

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1173

Introduced by Health and Human Services Committee: Arch, 14, Chairperson;
Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38;
Walz, 15; Williams, 36.

Read first time January 19, 2022

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to child welfare; to state findings and
2 intent; to create a work group and strategic leadership group for
3 child welfare system reform; to provide duties for the Department of
4 Health and Human Services; to define terms; and to declare an
5 emergency.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Legislature finds that the State of Nebraska, in
2 order to support the well-being, permanency, and safety of children and
3 families in Nebraska's communities, needs to comprehensively transform
4 its child welfare system. The Legislature further finds that this
5 comprehensive transformation will require an integrated model addressing
6 all aspects of the system and strong partnerships among the legislative,
7 executive, and judicial branches of government and community
8 stakeholders.

9 (2) It is the intent of the Legislature to:

10 (a) Establish an intersectoral child welfare practice model work
11 group;

12 (b) Establish appropriate strategic leadership and guidance for
13 practice and finance model development from across the three branches of
14 government; and

15 (c) Appropriate funds for contractual support to build the practice
16 and finance model for Nebraska.

17 Sec. 2. For purposes of sections 1 to 6 of this act:

18 (1) Child welfare system means children and families receiving, and
19 persons providing or effecting:

20 (a) In-home and out-of-home child welfare case management services;

21 (b) Physical and behavioral health care;

22 (c) Youth rehabilitation and treatment center services;

23 (d) Adoption or guardianship assistance services;

24 (e) Prevention services;

25 (f) Post-adoption or post-guardianship related services;

26 (g) Court and probation services; and

27 (h) Public or private education and training services;

28 (2) Individual with lived experience in the child welfare system
29 means an individual who has previously received services from the child
30 welfare system, currently receives such services, or is at risk of
31 needing such services and who has valuable insight to contribute;

1 (3) Practice and finance model means an evidence-based or evidence-
2 informed approach to the practice and financing of the child welfare
3 system across the state of Nebraska;

4 (4) Strategic leadership group means the child welfare strategic
5 leadership group created in section 4 of this act;

6 (5) Work group means the child welfare practice model work group
7 created in section 3 of this act.

8 Sec. 3. (1) There is hereby established a child welfare practice
9 model work group. The work group may include, but is not limited to:

10 (a) The Director of Behavioral Health of the Division of Behavioral
11 Health or the director's designee;

12 (b) The Director of Children and Family Services of the Division of
13 Children and Family Services or the director's designee;

14 (c) The Director of Developmental Disabilities of the Division of
15 Developmental Disabilities or the director's designee;

16 (d) The Director of Medicaid and Long-Term Care of the Division of
17 Medicaid and Long-Term Care or the director's designee;

18 (e) The Director of Public Health of the Division of Public Health
19 or the director's designee;

20 (f) The Commissioner of Education or the commissioner's designee;

21 (g) The State Court Administrator;

22 (h) A representative of the Supreme Court appointed by the Chief
23 Justice; and

24 (i) Representatives from each federally recognized Indian tribe
25 within the State of Nebraska, appointed by each tribe's Tribal Council or
26 Executive Committee.

27 (2) The work group shall develop a practice and finance model for
28 child welfare system transformation in Nebraska, with consultation from
29 key stakeholders, judges from separate juvenile courts and judges of
30 county courts sitting as juvenile courts, private child welfare
31 providers, and individuals with lived experience in the child welfare

1 system. The practice and finance model shall include, but not be limited
2 to:

3 (a) Development of a statewide mission and vision for the child
4 welfare system in Nebraska;

5 (b) Development of values and practice priorities for the child
6 welfare system in Nebraska;

7 (c) Development of statewide program goals and a practice and
8 finance model for child welfare system case management and service
9 delivery;

10 (d) Development of engagement strategies to support community
11 involvement in child welfare system transformation;

12 (e) Development of strategies that strengthen relationships across
13 the court system, probation, executive branch agencies, the State
14 Department of Education, and community partners;

15 (f) Development of strategies that support integration across
16 agencies;

17 (g) Development of accountabilities across the entire child welfare
18 system;

19 (h) Evaluation of the state's Title IV-E claiming practices and
20 identification of appropriate steps to optimize federal reimbursement for
21 child welfare system expenditures;

22 (i) Opportunities and financial mechanisms for providers to pilot
23 innovative solutions to meet program goals; and

24 (j) Development of a strategy for data collection and outcome
25 monitoring.

26 (3) The work group shall provide monthly updates to the strategic
27 leadership group.

28 Sec. 4. There is hereby established a child welfare strategic
29 leadership group. The strategic leadership group shall be a nonvoting
30 group that exists for purposes of receiving updates on the work group's
31 activities. The strategic leadership group shall consist of:

- 1 (1) The chairperson of the Judiciary Committee of the Legislature;
2 (2) The chairperson of the Health and Human Services Committee of
3 the Legislature;
4 (3) The Chief Justice or the Chief Justice's designee; and
5 (4) The chief executive officer of the Department of Health and
6 Human Services or such officer's designee.

7 Sec. 5. (1) The Department of Health and Human Services shall
8 contract with an outside consultant with expertise in child welfare
9 system transformation by December 15, 2022. The consultant shall assist
10 the work group with the development of a written framework for the
11 practice and finance model.

12 (2) On or before December 1, 2023, the work group shall
13 electronically submit the written practice and finance model framework to
14 the Health and Human Services Committee of the Legislature.

15 Sec. 6. The work group and strategic leadership group shall
16 terminate on December 31, 2023.

17 Sec. 7. Since an emergency exists, this act takes effect when
18 passed and approved according to law.