

Nebraska Children's Commission – Foster Care Reimbursement Rate Committee

Eighth Meeting

May 16, 2014

1:00PM-4:00PM

Country Inn & Suites, Omaha Room

5353 N. 27th Street, Lincoln, NE

Call to Order

Peg Harriott called the meeting to order at 1:02m and noted that the Open Meetings Act information was posted in the room as required by state law.

Roll Call

Subcommittee Members present: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Bobby Loud (1:41p.m.), Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz.

Ex-Officio Members present: Jeanne Brandner (1:05), Lindy Bryceson, Karen Knapp, Thomas Pristow, and Nanette Simmons.

Subcommittee Member(s) absent: Sherry Moore, David Newell, and Alana Pearson.

Ex-Officio Members absent: Michele Anderson and Debbie Silverman.

Also attending: Monika Anderson, Jim Blue, Bethany Connor, Senator Annette Dubas, Liz Hruska, Leesa Sorensen, Martha Stoddard, and Kerry Winterer.

Approval of Agenda

A motion was made by Ryan Suhr to approve the agenda as written, seconded by Barb Nissen. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Bobby Loud, Sherry Moore, David Newell, and Alana Pearson were absent. None abstained. Motion carried.

Approval of the April 1, 2014 Minutes

A motion was made by Lana Temple-Plotz to approve the April 1, 2014 minutes as written. The motion was seconded by Corrie Edwards. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Absent: Bobby Loud, Sherry Moore, David Newell, and Alana Pearson. None abstained. Motion carried.

Approval of the May 6, 2014 Minutes

A motion was made by Lana Temple-Plotz to approve the May 6, 2014 minutes as written. The motion was seconded by Barb Nissen. A voice vote was taken. Motion carried.

Chair's Report

Peg Harriott gave a brief Chair's report. She noted that the work groups did a lot of great work, so many of the people that have done great work are not present today. She expressed appreciation for The Department of Health and Human Services and Thomas Pristow's work with the Committee on rates. She also noted that there were applications to join the Committee and there would likely be new people at the next meeting.

Public Comment

Gregg Nicklas, of Christian Heritage gave a comment as a member of the public. He thanked the Committee for the great deal of work it has done since last Tuesday. At the previous meeting there was a great deal of concern on the agencies about the ability to continue to serve foster parents. He will never forget and will always appreciate the work that has gone on to make sure that the rates work for everyone involved. He noted that there was unanimous agreement on the rates at the CAFCON meeting. He closed his comments by expressing appreciation for the Department on behalf of the providers.

Senator Annette Dubas addressed the Committee for a public comment. She said she would pick up where Mr. Nicklas left off, thanking everyone around the table. She noted that at the beginning of the process there were a lot of people who were nervous and fragile due to the reforms and may immediately expect the worst. It takes time to heal wounds and relationships, and hopefully today we will see the positive changes coming out of the angst. She thanked Thomas Pristow for working and keeping the lines of communication open. She thanked Anna for attending the meetings and serving as the eyes and ears at the meetings. She closed her comment by again thanking everyone.

Standardized Level of Care Work Group Report

Lana Temple-Plotz provided the Committee with information on the standardized level of care work group report. She noted that the staff ratios and salaries were changed. A motion was made by Susan Henrie to approve the Agency Support and Services rate (Recommendation P), seconded by Leigh Esau. Discussion was had on the motion. Lana clarified the policies surrounding agency mileage. A roll call vote was called on the motion. Voting yes: Peg Harriot, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, Barb Nissen, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Bobby Loud, Sherry Moore, David Newell, and Alana Pearson were absent. Bev Stutzman abstained.

A motion was made to approve item "J" as written by Barb Nissen, seconded by Jackie Meyer. A roll call vote was taken. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie,

Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr and Lana Temple-Plotz. Bobby Loud, Sherry Moore, David Newell, and Alana Pearson were absent. Motion carried.

The Committee began discussion on item "K" regarding transportation and costs of transportation. Members noted that there is a DHHS administrative memorandum regarding administrative foster care reimbursement. A motion was made by Jackie Meyers to approve item "K" with added language reflecting the relevant DHHS administrative memorandum. The motion was seconded by Barb Nissen. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr and Lana Temple-Plotz. Bobby Loud, Sherry Moore, David Newell, and Alana Pearson were absent. Motion carried.

