

**Nebraska Children’s Commission**

Thirty-Sixth Meeting  
January 20, 2016  
9:00 AM – 3:00 PM  
Country Inn & Suites  
5353 N. 27<sup>th</sup> Street  
Lincoln, NE 68521

**I. Call to Order**

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The Nebraska Children’s Commission Chair, Beth Baxter, called the meeting to order at 9:01 a.m.

**II. Roll Call**

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*Commission Members present (10):*

Karen Authier	Gene Klein	Dale Shotkoski
Beth Baxter	Andrea Miller	Paula Wells
Holly Brandt	Deb O’Brien	
Kim Hawekotte	Mary Jo Pankoke	

*Commission Members absent (5):*

Teresa Anderson	David Newell	Diana Tedrow
Jennifer Chrystal-Clark	Susan Staab	

*Ex Officio Members present (6):*

Ellen Brokofsky	Courtney Phillips (9:04)	Julie Rogers (9:04)
Steve Milliken	Judge Linda Porter	Doug Weinberg

*Ex Officio Members absent (5):*

Dr. Matthew Blomstedt	Senator Kathy Campbell	Senator Patty Pansing-Brooks
Senator Kate Bolz	Katie McLeese Stephenson	

A quorum was established.

*Guests in Attendance (17):*

Jeanne Brandner.....	Administrative Office of Probation
Bethany Connor Allen.....	Nebraska Children’s Commission
Amanda Felton.....	Nebraska Children’s Commission
Tamara Gavin.....	DHHS, Division of Behavioral Health
Dr. Anne Hobbs.....	Juvenile Justice Institute
Dan Jenkins.....	Nebraska Legislative Council
Kathy Karsting.....	DHHS, Division of Public Health
Joselyn Luedtke.....	Nebraska Legislative Council
Vicki Maca.....	DHHS, Division of Children and Family Services
Denny Macomber.....	Nebraska Crime Commission
Monica Miles-Steffens.....	Administrative Office of Probation
Mike Overton.....	Nebraska Crime Commission
Kari Rumbaugh.....	Administrative Office of Probation
Sheli Schindler.....	Lancaster County Youth Services Center
Jennifer Skala.....	Nebraska Children and families Foundation
Dr. Ryan Spohn.....	Nebraska Center for Justice Research
Dr. Richard Wiener.....	UNL, Law and Psychology Program

a. *Notice of Publication*

Recorder for the meeting, Amanda Felton, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar website on December 28, 2015 in accordance with the Nebraska Open Meetings Act. The publication will be kept as a permanent attachment with the meeting minutes.

b. *Announcement of the placement of Open Meetings Act information*

A copy of the Open Meetings Act was available for public inspection and was located on the table at the front of the meeting room.

### **III. Approval of Agenda**

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Chair Baxter presented the agenda to the Commission. She noted that several presenters on agenda had indicated that they may need to leave after the lunch hour.

**It was moved by Paula Wells and seconded by Mary Jo Pankoke to adjust the agenda as needed to accommodate the schedules of presenters.** There was no further discussion. Roll Call vote as follows:

**FOR (10):**

Karen Authier  
Beth Baxter  
Holly Brandt  
Kim Hawekotte

Gene Klein  
Andrea Miller  
Deb O'Brien  
Mary Jo Pankoke

Dale Shotkoski  
Paula Wells

**AGAINST (0):**

**ABSENT (5):**

Teresa Anderson  
Jennifer Chrystal-Clark

David Newell  
Susan Staab

Diana Tedrow

**ABSTAINED (0)**

**MOTION CARRIED**

For the purpose of the minutes, all items will be written in the order of the original agenda.

### **IV. Consent Agenda**

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a. *Minutes of the November 17, 2015 Nebraska Children's Commission Meeting*

Chair Baxter brought the minutes from the previous November 17, 2015 meeting to the Commission's attention. She inquired as to if there were any corrections. No corrections were provided.

**Paula Wells moved to approve the items of the Consent Agenda as presented. Deb O'Brien seconded the motion.** There was no discussion. Roll Call vote as follows:

**FOR (10):**

Karen Authier  
Beth Baxter  
Holly Brandt  
Kim Hawekotte

Gene Klein  
Andrea Miller  
Deb O'Brien  
Mary Jo Pankoke

Dale Shotkoski  
Paula Wells

**AGAINST (0):**

**ABSENT (5):**

Teresa Anderson  
Jennifer Chrystal-Clark

David Newell  
Susan Staab

Diana Tedrow

**ABSTAINED (0)****MOTION CARRIED****V. Chairperson's Report**

Chair, Beth Baxter, opted to forego her report in an effort to ensure sufficient time for the presenters.

