs are being met. What may seem acceptable for others in the case might not be enough in the youth's eyes. Overall, the only way to know how the youth feels is to ask. The best opportunity to ask is by having them at the case planning table. Second, the federal Strengthening Families Act requires youth access to two supportive people of the youth's choosing to be on their team. Having people they trust and feel safe with will help lead them to success. This really hits home for me. I was given the chance to have a Family Finding Team through Christian Heritage. Through this team, I have had supportive networks such as two teachers, two former staff members, a former caseworker, and two family members that have helped me get through crises and helped me accomplish my goals and resources to get my life back on track and move forward. Supportive people help get youth through personal crises like a family death or court issues. Second, they have helped me know where to go forward in my life and accomplish the goals and expectations I have set for myself to become successful. And lastly, they have given me resources that I did not know of or have not achieved/accomplished. Having these people can make all the difference for a youth, especially if they don't feel supported by others of their team. Lastly, I'd like to share that having youth involved in their case planning means they can understand the team's expectations and decisions while they are in care. For example, with school, youth can know what is being communicated between the teacher and

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caseworker and the student can learn and establish different ways to improve grades and their interactions at school. While in foster care, most decisions are made for a youth. Giving them the chance to be part of the discussion gives them more power. If they feel like they have a voice and say in what happens to them, they may be more likely to work towards goals, because they share those goals. Youth participating in team meetings also gives them a chance to ask questions and understand things that might stop them from getting what they want. Ultimately, it takes the blindfold off and allows the youth to be a driver in their own life, which is an important skill long after they leave foster care. We can conclude that youth being involved in their case planning promotes youth perspective on case decisions and goals and gives them an important role and voice in their lives. Second, having two support people in case planning meetings promotes crisis intervention and self-advocacy. Lastly, involvement in case planning helps youth understand expectations and decisions, which increases success in and out of care. Youth being involved in case planning is important, and I hope that my three points stay with you while you move on with this Legislative Resolution 248. Thanks very much for this opportunity. I'm happy to answer any questions. [LR248]

SENATOR CAMPBELL: Thank you, Payne. Are there any questions? So you were with the Family Finding...you had a Family Finding? [LR248]

PAYNE ACKERMAN: Yeah, I had spoke on the Family Finding bill a couple months back. Yeah. [LR248]

SENATOR CAMPBELL: Yes, you did. You're becoming a professional testifier, Payne. [LR248]

PAYNE ACKERMAN: I am, yeah. [LR248]

SENATOR CAMPBELL: That's good. We were particularly pleased with the Family Finding bill last year. I think Senator Kolterman liked that one the best of almost any that we heard and Senator Bolz did a great job. And it's very meaningful when you can find. Are you a part of the Bridges program, Payne? [LR248]

PAYNE ACKERMAN: I'm not. I'm not eligible. [LR248]

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SENATOR CAMPBELL: I should have asked Raevin that, if she was. Because some of the things you're advocating, we certainly have been trying to work through on the Bridges program, so. Well, we'll look forward to seeing you this next session on any bill you want to testify, I guess. [LR248]

PAYNE ACKERMAN: Okay, thank you. [LR248]

SENATOR CAMPBELL: Thank you, Payne, very much. Our next testifier is Kayla Bailey. Good morning. [LR248]

KAYLA BAILEY: (Exhibit 7) Good morning. [LR248]

SENATOR CAMPBELL: Go ahead and state your name and spell it for us. [LR248]

KAYLA BAILEY: My name is Kayla Bailey, K-a-y-l-a B-a-i-l-e-y, I'm 20 years old. Thank you for the opportunity to talk about LR284 (sic). As a former ward and crossover youth, I was in care just over 5 years and lived in 14 or so different places. I believe in the Strengthening Families Act and helping youth feel as normal as possible. I think it is important that the act is thought about for youth, like me, who are involved in both the child welfare and juvenile justice systems. There are three points I will be touching on today: one, system requiring care providing a consistent reminder that has been labeled as a troubled youth; two, normalcy impacts the family style, especially in foster homes; and three, normalcy can be prompted by making OJS youth expectations normal expectations for teens. The system requirements can provide a consistent reminder that I has been labeled a troubled youth. I fought every day in school just to be treated like everyone else. I can remember the first time my electronic monitor went off in class: beep, beep, beep. All my peers looked at me...stared at me. My teachers looked so mad. You would have thought a phone went off. Then it started talking, so I had to ask to be excused from class and then explain to the office lady who and why I was calling my tracker. By then, I was annoyed and irritated, because I had just been reminded that I was different, that everyone knew it and was talking about me. This also happened with sports. During volleyball season, I had to cover it with a third knee-pad. This was really awkward and obviously different from the other girls. Also, I was excluded from many other team things, not only because of my tracker,