DHHS Update

Thomas Pristow indicated that there were no further updates from the Department of Health and Human Services.

Recommendations to Children's Commission Regarding Foster Parent Rates

The Committee began its discussion on the recommendations to the Children's Commission. Lana Temple Plotz made a motion to accept Item "C" as written. Leigh Esau seconded the motion. No further discussion was held. A roll call vote was taken. Voting Yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr and Lana Temple-Plotz. Bobby Loud, Sherry Moore, David Newell, and Alana Pearson were absent. Motion carried.

Ryan Suhr made a motion to accept item "E" with changes made on foster parent mileage reimbursement to reflect the tool. Corrie Edwards seconded the motion. No further discussion was held. A roll call vote was taken. Voting Yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr and Lana Temple-Plotz. Bobby Loud, Sherry Moore, David Newell, and Alana Pearson were absent. Motion carried.

Leigh Esau made a motion to accept item "G" as written. Barb Nissen seconded the motion. No further discussion was held. A roll call vote was taken. Voting Yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Bobby Loud, Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr and Lana Temple-Plotz. Sherry Moore, David Newell, and Alana Pearson were absent. Motion carried.

The Committee discussed item "H." Lana clarified that the pre-assessment rate is for a child new to the system, not a child new to a placement. If the child came into care through in home services, this child would not have the pre-assessment rate, as the child has had some screening and assessment. This item is for a child who has just been removed and there is no information about him or her. Bobby Loud made a motion to accept item "H" as written, seconded by Bev Stutzman. Discussion was held. A roll call vote was taken. Voting Yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Bobby Loud, Jackie Meyer, Barb Nissen, Bev Stutzman, Ryan Suhr and Lana Temple-Plotz. Sherry Moore, David Newell, and Alana Pearson were absent. Motion carried.

Ryan Suhr made a motion to accept item "Q" as written. The motion was seconded by Corrie Edwards. Voting yes: Peg Harriott, Corrie Edwards, Susan Henrie, Jackie Meyer, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Leigh Esau, Bobby Loud, Barb Nissen, and Bev Stutzman abstained. Sherry Moore, David Newell, and Alana Pearson were absent. Motion carried. *Note: The motion to accept item "Q" was initially announced to have failed to carry at the meeting. After adjournment and upon a recount of the votes, it was announced to have carried.*

New Business

Chairperson Peg Harriott asked the Committee if there were further recommendations that should be moving forward, or if anything had been left out. The Committee members indicated that there was not. Peg expressed her appreciation for the group.

Next Meeting Date

Chairperson Peg Harriott remarked that there may be further tasks that the Commission asks them to do, but she does not anticipate the need for a June meeting.

Adjourn

Bobby Loud made a motion to adjourn. Leigh Esau seconded the motion. The Committee adjourned at 1:56 p.m.

DRAFT

Nebraska Caregiver Responsibility Tool

Grandfathered Reimbursement Rates

Grandfathered reimbursement rates were utilized to ensure that foster children experience no adverse effect as a result of a decrease to their existing rates for children placed in foster homes as of June 30, 2014.

- Grandfathered rates were utilized for those foster children whose monthly maintenance payment plus the \$3.10 daily stipend was greater than the newly assessed NCR rate.
- Supplemental payments ranged from .10 to \$38.10.
- 237 youth received grandfathered rates as of 7/1/14.

Grandfathered rates were discontinued over time for the following reasons:

- Youth moved from the foster home where he/she resided as of 6/30/15.
 - New NCR completed within 30 days of move and new foster homes received the newly assessed NCR rate.
 - Youth were discharged from foster care to either home or a higher level of care.
 - New NCR was completed that indicated a new rate higher than the rate the foster parent was receiving as of 6/30/15.
 - All remaining grandfathered rates were discontinued as of 2/1/15.

NCR Strengths

- Allows for increased consistency in foster care rates between agencies.
- Provides information on the supports and interventions utilized by the foster parent to maintain youth within their home.
- Timeframes for reassessment are clear.
- Holds providers and foster parents more accountable to provide supports, interventions, and strategies that better meet the individualized needs of the child(ren).
- Broad categories allow for more flexibility than the FC Pay and the individual items.

