

Transcript Prepared by Clerk of the Legislature Transcribers Office
Appropriations Committee March 2, 2023

CLEMENTS: It's 1:30 and we're on camera now, so we're going to go ahead and get started. This is the Appropriations Committee. Welcome to the Appropriations Committee hearing. My name is Rob Clements. I'm from Elmwood; I represent Legislative District 2, which is Cass County and eastern Lancaster County. I serve as Chair of this committee. We'll start off by having members do self-introductions, starting with my far right.

ERDMAN: Steve Erdman, District 47.

LIPPINCOTT: Loren Lippincott, District 34.

DORN: Myron Dorn, District 30.

ARMENDARIZ: Christy Armendariz, District 18.

CLEMENTS: There are other senators absent currently that may have bills in other committees, and some senators may come and go during the hearing. It just means that they're-- that doesn't mean that they're not wanting to hear your testimony, but they have other obligations. Assisting the committee today is Tamara Hunt, our committee clerk. To my left is our fiscal analyst, Suzanne Houlden. Our pages today are Malcolm from Omaha, UNL student; and Kate from Kansas, a UNL student. At the entrance, you'll find green testifier sheets on the table. If you're planning on testifying today, please fill out a green testifier sheet and hand it to the committee clerk when you come up to testify. If you will not be testifying but want to go on record as having a position on a bill being heard today, there are white sign-in sheets at the entrance where you may leave your name and related information. These sign-in sheets will become exhibits in the permanent record after today's hearing. To better facilitate today's proceedings, I ask that you abide by the following procedures. Please silence your cell phones. For bills, the order of testimony will be introducer, proponent, opponent, neutral, and closing. When we hear testimony regarding agencies, we will first hear from a representative of the agency. Then we will hear testimony from anyone who wishes to speak on the agency's budget request. When you come to testify, spell your first and last name for the record before you testify. Be concise. We request that you limit your testimony to five minutes or less. Written materials may be distributed to the committee members as exhibits only while testimony is being offered. Hand them to the page for distribution when you come up to testify. If you have written testimony but do not have 12 copies at this time, please raise

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your hand now so the page can make copies for you. With that, we will begin today's hearing with Agency 37, Workers' Compensation Court.

[AGENCY HEARINGS]

CLEMENTS: We're going to switch to bills now, and we will now open the hearing for LB275. Senator Wishart, welcome.

WISHART: Thank you, Chairman Clements and members of the Appropriations Committee. My name is Anna Wishart, A-n-n-a W-i-s-h-a-r-t, and I represent the 27th Legislative District here in west Lincoln and southwestern Lancaster County. I am here today to introduce LB275, a bill that would seek to increase the annual appropriation to CASA by \$500,000. So to be clear, that would be from the \$500,000 that we're currently providing in aid, another additional \$500,000 annually to make it a total of \$1 million in aid. This bill is very near and dear to my heart. My husband and I are both licensed foster parents through CEDARS Home for Children. And while we do not foster currently, we have fostered in the past, both for long-term support and in the respite care arena. And what I have known, having been integrally involved in the foster care system as a parent, is that kids jump around a lot from home to home. You often see, especially as the older a child gets, the harder it is to find placement. And so what happens-- what happens then for that child is they don't have a single adult in their life who is consistent as they go from family to family. That's where CASA comes in. Court appointed special advocates are the glue for foster care children. It's a volunteer who signs up to be that mentor and support for that foster kid through the court system, regardless of what home they're jumping from. For those of you who are new to the committee and those of you who are new to CASA, CASA helps train and develop volunteers to speak in court for the protection and welfare of abused and neglected children. But it's so much more than that. And when you hear from some of the advocates today, you'll hear how much of a mentor and support system this volunteer is for that child, even outside of the court system. The CASA program was established in Nebraska in 1986, so this is not a program. It's been around for a very long time and it has grown to provide a CASA volunteer to children in foster care in over 54 counties across our state. The newest program in Polk County is swearing in its first volunteers this week. CASA programs provide a volunteer advocate for children who have been removed from their homes for abuse or neglect by the state of Nebraska. And as you saw with our previous testifier from the Foster Care Review Board, it's over 3,000 children in our state who are removed because of neglect or abuse. And again, many of those are bumped around from-- from different home to