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but because of background checks being required, and locating the caseworker for permission. My foster parent and I wished she could just give the go ahead. All of these things were positive in my life, and the bureaucracy and outside requirements made it hard to be part of them or think about myself in a positive way. Normalcy impacts the family style, especially in foster homes. My foster family had me, another teen, three smaller kids and a baby. I was the oldest. Two of the smaller kids were their bio kids. To me, they were my siblings, all of them. I had become very close to the baby. One day I was told I wasn't allowed to take the kids to the park. I was so disappointed. We had been told state wards were no longer to watch state wards, but bio children of the parents was up to the parents. I had a very hard time with this new policy, so my foster mom helped me and supported me in writing a letter that found its way up the food chain. And it worked. My foster parents were at a training class not long after that, and on the last slide in the PowerPoint, I was quoted, and then it stated it would be up to the foster parents if the youth was responsible enough to be allowed to babysit. The opportunity to work with my foster parents allowed me to build trust and for me to feel like a real part of the family. I don't think all youth have foster parents like that. If I hadn't had them, I couldn't have created some real big changes for our family. For this reason, it's super important that foster parents know about the SFA and how to support the youth in their homes while everyone figures out all the details to the bill. Normalcy can be prompted by making OJS youth requirements normal expectations of teens. In my juvenile justice case, I was expected to find a job. Even though getting a job was a personal goal of mine, having an extra push from my tracker helped me reach the goals. I found a job my sophomore year in high school that I kept for three years, because I was able to have a job while I was in the system. I was better prepared for working when I aged out. As an adult, I was able to use the experience to transfer to a different branch of the company, making finding a job in another town much easier. Little changes like this can make a huge difference in the youth's life while they are in care and after. Rather than a strict curfew and restrictions on me, my juvenile case was used to promote normalcy, even though I had a dual-case. The way Nebraska puts the Strengthening Families Act into place could have large, long-term impact on youth's lives. And then, finally, finding normalcy in or out of care, on or off probation is important. The thing is, not everyone is allowed to have those normal experiences with friends or in sports. Sometimes you are judged as a troubled youth. All I needed in care was to be treated as a normal youth. Maybe decisions I had made could have been different, and maybe I wouldn't have had to feel all



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grown up before I needed to be. Thank you for your time. If you have any questions, please feel free to ask. [LR248]

SENATOR CAMPBELL: Thank you, Kayla. You did a great job. I hope that you take time to share some of these comments with your foster parents, because they would be very proud of you. [LR248]

KAYLA BAILEY: I have. [LR248]

SENATOR CAMPBELL: Good. Thank you. [LR248]

KAYLA BAILEY: Thank you. [LR248]

SENATOR CAMPBELL: Our next testifier is Jude Dean. Good morning. [LR248]

JUDE DEAN: Good morning. I'm not as prepared as they are. [LR248]

SENATOR CAMPBELL: Well, that's quite all right. Go ahead and state your name and spell it. [LR248]

JUDE DEAN: My name is Jude Dean, J-u-d-e D-e-a-n. And if I have three minutes, the first minute will be spent with disclaimers. I am a state of Nebraska employee. In a couple weeks, I get to come back here and celebrate 15 years, but I want to make sure that you know: number one, I am not on work time. I do not represent the state in this capacity. I am representing my first love, which is being a foster parent. Not that I don't like being the Hepatitis lady at the state of Nebraska, (laughter) that is what I do. [LR248]

SENATOR CAMPBELL: I think we'll have to give you a little extra time here. [LR248]

JUDE DEAN: So, just so you know, I see some of these individuals behind me. Welcome to the group, Doug. But I see them in the hall, but I work in a different division: public health. So I am not on work time. So I'm only one foster parent here to testify, probably because I'm a little bit