Barriers

- NFC utilizes pre-assessment rate recommended by the Nebraska Children's Commission, which is \$5.00/day more. Even with this higher amount, NFC has experienced struggles placing youth at the pre-assessment rate.
- Some of the definitions and categories would benefit from review post implementation.
- No consideration for youth who are extremely challenging (above and beyond an Intensive youth).
 - NFC has developed Professional Foster Care level of care to assist in obtaining homes for youth who's needs exceed what is reasonable for intensive.
- Roll out of the NCR tool could have been more planned to allow for completion of initial assessments across time instead of all within 30 days. This is especially challenging as they all then come due at or around the same time.

Exceptions

- NFC has approved some exceptions to the NCR Rates as established. These exceptions are predominately for youth with significant needs, which relates to the barrier identified above. NFC has established a higher level of care, Professional Foster Care, with increased expectations of both agency and foster parent.
 - Since February 1, 2015 NFC has had a total of 36 youth placed at this level of care.
 - As of April 1, 2015 there were 27 youth at the Professional Foster Care level.
 - Youth placed at the Professional Foster Care Level include:
 - Youth at risk of out of state placement
 - Youth returning from highly structured out of state placement

- Youth with very high medical needs
 - Youth identified as DD but not receiving DD funding
 - Youth with extensive history of disruption due to their behavioral and/or emotional needs
- In addition to Professional Foster Care NFC has had one youth since February 1, 2015 who was placed with a Special Rate Agreement (outside of the NCR rate). In this scenario the youth was scheduled to be in planned respite with a foster parent and instead became in need of an actual placement. NFC reimbursed the foster home and agency at the planned respite rate for a period of three days until additional assessment of the youth's needs could be conducted. This was an initial placement for the youth, so had the payment been generated according to the NCR the placement would have been reimbursed for pre-assessment.

Recommendations

Review and revise definitions and categories within the NCR to clarify overlapping items scored in multiple areas. Clarifying and removing duplications would enhance the tool. Consider separating the last item (LOC8) into independent living and transition to and preparation for permanency to further define responsibilities of foster parents in supporting various permanency goals.

Transportation has historically been a systemic barrier. Having a specific transportation item that is weighted within the NCR would be useful in promoting foster parent accountability for transportation of the youth placed in their homes.

Consider adding an additional level of care. This would allow for the placement of and adequate reimbursement for youth with extraordinary needs. NFC has provided the service description and consideration items for Professional Foster Care to DHHS. This level calls for increased accountability and responsibility for both the foster parent and the supporting agency.

Level of Care Workgroup Meeting Minutes April 1, 2014

Present: Lana Temple-Plotz, Ryan Suhr, Barb Nissen, Jackie Meyer, Michelle Anderson, Susan Henrie

Absent: Katie McLeese Stephenson, Jenna Davenport, Karen Knapp

Resources: Leesa Sorenson, Jodi Allen, Ronda Newman

Discussion:

1. Review and approval of February 18, 2014 meeting minutes
 - a. Minutes approved

2. Update/discussion of March 19, 2014 meeting with DHHS and Casey Consultant
 - a. Lana, Ryan, Jackie and Barb provided an overview of the March 19, 2014 meeting with DHHS and the Casey Consultant. Some questions during this meeting regarding the mileage reference in the original tool. Workgroup agreed to leave this reference as well as the respite and liability insurance in the tool we advance to the larger committee.

3. Additions/changes to LOC tool
 - a. Reviewed Barb's changes to the tool and agreed to include all changes. Additional changes to the tool the group agreed upon include: removing the "weighted category" language in LOC 1, LOC3 and LOC 7; including the references to respite, liability insurance and mileage on the last page; and including the separate scoring tool we developed.

4. Discuss previous recommended timelines for tool and rates (see February 18, 2014 minutes).
 - a. Group discussed at length whether to advance the parenting level and pre-assessment rates given DHHS has not yet determined an agency rate. Group agreed the focus of the LOC workgroup is to recommend changes to the Nebraska Caregiver Responsibilities Tool and to recommend foster parent rates. While the administrative rate is an important piece of the overall picture, it is not within the responsibility of the Level of Care Workgroup.
 - b. Group voted and agreed to advance the level of parenting and pre-assessment rates to the larger committee.