different home. These volunteers are there to represent the best interest of the child by spending time with the child and those involved in the court case and providing a report to the judge. And what's so important about this, too, is that oftentimes when you get into these court situations, you have biological parents, you have foster parents, you have attorneys. This volunteer is there to represent the child. They don't have any other bias than representing the need of that child. I have worked, as I've said, with CASA for many years. In fact, the reason that you see Senator Brewer is one of the cosponsors of this legislation is that he and I really became strong friends at the CASA gala years ago where he actually ended up bidding on the dog that he now owns and is his best friend. This year, they came to me with a concern that foundation funding statewide has been cut by \$432,000. In addition, they have been informed by the Nebraska Crime Commission that federal VOCA funding, that's the Victim of Crime Act funding, will be cut by 40 percent for grants starting July 1, 2023. And this would mean that another \$422,321 would be cut, 15 of the 22 local CASA programs. And the director for CASA, she will be here to kind of walk you through those numbers and what that's going to mean in terms of their budget. And she'll be able to talk to you as to why this funding has decreased. What I believe you're going to hear today first is that we need to have more CASA volunteers working throughout the state. There's absolutely a shortage. This is such an important role for Nebraskans to take on. And the more funding we provide as a Legislature to this program, this goes directly out to recruit volunteers. I mean, it's such a good investment if you think about it. We're not asking to add more staff. We're asking to fund a program that goes out and finds Nebraskans who are willing to volunteer their time to provide this integral support system for youth. I hope you listen to this testimony today and provide this additional funding request. You know, I said no to a lot of things this year in terms of funding requests. And this is the only piece of legislation I brought before this committee in terms of funding, because it is that important as a state that we invest in this program, because it-- it leads to happier children, healthier children and the overall welfare of our state. Thank you and I'll be happy to answer any questions.

CLEMENTS: Any questions from the committee? Seeing none.

WISHART: I just wowed you all into silence.

CLEMENTS: We'll now open it up for proponents for LB275. Please come forward. Welcome.

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CORRIE KIELTY: Thank you. Good afternoon, Chairman Clements and members of the committee. I want to thank you for your time today and your consideration of LB275. I also want to thank Senator Wishart. She's a longtime supporter, of course, as she told you, as well as all of the work that she has done to be an advocate for foster care children and the services that they need.

CLEMENTS: And would you spell your name.

CORRIE KIELTY: I'm sorry. It's Corrie Kielty, C-o-r-r-i-e K-i-e-l-t-y.

CLEMENTS: Thank you.

CORRIE KIELTY: As you heard from Senator Wishart's opening, this bill would increase our funding from \$500,000 to \$1 million per year. You also heard her say the first program in Nebraska was started in Sarpy County in 1986. Dodge County followed the following year. And since then we have grown to 54 counties with 946 volunteers advocating for 2,070 children last year. Much of that growth, including adding 20 counties, more than 500 volunteers and more, serving more than 900 children, happened since our first appropriation from the state of Nebraska 12 years ago. In the past two years, we've seen a significant cut to our local programs from a private funder of \$342,000. We've been informed that federal cuts will mean another \$422,000 of lost income to 15 of our local programs. These cuts will not only prevent us from meeting our goal of providing a CASA volunteer to every child in Nebraska who needs one, but we will have to decrease the number of children with an advocate without other funding. In the handout that I provided to you, there's a little graphic that shows that for every 30 volunteers that we have, we need to have one staff who supports and supervises that volunteer and has no other job duties. This requirement is essential to providing intensive screening and quality training and support to CASA volunteers as they are working with children who have been abused or neglected. This year we asked the University of Nebraska at Omaha Center for Public Affairs Research to conduct an up-to-date review of the cost-benefit analysis of CASA services to the state of Nebraska. I also provided you with the handout they gave us, like this, as a result of their study. They conducted a simple cost-benefit analysis looking at the cost savings based upon the reduced length of time a child spends in foster care when they have a CASA volunteer, the reduced number of foster care placements a child with a CASA volunteer experiences, the benefits incurred because children with a CASA volunteer are 17 percent more likely to be adopted, the benefits to children as they are more likely to do better in school and graduate if they have a CASA volunteer, the