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more outspoken and confident, but there's a lot of amazing foster parents out there. I've had an excellent experience with foster care. I started in 2011 and I have been supported by what I call rock stars at DHHS. I actually went to a stakeholders meeting where foster parents talked about all the things they couldn't do. I almost got up and walked out because I had been doing all those things and thought I had been doing it illegally. However, I hadn't. I had been following the rules. I have my foster kiddos in about everything I can get them into. I get them off meds and into activities, like I do my birth children. However, what I didn't realize is all the steps that I take to do that are not normal in any way. In fact, just doing stay-overs or birthday parties, if I only get a week's advance notice, I can't get everybody in the house background checked. And to tell a little girl she can't stay overnight is frustrating. In fact, one time, I think I almost had a mother convinced to move her party to my house so we wouldn't have to go through all that. But, it's really difficult. So we almost have it in a way that all of the kids can go to parties in which it's a two or three-hour party, but no stay-overs, including birth children so it's fair. The state of Nebraska is ready to do this. Like I said, we do this. They know that I'm a good parent. I have the help of CEDARS. I could not and would not be a foster parent without CEDARS. I work full-time and I think that's important for my children to see. And some of these children require therapy, especially in the beginning before permanency. You know, that first 14 months we're there two or three times a week, and it's CEDARS that picks them up from daycare school, takes them to the therapy and takes them back. And we meet all of their needs, especially well-being. What I did learn was that not all foster families or foster parents were invited to some of the team meetings. I was shocked. In fact, I think my reply was what are you talking about? I am the team. The kiddo and me, we're the team. Everybody else is on the outside. And I think that comes to my philosophy. And again, I was supported by DHHS and then the first thing that I did in every case and every placement I've had, and I've only had a couple handfuls, because I work really hard with the families to provide permanency, either reunification or staying with me. So I've only touched maybe 10 lives. But every time, the first individual I called, unless there was a court order not to, was the birth parent. Hi, this is who I am. This is where I live, because if you look it up on the County Assessors site you can find it anyhow, so you don't need to do a drive-by. And we're going to parent this child and we're going to be a family, no matter how that looks. And that has worked for me and a lot of other families that do foster care. The first person that I call when we have to worry about haircuts is the birth parent. Is it okay to get a haircut? How short do you want to go? And so I have that relationship. And because I have team meetings, in

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which everyone is invited to my house, it gets very loud. But including the guardian ad litem, comes and eats Valentino's and they see what it's like to be in our family, we all talk all the time. There's no secrets. I couldn't imagine me not being part of a team meeting. We're the team. So Nebraska can do this. I know they can. This is an excellent way to parent. The only hiccups that I have, again, is all the work that I have to go through to do what it is to give this child a normal experience. But since I've become a foster parent, we haven't done a family picture and that's just something I won't do until everyone says I can do that. My other option was to have all the birth parents come too, because then I don't really have to ask anybody. But the first picture I scheduled, one of my little girls who was with me, who I now have adopted, so she's been with me three years, said why can't I be in your picture. So I called JC Penny's and said, you know what, we're going to reschedule like four years from now. So...but now I have other kiddos that are moving towards permanency in my home, so I still can't put her in a family picture. Again, I think that I'll probably end up inviting birth parents, so that it can be okay to have everybody in there. But it would nice for them to be a part of our family in a family picture I can send out. And thank you for this opportunity. [LR248]

SENATOR CAMPBELL: Any questions? Thank you for your dedication. And when you get that family picture, send us a copy, okay? [LR248]

JUDE DEAN: I will do that. [LR248]

SENATOR CAMPBELL: All right. Our next testifier is Andrea Evans. Good morning. [LR248]

ANDREA EVANS: Good morning. And good morning to everyone in attendance this morning. [LR248]

SENATOR CAMPBELL: And we need you to state your name and spell it and then go right ahead. [LR248]

ANDREA EVANS: My name is Andrea Evans, A-n-d-r-e-a E-v-a-n-s. And I have to say this is a dream come true to be able to come up here and testify before the committee today, so thank you for the opportunity. I'm here recommending the state's implementation of Strengthening Families