**VI. DHHS Update**

The Chair welcomed Courtney Phillips, CEO of the Department of Health and Human Services (DHHS), to provide an update on the Department. Ms. Phillips reviewed the recent additions to the leadership positions within the Department. She also noted that the Department business plan outlining the work for the next year would be available to the public by February. Also mentioned were the negotiations regarding the contract between the Division of Children and Family Services (CFS) and Nebraska Families Collaborative (NFC). Contract conversations were focused around deliverable outcomes and the potential for additional pilot locations.

Other pieces covered in the update were the improvements to the ACCESS Nebraska site, the System of Care plan, the Request for Proposals received in response to Heritage Health Managed Care, and the several bills relating to the DHHS that were recently introduced.

**VII. Detention Information Panel**

Vice Chair, Gene Klein, welcomed and introduced the members of the panel presenting on Nebraska Detention facilities. Panel guests included Dr. Anne Hobbs, Director of the Juvenile Justice Institute, Denny Macomber, Chief of Jail Standards Division with the Crime Commission, Sheli Schindler, Director of the Lancaster County Youth Service Center, Mike Overton, Chief of Information Services Division with the Crime Commission, and Monica Miles-Steffens, Director of Placement for the Administrative Office of Probation.

Each of the panel members gave a brief background on their work with youth detention. The panel began with conversation around the definition of detention. Mr. Macomber informed the Commission of the five detention centers across the state, noting that they did not include the Youth Rehabilitation Treatment Centers (YRTC) in Geneva or Kearney. The levels of each facility ranged from secure to staff-secure. Ms. Schindler commented that the detention facilities serve on the frontline of the juvenile justice process, explaining that youth are held in a detention facility when there are allegations of a new law violation, during the court process, and when adjudication takes place. Upon disposition, youth then move on to either a registered provider for services or to the YRTCs.

Data was provided to the members regarding an evaluation study of the Risk Assessment Instrument (RAI) used to determine placement of offending youth. The information prompted conversation surrounding the high number of score overrides by intake probation officers leading to the detainment of low-risk youth. The panel and Commission members discussed how the high override rate correlated with a lack of resources and detention alternatives. Other suggested reasons that could lead to the trend were placement issues, lack of the appropriate levels of care, and language in the warrants.

The panel went on to explain the differences between secure and staff secure facilities. Ms. Schindler explained that staff secure facilities had different programming, staff interventions, was located in a different section of the building, and had free egress out of rooms. Mr. Macomber expanded saying that due to a result of reduced federal funding, the number of separate locations for staff-secure facilities had decreased and that many secure

facilities were building on staff-secure wings. Debate occurred as to whether the switch to adjoining secure/staff-secure facilities from separate home-like shelters could cause additional trauma.

Funding was another item the panel touched on. Ms. Schindler indicated that depending on the area, funding of each facility differed based on their tax status and the population of the area being served. Ms. Miles-Steffens commented that there has been a great effort in offering Community Based Aid funding in order to develop a continuum of detention alternatives. She continued by discussing the alternatives that had been established with these funds. Some examples included electronic monitoring and tracking as well as a pilot project with the Behavioral Health Regions in Sarpy County to offer crisis response.

While reviewing what has worked well regarding detention and services, the panel agreed that each area of the state had processes and programs that suited them better than others. There was consensus that a blanket concept would not provide the same results statewide. Ms. Miles-Steffens discussed the variety of ways that Community Based aid funds can be used to provide a continuum of services that are appropriate for each community. Vice Chair Klein thanked all of the panel presenters for their time and expertise.

### **VIII. Evidence Based Practices Panel**

Chair Baxter went on to welcome the panel presenting on Evidence Based Practices (EBPs). The panel lineup included Jeanne Brandner, Deputy Probation Administrator of the Juvenile Services Division, Tamara Gavin, Deputy Director of Behavioral Health Services with the Division of Behavioral Health, Dr. Anne Hobbs, Director of the Juvenile Justice Institute, Kathy Karsting, Maternal Child Adolescent Health Program Manager, Division of Public Health, Vicki Maca, Deputy Director, Protection and Safety Service Delivery, Division of Children and Family Services, Jennifer Skala, Vice President of Community Impact with the Nebraska Children and Families Foundation, Dr. Ryan Spohn, Director of the Nebraska Center for Justice Research, and Dr. Richard Wiener, Director of the Law and Psychology Program at UNL.

