

Nebraska Children’s Commission
 Forty-First Meeting
 November 15, 2016
 9:00 a.m. – 3:00 p.m.
 Nebraska Children’s Home Society
 4939 S. 118th Street, Omaha, NE 68137

I. Call to Order

The Nebraska Children’s Commission Chair, Beth Baxter, called the meeting to order at 9:05 a.m.

II. Roll Call

Commission Members present (14):

Teresa Anderson	Vernon Davis	Janine Ucchino (9:14)
Karen Authier	Kim Hawekotte	Kelli Wacker
Beth Baxter	David Newell	Paula Wells
Jennifer Chrystal-Clark (9:54)	Deb O’Brien	Bill Williams
Marisa Cummings	Susan Thomas	

Commission Members absent (1):

Holly Brandt

Ex Officio Members present (5):

Sen. Kate Bolz (9:16)	Courtney Phillips	Deb VanDyke-Ries
Sen. Sara Howard (9:13)	Judge Linda Porter	

Ex Officio Members absent (5):

Michele Borg	Sen. Patty Pansing-Brooks	Doug Weinberg
Jeanne Brandner	Julie Rogers	

A quorum was established.

Guests in Attendance (16):

Honorable Max Baer	Supreme Court of Pennsylvania
Kevin Campbell	Center for Family Finding and Youth Connectedness
Bethany Connor Allen	Nebraska Children’s Commission
Amanda Felton	Nebraska Children’s Commission
Dr. Deb Frison	Nebraska Department of Education
Alyson Goedken	DHHS, Division of Children and Family Services
Peg Harriot	Child Saving Institute
Sarah Helvey	Nebraska Appleseed
Sandra Moore	Office of Children & Families in the Courts, Supreme Court of Pennsylvania
Mary Jo Pankoke	Nebraska Children and Families Foundation
Angie Pick	Nebraska Families Collaborative
Kari Rumbaugh	Administrative Office of Probation, Division of Juvenile Services
Julie Scott	Administrative Office of Probation, Division of Juvenile Services
Kate Stephenson	UNL, Center on Children, Families and the Law
Ivy Svoboda	Nebraska Alliance of Child Advocacy Centers
Dr. Richard Wiener	University of Nebraska, Lincoln

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 and Nebraska Children’s Commission websites on

September 30, 2016 in accordance with the Nebraska Open Meetings Act. The publication would 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 sign in table near the entrance of the room.

III. Approval of Agenda

It was moved by Paula Wells and seconded by Deb O'Brien to approve the agenda as presented. There was no further discussion. Roll call vote as follows:

FOR (12):

Teresa Anderson	Vernon Davis	Susan Thomas
Karen Authier	Kim Hawekotte	Kelli Wacker
Beth Baxter	David Newell	Paula Wells
Marisa Cummings	Deb O'Brien	Bill Williams

AGAINST (0):

ABSENT (3):

Holly Brandt	Jennifer Chrystal-Clark	Janine Uchino
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ABSTAINED (0)

MOTION CARRIED

IV. Consent Agenda

- a. Minutes of the September 20, 2016 Nebraska Children's Commission Meeting*
- b. Strategic Plan Approval*
- c. Bridge to Independence Advisory Committee Member Nominations*
- **Representative of a Child Welfare Advocacy Organization** (voting):
 - Juliet Summers, Voices for Children in Nebraska
 - **Representative of the Judicial Branch of Government** (ex-officio):
 - Jeanne Brandner, Deputy Probation Administrator of the Division of Juvenile Services

d. Psychotropic Medication Committee Member Nominations

The following representatives would move to a voting position on the Committee:

- **Linda Cox**, Research Analyst with the Foster Care Review Office
- **Lisa Casullo**, Former Foster Ward/Youth Voice Liaison and Director of Consumer and Recovery Services with Magellan Behavioral Health of Nebraska
- **John Danforth**, Probation Funding Specialist with the Administrative Office of Probation
- **Shelly Nickerson**, Pharmaceutical Consultant with DHHS, Division of Medicaid and Long-Term Care

It was moved by Paula Wells and seconded by Vernon Davis to approve the consent agenda as presented. There was no further discussion. Roll call vote as follows:

FOR (12):

Teresa Anderson	Vernon Davis	Susan Thomas
Karen Authier	Kim Hawekotte	Kelli Wacker
Beth Baxter	David Newell	Paula Wells
Marisa Cummings	Deb O'Brien	Bill Williams

AGAINST (0):

ABSENT (3):

Holly Brandt

Jennifer Chrystal-Clark

Janine Uchino

ABSTAINED (0)

MOTION CARRIED

V. Legislation Overview and Legislative Resolution Discussion

Juliet Summers, Policy Coordinator for Child Welfare and Juvenile Justice with Voices for Children in Nebraska, began the discussion with an update from Senator Patty Pansing Brooks. Ms. Summers summarized the Senator's efforts including promoting an expansion of LB894 so that all counties in Nebraska would be required to appoint legal counsel to youth upon filing. Ms. Summers also mentioned the efforts to examine the practice of sealing and expungement of records for juvenile justice. Senator Sara Howard echoed the information provided by Ms. Summers and indicated more information would be available as the session neared.