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Act. I'm here to testify on behalf of recommendations the state's implementation of the Strengthening Families Act and ensuring normalcy for families with youth in out-of-home placement and in foster care. I'm the...okay, I have a degree in human services and I also am going for my bachelor's in social work, but I'm not here in those capacities. But it does help to have that background and know more, so that I am able to feel comfortable coming here today. I'm here as a parent who's had a child or youth that have been placed in out-of-home placement. And normalcy to me is being able to give my child as aspirin or...we're a more holistic family. It's about the rearing of the family to me, because it's our belief systems that makes, you know, the way we run our households normal. What normalcy according to Random House 2010 is being within certain limits that define the range of normal functioning. I like that (laughs). But what's normal? Everyone has different ideas of that. To us, it's what's regular and what's common. What normalcy means to my family and myself is ensuring family ties; ensuring our youth receive the opportunity to spend time with friends and grieve the loss of friends due to death; ensuring our family's rights are protected and building trust that the system has our family's best interest at heart. The barriers my family experienced due to rules of the foster care system--it was a barrier to normalcy getting the whole family to Omaha...mind you I have seven children (laugh) and getting us to visits to Omaha to foster the relationships between the seven siblings. Two, due to the rules of the foster care system, my youth did not receive the normalcy to spend time with friends. And when a couple of his friends were killed, he did not get to attend funerals to receive closure or support, which of course could put him at risk. This lack of normalcy for our family, in the areas I just mentioned, created barriers that led to stress, trauma, and lack of closure and support for my son and the family as a whole. An example when it worked well: a great relationship our family experienced with my son's out-of-home placement was they were able to help my family understand our rights as a parent to protect the rights of all the children in our family and they helped us to know our rights for our family's best interest. I feel lucky that my family's rights were protected in the system, because in working with the system and being educated about the systems, I now realize this is not the norm neither. The right of the parents to make decisions in youth's schooling and the court system has continued to be barriers to normalcy for families and working in cohesion with the foster care system. With youth in foster care and out-of-home placement, ensuring normalcy would be helpful in ensuring lack of stress, ensuring no trauma and the lack of support for families with youth in the foster care system and

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out of home placement. I recommend for the state's implementation of the Strengthening Families Act, and I thank you for allowing me to be here today. [LR248]

SENATOR CAMPBELL: Questions? Ms. Evans, I have a question. Were you a part of the stakeholders group? [LR248]

ANDREA EVANS: No. I would like to be more involved. [LR248]

SENATOR CAMPBELL: Okay. [LR248]

ANDREA EVANS: This was an opportunity that was presented to me because I'm passionate about it. [LR248]

SENATOR CAMPBELL: Absolutely. [LR248]

ANDREA EVANS: And please forgive me for having my notes with me, but I will ramble on and you guys will be like oh, my goodness. So this helps me stick to the points that I wanted to make today. [LR248]

SENATOR CAMPBELL: I appreciate that. We will see that you receive a copy of the report and would very much appreciate your comments after that. Because the stakeholders...I think there's about 340 if I keep remembering that figure right. But we need to hear from...certainly from your perspective as a parent. Do you keep in touch with the foster parents for your children? [LR248]

ANDREA EVANS: No. I never kept in touch with them. I guess it was a struggle because, as I was saying, being a parent who--we have more holistic ways of medication, which is going to the health food store and buying echinacea or the green tea or those types of things as opposed to, you know, going to the pharmacy. You know, the doctor will say yeah, take this, but I consult with them and we can agree that okay, this might work. Go ahead and, you know, they will let me try it. And, you know, not being able to have that and work...I'm open to working as a team with the foster parents, but I didn't feel that that was...I had that opportunity. That's how we do it in our home. I mean, when there's an issue, my mom, my dad, everybody, we all come together

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and we have like a team meeting and try to discuss, you know, how we're going to move forward or what we're going to do to help the youth or the child in whatever, you know, situations or decisions that we decide to make. [LR248]

SENATOR CAMPBELL: Well, as you have a chance to take a look at the recommendations, do let us know if you have any comments to those. And thank you for coming today to testify, very much. [LR248]

ANDREA EVANS: Thank you for having me. [LR248]

SENATOR CAMPBELL: Our next testifier is Amy Peters. Good afternoon. [LR248]

AMY PETERS: (Exhibits 8, 9, and 10) Good afternoon. [LR248]

SENATOR CAMPBELL: Go ahead and state your name and spell it, please. [LR248]

AMY PETERS: My name is Amy Peters, A-m-y P-e-t-e-r-s. Just as it sounds. Thank you so much for allowing me the opportunity to come and speak today, Chairwoman Campbell, members of the Health and Human Services Subcommittee and the Judiciary Subcommittee. As I mentioned, my name is Amy. I am 26 years old. I'm in my third year of law school right now, and I am also a foster care alumna. I was in foster care for 6 years, all through my adolescence, until I aged out shortly before my 19th birthday. I am so thankful, first of all, that you have invited young people here today to testify, foster parents to testify, people who have firsthand experience in this system. I'm going to be somewhat brief about my personal experience. I've been out of care for a while now, but I can tell you that I share a lot of the same sentiments that these young people who spoke today expressed. What I would like to present to you today is some information from some national work that I have done in collaboration with other alumni from all over the United States who have foster care experience. I'm part of a group called the National Foster Care Youth and Alumni Policy Council, and I also need to make a disclaimer that I am not being paid by any of the funders of the council to be here today. None of the funders of the council had any role in my decision to come testify here today, but I have been asked to share their recommendations with you. Now, the National Foster Care Youth and