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improved health of a child with a CASA volunteer, and the increased safety of a child with a CASA volunteer. The study center summarizes that for every dollar invested in Nebraska CASA, \$6 are returned to the state of Nebraska. And on the back of the handout, you'll see that that's broken down into a table with each of the things that they examined. The investment of CASA volunteers is essential and saves the state more than it costs. In addition to program expansion, recruiting, training, and supporting volunteers with the CASA funds, we have conducted evaluations of the program ensuring quality services with these funds. We also fund our statewide data system and we provide an annual volunteer and staff conference with a portion of these funds. We thank you for consideration of this bill funding CASA's essential service to the children who are abused and neglected in Nebraska. And we only have one other testifier who's a board member of a local program as well as she was a CASA volunteer, because we understood you had a lot of things on your agenda today. So if you have any questions that you'd like me to answer.

CLEMENTS: Senator Dorn.

DORN: Thank you, Senator Clements. Thank you. Thank you for being here.

CORRIE KIELTY: Yes.

DORN: I was going to ask Senator Wishart, but I will ask you instead. The \$500,000 that we currently fund,--

CORRIE KIELTY: Yes.

DORN: --how are those dollars being used? Because the volunteers are theoretically volunteers or they're used for, I call it travel expenses or what? And then what will the \$500,000 of this bill possibly be used for? How will that-- how will your group use that or allocate those?

CORRIE KIELTY: Great question. So in the formula, it's specific that 80 percent of the funds are given to our local programs for recruitment, screening, and training of volunteers. So that includes the staff time to do those things. But it also includes what it costs to do a background check. Every volunteer goes through an interview, like a job interview. They have to provide three references and they're screened while they go through their initial training. The initial training for a CASA volunteer is 30 hours of training. So all of that is kind of woven into those costs, as well as the fact that

they're required by our state statute to have ongoing training every year, and we require 12 hours of ongoing training. So all of that is kind of woven into the 80 percent of recruitment and training grants. And then 10 percent can be used for expansion or new programs. So, for instance, Senator Wishart mentioned that in Polk County we have a brand new program, swearing in their first six volunteers tomorrow. They have been receiving for the past couple of years as they've been starting up their program a grant in order to help them with the costs of starting the new program. And then 10 percent is for innovative programming. So we used to be under the state court and now we're in the Foster Care Review Office and we sort of work with them on what that means. And we've kind of honed it down to our database for our state, any studies that we do to make sure that we're being effective, and a little bit to help us with ongoing training at our state conference for innovative type trainings.

DORN: To follow up on that. And I'm looking at the, maybe the \$500,000 we currently fund, 80 percent of that needs to be used for, I call it the recruitment of the three. But now with this expansion, do these new dollars also have to meet those requirements or is there a different part of your CASA program that they will fit into?

CORRIE KIELTY: No, because we-- unless you all decide to change that formula, it's in statute and it will remain the same uses.

DORN: It will, OK. Thank you.

CORRIE KIELTY: And with their loss in-- so some of the VOCA funding is paying for that recruitment and training right now. And you mentioned mileage for volunteers, those types of things. With the loss of that funding, it will help so much to be able to make up those costs.

DORN: OK. Thank you for the explanation.

CLEMENTS: Senator Erdman.

ERDMAN: Thank you, Senator Clements. So are the CASA volunteers reimbursed at all for any of their expenses?

WISHART: Yes, and I'll tell you, it varies across the state and it also varies in between volunteers who ask for reimbursement and those who don't. So some of our programs do reimburse mileage. If they're-- more and more because of what's happened with the state, our programs are providing things that families need and that children need, whether that be clothing, shoes, essentials as they go into foster care and they don't have those things. What we find is more and more

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they don't have those things. So our programs provide those. We don't allow the volunteers to provide those. Or for instance, we may do a drive to get Christmas gifts for children. Volunteers can't purchase those. We-- we do that as a program to avoid any ethical issues that might arise. So that is about the only expenses that we-- what we look at is mileage.

ERDMAN: OK.

CLEMENTS: Other questions? Do you know what the cost of the foster child is to the state in a year?

CORRIE KIELTY: I do not know that off the top of my head, but I will find out for you.