Senator Kate Bolz began with a brief discussion of the state budget. She reminded the Commission members that the state currently faced a \$9 million shortfall. The Senator encouraged the group to focus the Commission's priorities and make them clear to the Appropriations Committee of the legislature. Evidence Based budgeting had been implemented and would be looking closer at programs to ensure they are evidence based.

VI. Juvenile Services Committee Report

Kim Hawekotte, Co-Chair of the Juvenile Services (OJS) Committee, provided the Commission members with an update. She explained how the OJS Committee had split into various workgroups to take an in depth look at several issues. The report provided the recommendations and next steps of each of the four areas: Courts and Legal System, Evaluations and Assessments, Service Coordination, and Youth Rehabilitation Treatment Centers (YRTCs).

Points of interest from the report included a pilot study in two rural counties to evaluate the cost and effects of providing legal counsel to all youth, encouragement of diversion efforts pre-filing, working to identify the needs of and resources available to juvenile justice population, creation and dissemination of education on assessments and evidence based practices (EBP) for stakeholders, adoption of a categorization of EBPs, coordinating efforts between the various entities working with juvenile justice to enhance braided funding and address service gaps, and continued examination of the YRTCs.

a. Evidence Based Practices White Paper

Dr. Wiener was given the floor to discuss the elements of the White Paper document written by himself, Dr. Ryan Spohn, and Dr. Anne Hobbs. He explained that currently there was a broad definition of Evidence Based Practices (EBPs), and that it would be beneficial to have a uniform process in identifying what constitutes an EBP. The White Paper outlined a continuum based on seven categories. They ranged from fully EBP to insufficient evidence. The ultimate goal of this approach was to have a logic based foundational structure that encouraged programs to move up the continuum.

The members discussed the steps it would take to make the use of the continuum possible. It would require education of the funders for programs to understand the approach. Funders would also have to take on responsibility to assess the effectiveness. There was also discussion of the financial complications that come with determining EBPs. A culture change to recognize the importance of EBP evaluation when selecting programs needed to be implemented, which would take time.

It was moved by Paula Wells and seconded by Susan Thomas to approve the annual report of the Juvenile Services Committee. No further discussion ensued. Roll call vote as follows:

FOR (13):

Karen Authier
Beth Baxter
Jennifer Chrystal-Clark
Marisa Cummings
Vernon Davis

Kim Hawekotte
David Newell
Deb O'Brien
Susan Thomas
Janine Ucchino

Kelli Wacker
Paula Wells
Bill Williams

AGAINST (0):

ABSENT (2):

Teresa Anderson

Holly Brandt

ABSTAINED (0)

MOTION CARRIED

VII. Normalcy Task Force Report

Sarah Helvey, Co-Chair of the Normalcy Task Force, presented their report for review. Ms. Helvey noted that much of the information had been reviewed at the last meeting of the Commission. She began by highlighting the key issues that emerged across the work of the five subcommittees. These included need for Cross-System Communication, Culture Change, Family & Youth Voice, and Transition to Adulthood. She then went on to summarize the recommendations of each of the five subcommittees.

Commission members inquired into the details of the Youth Bill of Rights (YBOR) as recommended by the Community and Family Voice Subcommittee. Ms. Helvey explained that the group had worked from the original YBOR as was currently distributed by DHHS. From there they provided recommendations for change based on alterations necessary to comply with LB746, national best practice, and updates based on feedback from surveyed youth.

It was moved by Vernon Davis to approve the annual report of the Normalcy Task Force. Paula Wells seconded the motion. There was no further discussion. Roll call vote as follows:

FOR (14):

Teresa Anderson
Karen Authier
Beth Baxter
Jennifer Chrystal-Clark
Marisa Cummings

Vernon Davis
Kim Hawekotte
David Newell
Deb O'Brien
Susan Thomas

Janine Ucchino
Kelli Wacker
Paula Wells
Bill Williams

AGAINST (0):

ABSENT (1):

Holly Brandt

ABSTAINED (0)

MOTION CARRIED

VIII. Bridge to Independence Advisory Committee Report

Chair of the Bridge to Independence (B2I) Advisory Committee, Mary Jo Pankoke, presented the Committee's annual report. The Committee had spent much of its focus in the previous year on how to expand the B2I program to young adults exiting the juvenile justice systems. The group had narrowed down eligibility for the program to include youth in an out-of-home placement on their 19th birthday and who had a court finding that

returning to the home would be against the best interest of the child. Ms. Pankoke noted that Senator Bolz planned to push for legislation on the issue in the upcoming session.