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Alumni Policy Council consists of about 20 people from all over the United States. We try to have a representative from every region recognized by the Administration for Children and Families. We have all sorts of cultures and ethnicities and even ages represented on our council. We have people from the ages of 18 all the way up to the age of 50 on our council, although the majority of us are under 30. And we all have experience in the child welfare system, and some of them experience in the juvenile justice system, and many people on the council experience as a victim of exploitation and human trafficking. And so a couple of years ago, we...when the issue of sex trafficking and exploitation of young people in foster care became kind of a hot subject, we started focusing on, not the aftereffects of it, but how do we prevent this from happening in the first place. And we recognize that young people in foster care are vulnerable. They've been through many situations that make them susceptible to predators, and these are the types of people that predators prey on. And so we started focusing on how can we make these young people less vulnerable to these situations that put them in risk of danger. And so one of the sets of recommendations that I gave you was a set of recommendations around normalcy. Now, if you'll look at the date that this was created, this was created prior to the enactment (sic) of the Strengthening Families Act of Public Law 113-183. However, we were very pleased when we saw the Strengthening Families Act, that they used a lot of language of our recommendations. We had council presence at many of the Congressional Hearings on the Strengthening Families Act, particularly young people from the policy council who had been exploited and who had been victims of human trafficking while in foster care. And so we were very pleased that they implemented a lot of our recommendations on normalcy in the Strengthening Families Act. So I wanted to provide you folks with a copy of those recommendations today, with the caveat that they are a little bit more broad, and that they were created before the enactment (sic) of the Strengthening Families Act. The other set of recommendations I have provided you is a set of recommendations specifically on Public Law 113-183. After Congress enacted this law, we were asked by the Administration for Children, Youth and Families and the Children's Bureau specifically, to come together and create some recommendations on state implementation of this law. And so I've provided you a copy of those. Another caveat with these, is obviously these are recommendations that were delivered to stakeholders and administrations on the federal level, but I think that they nonetheless can provide you with some great guidance as you're thinking about how to implement this. I realize I'm almost out of time already, so I'm not going to go into detail about these, since you have paper copies of it. But one of our first and foremost

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recommendations has always been please involve the young people. And you are all doing that, you've been doing that for years. And I commend you for doing that. If you can help strengthen young people by improving their safety, permanency, and well-being...normalcy, a crucial part of well-being, you can help them be less vulnerable to situations where they are susceptible to exploitation. And if you can help them make connections with families. And my main argument is if you can help a young person feel like they have the same opportunities as their peers to engage in developmentally appropriate activities, you can create less of a divide between these foster parents and these young people. And I'm just going to end with a personal story, because I know I'm almost out of time. But when I was in foster care...may I continue? [LR248]

SENATOR CAMPBELL: Sure. [LR248]

AMY PETERS: Okay. I lived in western Nebraska. We were near the borders of Colorado and Wyoming, and very often, I had foster families that would go out of town for shopping trips or take their family out to eat, but I couldn't cross state borders without prior permission. So a lot of times, the foster kids had to stay home and eat sandwiches. And that is just one example of, when we talk about normalcy, that's the epitome of abnormal. And what that does is it creates a divide between foster children and these families that they're living in. And so I urge you to take this seriously--these normalcy recommendations because it not only improves well-being in the long-run, but it can strengthen their connections to their families. Thank you. I'll take questions. [LR248]

SENATOR CAMPBELL: Any questions for Amy? Amy, I have a question for you. Are you the only person from Nebraska on the council? [LR248]

AMY PETERS: I am the only person from Nebraska on the council. And I believe I'm the only person from our region on the council. [LR248]

SENATOR CAMPBELL: Okay. So how long will you serve? [LR248]

AMY PETERS: I have been serving since 2013, and I'm about to roll off this next summer in June. [LR248]



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SENATOR CAMPBELL: So have you found another Nebraskan to take your place? [LR248]