CLEMENTS: All right. I would be curious. I think I saw \$185 million in a fiscal year for 4,000 children is about \$45,000 per child the last time I tried to roughly figure.

CORRIE KIELTY: That makes sense.

CLEMENTS: It's shocking.

CORRIE KIELTY: Yeah, it is. But when you see what children go through and the services that are needed and then you consider-- you see in the Foster Care Review Office reports how many children are moved from placement to placement and it makes sense.

CLEMENTS: Regarding your foundation funding, what was the reason for that?

CORRIE KIELTY: I don't know. So it was a large foundation that had been providing grants to us for our rural programs. So we would do a grants program and we would give the programs to them. And then they also are providing separate grants to our larger urban programs. And they did not just cut CASA. They cut all of the nonprofits that they were funding. So it was across the board, but I don't know the reason for that cut.

CLEMENTS: And what is VOCA?

CORRIE KIELTY: Victim of Crime Act funding. It's federal funding that is provided to our Nebraska Crime Commission. And then they do a grant process to provide it to agencies that assist crime victims. So for children, the Child Advocacy Centers and CASA programs qualify to get those grants. And then there's also the adult victims, like, you know,

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adult assistance victims program, domestic violence shelters so they do a variety of grants. And they've told all of us that they expect a 40 percent cut this year because the federal threshold of what they can fund has decreased and they're getting less from the federal government.

CLEMENTS: OK. You will still get some funding, but 40% less than previously. All right. Senator Lippincott.

LIPPINCOTT: What is the average age of a child that's helped through this program?

CORRIE KIELTY: The average age I'm not sure of, but I can tell you a lot more of the children are younger than older. Off the top of my head, I would guess it's probably between seven and ten years old because we have so many younger children than we do older children. But I can tell you, I can look at my stats and tell you, sure.

CLEMENTS: I see people behind you agreeing with that. Thank you. Senator Lippincott.

LIPPINCOTT: And also your prior record shows about 91 percent of your funding is from other, other than the state.

CORRIE KIELTY: Yes.

LIPPINCOTT: This is a tax deductible organization, correct?

CORRIE KIELTY: Yes. And Nebraska CASA Association is its own 501(c)(3). Our local programs are members of ours and almost all of them are their own 501(c)(3) programs that are directed by the local board of directors, except for a couple of them in Dawson County and in Sarpy County are under the county. They're a county program under their counties.

LIPPINCOTT: Is it mostly from individuals or agencies or organizations?

CORRIE KIELTY: Mostly it is foundation funding and local programs receive county funding and then individual donations.

LIPPINCOTT: Thank you.

CLEMENTS: Seeing no other questions, thank you for your testimony.

CORRIE KIELTY: Thank you.

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CLEMENTS: Are there other proponents for LB275?

BRENDA FELTHOUSEN: I got two of those.

CLEMENTS: Welcome.

BRENDA FELTHOUSEN: Well, thank you for having me. Thank you, Senators. Good afternoon. My name is Brenda Felthousen. That's B-r-e-n-d-a F-e-l-t-h-o-u-s-e-n. I'm the board president of the Cass County CASA program. Our local program is one of 22 in Nebraska that recruit, screen, train and support volunteers who are appointed by judges to advocate for abused and neglected children in the courts. Our program is one of the smaller CASA programs in the state, serving 83 children over the past 3 years with 18 volunteers currently. I served our county as a volunteer for three years until I transitioned-- transitioned into the board president-- into the president position of the board. Because I know how important it is for every child in foster care to have that one person dedicated to their best interest, I felt compelled to speak here today on behalf of the children we serve. Oftentimes, we find there are frequent changes in caseworkers and people who provide services, services to these children. But their CASA volunteer is that one caring adult who stays with them during this scary, yet critical time in a child's life. I've seen firsthand how the network of programs statewide work together to be as efficient as possible. Our local program fund-raises at the local level in addition to receiving state and federal funds. All of these funding sources are essential so that we can provide this needed service to our children. I would like to share the back story to just one of the cases we had the privilege of advocating for with you. Twins born 11 weeks premature kept returning to the hospital with failure to thrive. A healthcare professional saw signs of possible neglect and called the child abuse hotline. The state placed the twins with their aunt and family support services began. A CASA volunteer was then assigned. The twins continued to struggle to gain weight and were removed from the aunt's home and placed in traditional foster care against CASA's recommendation. Our CASA volunteer was the first to realize that the mom was lower functioning and couldn't handle the medical needs of the twins. But their aunt could and would provide the opportunity for their mother to have supervised visits. Our CASA volunteer continued to recommend the twins should be returned to the aunt's care and the court agreed. Through many meetings and the involvement of the CASA volunteer, it was agreed that the aunt would adopt the children, giving mom the ability to see them and have a relationship with them. The children's health approved-- improved and they were adopted by their aunt. The attorney for the children commented: This would not

