

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 977

Introduced by Bolz, 29.

Read first time January 14, 2020

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to child welfare; to amend section 68-1212,
- 2 Revised Statutes Supplement, 2019; to change provisions relating to
- 3 the case management lead agency model pilot project; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-1212, Revised Statutes Supplement, 2019, is
2 amended to read:

3 68-1212 (1) Except as provided in subsection (2) of this section,
4 for all cases in which a court has awarded a juvenile to the care of the
5 Department of Health and Human Services according to subsection (1) of
6 section 43-285 and for any noncourt and voluntary cases, the case manager
7 shall be an employee of the department. Such case manager shall be
8 responsible for and shall directly oversee: Case planning; service
9 authorization; investigation of compliance; monitoring and evaluation of
10 the care and services provided to children and families; and
11 decisionmaking regarding the determination of visitation and the care,
12 placement, medical services, psychiatric services, training, and
13 expenditures on behalf of each juvenile under subsection (1) of section
14 43-285. Such case manager shall be responsible for decisionmaking and
15 direct preparation regarding the proposed plan for the care, placement,
16 services, and permanency of the juvenile filed with the court required
17 under subsection (2) of section 43-285. The health and safety of the
18 juvenile shall be the paramount concern in the proposed plan in
19 accordance with such subsection.

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

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

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

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

1 (d) Compliance and coordination with the strategic child welfare
2 priorities determined by the Nebraska Children's Commission as provided
3 in section 43-4204; and

4 (e) Assurance of financial accountability and reporting by the lead
5 agency.

6 (3) A lead agency contracted to provide community-based care for
7 children and families shall:

8 (a) Have a board of directors of which at least fifty-one percent of
9 the membership is comprised of Nebraska residents who are not employed by
10 the lead agency or by a subcontractor of the lead agency;

11 (b) Demonstrate full readiness shown by the completion of ~~Complete a~~
12 ~~readiness assessment as~~ developed by the Department of Health and Human
13 Services to determine the lead agency's viability. The ~~readiness~~
14 assessment shall evaluate organizational, operational, and programmatic
15 capabilities and performance, including readiness review of: The staff
16 ~~strength~~ of the board of directors; compliance and oversight; financial
17 risk management; financial liquidity and performance; infrastructure
18 maintenance; funding sources, including state, federal, and external
19 private funding; and operations, including reporting, staffing,
20 evaluation, training, supervision, contract monitoring, and program
21 performance tracking capabilities;

22 (c) Have the ability to provide directly or by contract through a
23 local network of providers the services required of a lead agency. A lead
24 agency shall not directly provide more than thirty-five percent of direct
25 services required under the contract; and

26 (d) Provide accountability for meeting the outcomes and performance
27 standards related to child welfare services established by Nebraska child
28 welfare policy and the federal government.

29 (4) Each condition of subsection (3) of this section prior to the
30 assumption of service provision by such lead agency under this section.

31 (5) The Director of Children and Family Services of the Division of

1 Children and Family Services of the Department of Health and Human
2 Services shall notify the Health and Human Services Committee of the
3 Legislature when the readiness assessment required under subdivision (3)
4 (b) of this section is complete and provide assurance that the lead
5 agency has demonstrated full readiness, prior to the assumption of
6 service provision by such lead agency.

7 Sec. 2. Original section 68-1212, Revised Statutes Supplement,
8 2019, is repealed.