AMY PETERS: We're working on that. It will probably be...it will for sure be someone from this region. I'm definitely going to urge them to consider some of these young people from Nebraska, because we have amazing advocates in Project Everlast who would make excellent candidates. [LR248]

SENATOR CAMPBELL: And I had not heard of the council until your testimony, so I appreciate very much that you were on the list of testifiers today. And we can follow up with you to get more information. Is there a central office? Do you have an executive director or anything? [LR248]

AMY PETERS: I would say no. Again, we are...if you read the description of the Foster Care Youth and Alumni Policy Council, which I believe is...I gave you a one-sheeter on it, and then it's at the bottom of every set of recommendations. There's 20 of us from all over and we have a number of organizations that provide staff support, so there really isn't a central contact person. If you're looking to contact someone, I strongly recommend you just get a hold of me. And as well as if you want information...I mean, we've done polls on a national level. We try not to present them, because we know we're not researchers and we know we don't have, you know, the appropriate research methodology for a lot of these polls. But, you know, I'm more than happy to share with you information about what young people across the nation are saying. [LR248]

SENATOR CAMPBELL: Okay. And I'm sure that Senator Pansing Brooks will be glad to share the information with the Judiciary Committee, because that's really kind of how we're tying this together. [LR248]

AMY PETERS: Appreciate that. [LR248]

SENATOR CAMPBELL: So thank you very much for your testimony, coming today. And best of luck in that job search after law school. [LR248]

AMY PETERS: Thank you. [LR248]

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SENATOR CAMPBELL: Stay in Nebraska, please. [LR248]

AMY PETERS: Thank you so much again for having me. And I really hope that you do contact me if you have any questions about the council or any of our recommendations. Thanks.  
[LR248]

SENATOR CAMPBELL: Okay. Thank you. Amy is our last testifier. And what I'm going to do is ask Ms. Rodriguez if you have any closing comments you'd like to make after listening, since you are visiting person from California. [LR248]

JENNIFER RODRIQUEZ: Sure. Well, I think my closing comment is that you have heard the theme that normalcy is much more than just implementation of this provision. That in order to really achieve normalcy and promote young people's well-being, we're going to have to look at ensuring that young people are in families, are in families that are exceptional, like the foster mom that you heard testifying earlier, who...I mean, the example of trying to convince friends to have the birthday parties at her house. That's exactly...I was just actually wishing that we could get the video of that and sort of put it on TV, because I guarantee you'd have people lining up who want to join her club and be her friend. That type of resourcefulness and commitment to the kids in her care, that is actually what's going to help us achieve normalcy. And I think you've heard weaved throughout the testimony a couple of things: one, the importance of we have a roadmap here in Nebraska and we've made some preliminary steps, but just like the foster parent that you heard testifying around even when she is able to get her children into activities that are normal and help them thrive, the process by which she has to go through is so far from normal that that's what our statute can really get at. Is we can get at making her life as a foster parent and providing that high quality parenting to kids, we can make that so much easier. And then the second theme that I think you all have heard loud and clear is how important it is to really partner with your young people here in Nebraska and to take their consideration first and foremost, because they are actually going to be a key part of the development of your policy. But then, even more important, the implementation of your policy. And one of those things is, you know, policy sometimes is only as good as the paper it's written on. It's really making sure that what you have in place has the ability to impact the lives of young people. And that's where they're going to be your key partners. So I so appreciate, Chairwoman, your commitment to

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pushing forward this issue. And for all of the members of this committee, how dedicated you are to making the change that's going to make sure that all of your young people in Nebraska really have the opportunity to discover their individual gifts and their potential and become leaders in your community and all stay here in Nebraska. So thank you so much for your time and for your interest. [LR248]

SENATOR CAMPBELL: Thank you for coming. Senator Pansing Brooks, do you want to announce the time and location for LR186? [LR248]

SENATOR PANSING-BROOKS: Sure. It is tomorrow. And it is at...it has been moved to 3 p.m. There was an original announcement that it was going to be at 1:30, and then there were conflicting committee hearings, so it's been moved to 3 p.m. and it's in room 1113, which I believe is the Judiciary Committee room. So... [LR248]

SENATOR CAMPBELL: That is correct. So if you have any written comments on either LR186 or LR248, you can stop and see me after the meeting. Otherwise, we are finished and we will close the hearing for today. Thank you everyone for coming. [LR248]