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have had a happy ending without the work of that CASA volunteer. See, our end goal is not to always recommend parental termination, but to truly find a way to ensure these children remain as close to home as possible while receiving the best care available. After all, isn't that what we want for all of our children? The case lasted nearly four years and these children had five different caseworkers, but only one CASA volunteer. Our CASA volunteer was on the case for 1,456 days, all four years. This is why we stand behind our belief in a strong CASA volunteer program, and this is why we are here today to ask for your support. In summary, we are asking for your continued funding to keep our effective cost-saving volunteers in place for the children in the system. We are also asking for additional funding due to funding cuts. Our foster children deserve a voice as they are going through this very difficult time in their life, and we know we can continue to make a positive difference in their lives with you beside us. Please consider continued support with-- for this very important cause. Thank you for your time.

CLEMENTS: Are there questions? I want to clarify something. How many kids does one CASA volunteer care for at one time?

BRENDA FELTHOUSEN: It depends on how many volunteers are in the program. It depends on the size of the family. Some families have one child. Some families can have five maybe, yeah. I mean, it really just depends on the size of the family.

CLEMENTS: It's-- but just one family at a time then.

BRENDA FELTHOUSEN: We hope if we have enough volunteers, you know. That-- that can be a challenge some years when we're low on volunteers, but we work hard to--

CLEMENTS: That's the goal--

BRENDA FELTHOUSEN: Yes.

CLEMENTS: --is to just focus on one family and to stay with that one family rather than switching.

BRENDA FELTHOUSEN: Absolutely. Yes.

CLEMENTS: So Cass County, I've been aware of your work.

BRENDA FELTHOUSEN: Yes.

CLEMENTS: Thank you for that.

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BRENDA FELTHOUSEN: Thank you.

CLEMENTS: Senator Lippincott.

LIPPINCOTT: How many of these foster care children turn into an adoption case?

BRENDA FELTHOUSEN: The ultimate goal is reunification. But what would you on average?

HEATHER WOOD: That's a good question. We have it in our email report. I don't have it off the top of my head, but I can get that for you. And I was just going to follow up-- 8.7 is the average age of foster care kids involved in child welfare [INAUDIBLE].

CLEMENTS: We'll just go ahead and repeat that: 8.7 years old, is that what you said, average age?

HEATHER WOOD: The average age of children involved in child welfare, and that's according to our most recent point in time data of all of the children in child welfare as of December 31.

CLEMENTS: All right. Thank you. Other questions from the committee? Get her name. Oh, OK. We ask for your name for the comments that you made.

HEATHER WOOD: Yes. My name is Heather Wood, H-e-a-t-h-e-r W-o-o-d. Monica had mentioned me before; I'm the research director for the Foster Care Review Office.

CLEMENTS: All right. Heather Wood. Thank you for the information. Are there other questions from the committee? Seeing none, thank you for your testimony.

BRENDA FELTHOUSEN: Thank you.

CLEMENTS: And are there other proponents for LB275? Seeing none, are there any opponents on LB275? Seeing none, is there anyone here in the neutral capacity? Seeing none, you're welcome to close, Senator.

WISHART: Thank you. I don't have a lot more to say. I think the two testifiers did a really good job. All I'll say is we are happy to answer any of the questions that, that you asked. And my staff and the team behind us will get-- will get you those answers. Thank you.

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CLEMENTS: Are there other questions from the committee? Seeing none, thank you. And we do have position comments on LB275. We have ten proponents, no opponents, no neutral. That closes the hearing on LB275 and that concludes the hearings for today.