Final Recommendations to Rate Committee:

1. DHHS implement LOC tool with changes as identified in red.

2. DHHS implement parenting levels (essential, enhanced, intensive) and corresponding rates:

Age	Essential Parenting	Enhanced Parenting	Intensive Parenting
0-5	\$ 20.00	\$27.50	\$35.00
6-11	\$ 23.00	\$30.50	\$38.00
12-18	\$ 25.00	\$32.50	\$40.00

3. DHHS implement Pre-Assessment Rates:

<u>Age</u>	<u>Daily</u>
<u>0-5</u>	<u>\$ 25.00</u>
<u>6-11</u>	<u>\$ 28.00</u>
<u>12-18</u>	<u>\$ 30.00</u>

4. DHHS work to link the SDM to the CANS to the LOC tool

5. Rate Committee determine if respite needs to be defined. Workgroup members discussed this definition but then determined defining respite was beyond the scope of our work. The definition included:

- c. Development of a respite care plan is the joint responsibility of DHHS/Agency Supported Foster Care provider and the foster parents. Respite is included in the supportive payment paid to the agency or the foster parent payment in cases where foster parents are supported by DHHS. Any costs associated with the respite care plan would be the responsibility of the agency or DHHS.

6. DHHS work with NFC and Probation to come up with a communication plan and process for rollout of training.

7. DHHS utilize the previous Level of Care subcommittee report (November 2012) as a reference when developing an implementation process, training and quality assurance plan.

8. By July 1, 2015 a written report be submitted by DHHS, Probation and the NFC that provides summary data and outlines the role and effectiveness of the level of care tool (NCR) to include:

- d. Analysis of the Nebraska Caregiver Responsibilities tool to include: total number of tools completed; % in each category (essential, enhanced, intensive); % LOC1, LOC2, LOC3; intersection between frequency of review and score.
- e. Analysis of the assessment process to include answering the following questions:
 - i. Does the CANS gather the necessary information to identify the needs of the child and the resources needed as identified in the eight domains of the NCR?
 - ii. Does the SDM provide adequate information to identify the needs of the child as they relate to the eight domains of the NCR?
 - iii. Is the CANS needed given the information provided by SDM?
 - iv. Does the NCR adequately identify the skills and responsibilities of the foster parent(s)?
 - v. Does the NCR adequately ensure the child's needs are being met?
 - vi. Does the NCR meet the needs of DHHS, Probation and the NFC?
 - vii. Does the NCR meet the needs of Child Placing Agencies?
 - viii. How does the NCR impact subsidies?
 - ix. Do the current rates work and are they reasonable?
- f. Lessons learned, trends identified and recommendations for future consideration

**Claiming IV-E Funding for
Group Home Care and Emergency Shelter Center Care
Rate Development Objectives**

- For purposes of claiming federal IV-E funding, group homes and emergency shelter centers must meet the definition of a “child care institution” defined as the following:
 - A private or public child care institution which accommodates no more than twenty-five children; and,
 - Which is licensed by the state in which it is situated; except,
 - In the case of a child who has attained 18 years of age, the term “child care institution” shall include a supervised setting (which may or may not be licensed) in which the individual is living independently.
- Federal Statutes allow State IV-E Agencies to claim the maintenance costs of foster care, such as food, clothing, shelter, daily supervision, a child’s personal incidentals, liability insurance, travel to visits with parents, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement.
- For group home and emergency shelter care, the costs include reasonable costs for the administration and operation of the facilities to provide the maintenance items named above.
- With our current group home and emergency shelter center rates, we do not specify how the costs are allocated to maintenance, administration, and other services.
- A recent audit by the State Auditor’s Office concluded that:
 - the rates charged for group home care and emergency shelter center care are not supported with adequate documentation to show that they are reasonable; and,
 - the rates include components that are unallowable as maintenance payments (such as vacancy factors, and the cost of staff of a parent agency that are not employed directly by the group home or shelter center); and
 - DHHS does not include specific periods for review of foster care (group home/emergency shelter) maintenance rates.
- The Foster Care Rate Committee of the Children’s Commission will take the lead on determining the proper allocation of costs of Group Home Care and Emergency Shelter Center Care for the maintenance portion of the rate, for the administrative portion of the rate, and for other services associated with each facility;
- Payment rates for Group Home Care and Emergency Shelter Center Care must demonstrate that the associated costs are necessary for the proper and efficient administration of the programs;
- Payment rates for Group Home Care and Emergency Shelter Center Care must demonstrate that the costs are reasonable, allowable, and properly allocated in compliance with the applicable cost principles and program requirements;
- The rate committee will establish a reasonable and specific time period for periodic review of the payment rate by DHHS to establish the rate’s continued appropriateness.
- Our anticipated start date is March, 2015
- Our anticipated resolution date is May, 2015 with an implementation date of July 1, 2015