The panel began with information from Dr. Hobbs, Dr. Spohn, and Dr. Wiener who presented on the research and academic portion of EBPs. Dr. Hobbs educated the Commission members on the current study that looked at the effectiveness of Community Based Aid fund programs. She reviewed the process of determining programs as EBP and where they fell on a spectrum ranging from a model program to insufficient evidence. Dr. Wiener expanded on the subject by going into more detail on the approaches used to identify EBP programs. He stressed the importance of fidelity in the studies. Dr. Wiener and Dr. Spohn also highlighted the use of programs for outcomes other than their intended purpose, and the complications that it can cause when analyzing performance.

The next part of the panel focused on agency definitions and implementation of evidence based practices with information from Vicki Maca, Kathy Karsting, Tamara Gavin, and Jeanne Brandner. Ms. Brandner gave a brief overview of the principles of supervision and management of youth involved in the juvenile justice system and how they related EBPs. Ms. Gavin provided a definition of EBPs as endorsed by the Substance Abuse and Mental Health Services Administration and went on to share details of several of the EBPs used in Nebraska's Behavioral Health System.

The panel conversation moved forward with Ms. Karsting discussing EBPs from the perspective of Public Health. She explored the subjects of our increased knowledge of brain science, the Adverse Childhood Experience Studies, and the Life Course Development Theory. She noted in Public Health, that the focus was to look beyond the population averages to find those being overlooked and left behind.

Vicki Maca proceeded by discussing the challenges that the Division of Children and Family Services had while working with EBPs. As exemplified by each of the panel speakers, Ms. Maca talked about how each agency used differing definitions of EBPs. Vice Chair Klein informed the Commission of the website, [www.nebraskamentalthhealth.com](http://www.nebraskamentalthhealth.com), which provided a list of providers and the EBP models that each were proficient in. Other challenges Ms. Maca identified included education for caseworkers and other referring

populations on available EBPs, matching up youth to the appropriate EBP, monitoring fidelity, and locating funding to sustain the EBPs.

The last speaker, Jennifer Skala, discussed EBPs at the community level. Many of the issues expressed by individuals on the panel, were issues that intersected across entities. Items such as fidelity, availability of services, and funding were challenges across the spectrum of EBPs. Chair Baxter noted that the panel brought to light the commitment that EBPs require and the infrastructure necessary to implement them. She encouraged the Commission members to keep in mind how they could assist in the support of EBPs.

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### **IX. Lunch**

The Committee recessed for lunch at 12:49 p.m.

The meeting resumed business at 1:28 p.m.

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### **X. Legislation Overview and Resolution Discussion**

Joselyn Luedtke, with the office of Senator Kathy Campbell, presented on legislation relevant to the Commission. Ms. Luedtke extended Senator Campbell's gratitude for the input from the members on [LB1034](#) regarding Commission provisions. Other bills of interest mentioned included [LB697](#), [LB746](#), [LB818](#), [LB905](#), [LB939](#).

Dan Jenkins, with the office of Senator Kate Bolz, discussed [LB866](#), which proposed the adoption of the Transition to Adult Living Success Program Act. The bill supported a transitional program similar in model to the Bridge to Independence program that would provide supplemental assistance for basic needs to youth aging out of the juvenile justice system.

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### **XI. Psychotropic Medications Committee Co-Chair Nomination**

Past Chair, Karen Authier, brought to the attention of the Commission that the Psychotropic Medications Committee was currently without any Chairs.

**Karen Authier moved to appoint Paula Wells and Greg Wright as Co-Chairs of the Psychotropic Medication Committee. Deb O'Brien seconded the motion. Both individuals had indicated that they would be willing to serve.** Roll Call vote as follows:

**FOR (9):**

Karen Authier  
Beth Baxter  
Holly Brandt

Gene Klein  
Andrea Miller  
Deb O'Brien

Mary Jo Pankoke  
Dale Shotkoski  
Paula Wells

**AGAINST (0):**

**ABSENT (6):**

Teresa Anderson  
Jennifer Chrystal-Clark

Kim Hawekotte  
David Newell

Susan Staab  
Diana Tedrow

**ABSTAINED (0)**

**MOTION CARRIED**

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### **XII. Juvenile Services Committee Report**

Chair Baxter asked that Bethany Connor Allen, Policy Analyst with the Nebraska Children's Commission, provide an update on the Juvenile Services (OJS) Committee. Ms. Connor Allen referred the members to a research proposal for a study to measure the validity of the YLS over the last five years. The proposal sought the approval of the Commission for the OJS Committee members to seek out public and private funding options for the study. Dr. Wiener expanded on the details of the study and the discussion of the Committee members regarding the search for funding.