Cedars Youth Services	SE	GHA/ESC	Marti Beard	mbeard@CEDARS-KIDS.ORG
Child Saving Institute	E	ESC	Peggy Harriott Lisa Blunt Susan Baumert	pharriott@chidsaving.org lblunt@chidsaving.org sbaumert@chidsaving.org
Epworth Village	N	GHA	Andy Marquart Staci Moorman	amarquart@epworthvillage.org staci@epworthvillage.org
Father Flanagan's Boys Home	E	GHA/GHB/ ESC	Jodi Gasper Lisa Pierce Dave Reed Randy Ptacek Sarah Miller	jodi.gasper@boystown.org lisa.pierce@boystown.org dave.reed@boystown.org randall.ptacek@boystown.org sarah.miller@boystown.org
Grace Childrens Home	N	GHB	Brian Rader	brianrader@gracechildrenshome.com
Heartland Boys Home LLC	SE	GHA	Gerald K. Craig	prestigepersonnl@aol.com
Heartland Family Service - Jefferson	N	GHA/ESC	Chris Sewall	csewall@heartlandfamilyservice.org
Heartland Family Service - Omaha	E	GHA/ESC	John H. Jeanetta Ann O'Connor Teffany Murphy Barb Treadway	ijeannetta@heartlandfamilyservice.org Aoconnor@heartlandfamilyservice.org tmurphy@heartlandfamilyservice.org btreadway@heartlandfamilyservice.org
Mark of Honor	SE	GHA/ESC	Jay Bazemore	jaybazemore@ymail.com
Nebraska Youth Center	W	GHA	Kendra Leinhardt-Driggs	fsbservices01@live.com
Norfolk Group Home	N	GHA/ESC	Sandra McGrath	nghnet1@cableone.net

Omaha Home For Boys Inc.	E	GHB	Amie Coomes	acoomes@omahahomeforboys.org
			Justin Loehr	jloehr@omahahomeforboys.org
			Jeff DeWispelane	jeffd@omahahomeforboys.org
Release Ministries	E	GHB	David Wininge	dave@releaseministries.org
			Garrett Swanberg	garrett@releaseministries.org
			Lauren Jones	lauren@releaseministries.org
Rite of Passage Inc	E	GHA	Lynda Kyhl	Lynda.kyhl@rop.com
			Mike Cantrell	michael.cantrell@rop.com
Winnebago	N	ESC		terrysnowball@yahoo.com
			Virginia Hansen	virginia.hansen@winnebagoTribe.com
Women in Community Service	SE	GHA	Tauni Weddington	wicshome@windstream.net
Youth Care and Beyond	E	GHA	Tracey Pearson	tpearson@youthcareinc.org
			Katie Kiper	kkiper@youthcareinc.org

Group Home Rate Sub-Committee

	Organization	Region	Group Home Type	email	Area of expertise
Co Chairs					
Cindy Rudolph,	Cedars	SE	GHA/ESC	crudolph@CEDARS-KIDS.ORG	CFO
Doug Kreifels	DHHS			Doug.Kreifels@nebraska.gov	DHHS
Committee Members					
Kendra Leonhardt-Driggs	Nebraska Youth Center	W	GHA	fsbervices01@live.com	Program Leader
Mike Cantrell	Rite of Passage	E	GHA	michael.cantrell@rop.com	Program Leader
Becky Steiner	Cedars	SE	GHA/ESC	bsteiner@CEDARS-KIDS.ORG	Program Leader
Randy Ptacek	Boys Town	E	GHA/GHB/ESC	Randall.Ptacek@boystown.org	Finance
Jeff DeWispelare	Omaha Home for Boys	E	GHB	JDeWispelare@omahahomeforboys.org	COO
Garrett Swanberg	Release Ministries	E	GHB	garrett@releaseminsitries.org	
Lisa Blunt	Child Saving Institute	E	ESC	lblunt@childsaving.org	COO
Ross Manhart	DHHS			Ross.Manhart@nebraska.gov	
Nanette Simmons	DHHS			Nanette.Simmons@nebraska.gov	
Robin Chadwell	NFC			robin.chadwell@nebraskafc.org	
Yet to be assigned	Probation				