**It was moved by Mary Jo Pankoke to endorse the proposal for the OJS committee to identify funding in support of a study to measure the validity of the YLS over the last five years. Paula Wells seconded the motion.** No further discussion ensued. Roll Call vote as follows:

**FOR (9):**

Karen Authier  
Beth Baxter  
Holly Brandt

Gene Klein  
Andrea Miller  
Deb O'Brien

Mary Jo Pankoke  
Dale Shotkoski  
Paula Wells

**AGAINST (0):**

**ABSENT (6):**

Teresa Anderson  
Jennifer Chrystal-Clark

Kim Hawekotte  
David Newell

Susan Staab  
Diana Tedrow

**ABSTAINED (0)**

**MOTION CARRIED**

**XIII. Strengthening Families Act Taskforce Report**

Jennifer Skala gave a brief update on the Strengthening Families Act Taskforce. She noted that the group had met and established a Steering Committee. Amanda Felton, Administrative Assistant with the Nebraska Children's Commission, expanded by indicating that work was in progress to establish four Subcommittees of the Taskforce. The four subgroups would focus on Normalcy, Training, the Grievance Process, and ensuring that the Community and Family Voice was included in the implementation process. Ms. Felton noted that information about the Act and from past meetings could be found on the Nebraska Children's Commission website, [www.childrens.nebraska.gov/Taskforces/SFATaskforce.html](http://www.childrens.nebraska.gov/Taskforces/SFATaskforce.html).

**XIV. Data, Technology, Accountability, and Reporting (DTAR) Workgroup Report**

Karen Authier gave the DTAR Workgroup update in the absence of Workgroup Chair, Dave Newell. She summarized their last meeting and the goal to have recommendations at the March Commission meeting. The Workgroup was working to narrow down data sets that would be most meaningful such as placement stability, total court and non-court youth being served, and hotline reports.

**XV. Probation Report**

Ellen Brokofsky, State Probation Administrator, welcomed Jeanne Brandner back to the presenter table as well as Kari Rumbaugh, Assistant Deputy Administrator of the Juvenile Division with Probation. The two presenters discussed the information included in the report on Probation Juvenile Justice Reform Efforts for October 2015. The report looked at five outcomes: risk reduction, non-delinquent status youth, placement, detention, and education and employment. Dialogue occurred around various topics such as risk assessment, runaway behavior, and the RISE program.

**XVI. FCRO Annual Report**

Linda Cox, Research Analyst with the Foster Care Review Office, presented on the FCRO annual report. Ms. Cox summarized the relevant information for the group. Some of the highlights included data on demographics, case management, the court and legal system, placement, education, and mental health. Ms. Cox also went over the recommendations included in the report relating to legislative efforts, the judicial system, and DHHS.

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### **XVII. Public Comment**

No Public Comment was given.

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### **XIII. New Business**

Chair Baxter took this opportunity to alert members and guests that copies of the Commission's annual report were available on the sign-in table. She also let the members know that a bill tracker was made available on the Commission's website to monitor relevant legislative bills. The website to find this information was [www.childrens.nebraska.gov/News/BillsOfInterest.html](http://www.childrens.nebraska.gov/News/BillsOfInterest.html).

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### **XIX. Upcoming Meeting Planning**

The Chair opened the floor to suggestions for agenda items for the March and May meetings. Items for future meeting discussion included:

- An update and recommendations from the DTAR Workgroup.
- An update and report from the Foster Care Reimbursement Rate Committee.
- The potential for future panels on the topics of System of Care model and the Education outcomes for youth involved in the child welfare and juvenile justice systems.

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### **XX. Adjournment**

**It was moved by Mary Jo Pankoke and seconded by Gene Klein to adjourn the meeting.** There was no discussion. Motion carried by unanimous voice vote. The meeting adjourned at 2:36 p.m.

02/03/2016

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