Karen Authier moved to approve the Bridge to Independence Advisory Committee annual report. Deb O'Brien seconded the motion. No further discussion ensued. Roll call vote as follows:

FOR (14):

Teresa Anderson
Karen Authier
Beth Baxter
Jennifer Chrystal-Clark
Marisa Cummings

Vernon Davis
Kim Hawekotte
David Newell
Deb O'Brien
Susan Thomas

Janine Ucchino
Kelli Wacker
Paula Wells
Bill Williams

AGAINST (0):

ABSENT (1):

Holly Brandt

ABSTAINED (0)

MOTION CARRIED

IX. Foster Care Reimbursement Rate Committee Update

a. Treatment Foster Care Workgroup Update

Peg Harriot, Chair of the Foster Care Reimbursement Rate Committee, and Jodi Austin, Chair of the Treatment Foster Care Workgroup, were present to provide an update on the work of the Treatment Foster Care Workgroup. Ms. Austin began by noting that the groups had yet to form recommendations and with the work still in progress, wanted to touch base with the Commission to gain feedback for guidance.

Ms. Austin continued by summarizing the main components of the work thus far. The goal was to divert youth with high needs from congregate care and out-of-state placements and into family like settings. The workgroup recognized that there was no one-size fits all model to serve Nebraska's youth in the child welfare and juvenile justice systems. Other elements included a limit on the number of youth with considerations for sibling groups, involvement of multi-disciplinary teams, the presence of a licensed clinician in the home, supported roles for foster and biological parents, and the use of braided funding.

Members inquired into the requirement of a clinician to be in the home. Ms. Austin clarified that the intent was not to exclude the treatment that happened in the office, but rather to promote the therapist include at home treatment within their plan. Both medically fragile youth and youth with developmental disabilities were identified as additional populations that should be examined for a treatment foster care option.

X. Psychotropic Medication Committee Update

Psychotropic Medication Committee Co-Chair Paula Wells began the update by discussing the progress of the group. She indicated that many of the recommendations from the Committee's initial report had been completed or were in progress. Moving forward, one of the areas of focus was the issue of Informed Consent. Ms. Wells welcomed Angie Pick, Chair of the Informed Consent Taskforce, to present information on the work of the group.

a. Informed Consent Taskforce Update

Ms. Pick began by sharing the scope of the Taskforce which was to examine the current Informed Consent form and process utilized by DHHS to see what improvements could be made. Ms. Pick explained that the group's initial work has focused mainly on research and information gathering.

Areas that the Taskforce was looking into included ensuring participation of the medical professionals in the informed consent process, a way for youth to provide assent for medication, and widening the scope for informed consent to expand past psychotropic medication and include all types of medication. Final areas of discussion included education for kinship and relative placements as well as the issues of parental consent with the juvenile justice population.

XI. Community Ownership of Child Well Being Update

An update on the work of the Community Ownership of Child Well-Being Workgroup was given by Mary Jo Pankoke. Ms. Pankoke gave a summary of the various listening sessions that had been hosted by the Workgroup. She remarked that the first lady, Susanne Shore was leading a community prevention initiative and had expressed interest in the work of the group. Members inquired into the balance of fidelity and flexibility in the programs used by the communities. The members discussed the issue that a program may not work the same for every community, but that the changes implemented needed to be documented to ensure measurable outcomes.

XII. Structure Taskforce Update

Dave Newell provided the update for the Structure Taskforce. He encouraged any interested members to join the group for future discussions. The taskforce had focused the numerous subgroups of the Commission. Commission staff was working to create a matrix of committees, boards, and organizations that work in the realm of child welfare and juvenile justice. From that matrix the taskforce would examine where groups may be combined or eliminated. They also planned to bring in Commission Chair, Beth Baxter, for insight on any additional changes that may increase the Commission's efficiency.

XIII. Lunch

The Committee recessed for lunch at 11:40 a.m.

The meeting resumed business at 12:07 p.m.

XIV. Commission Leadership

Chair Baxter opened the discussion of leadership. The group had several Chair positions open, needing to be filled. The most pressing was the Vice Chair position for the Commission. Whoever took the position would become Chair in July. Dave Newell expressed his willingness to fill the role. **It was moved by Paula Wells and seconded by Jennifer Chrystal-Clark to appoint Dave Newell as Vice Chair of the Nebraska Children's Commission.** There was no further discussion. Roll call vote as follows:

FOR (13):

Teresa Anderson

Karen Authier

Beth Baxter

Jennifer Chrystal-Clark

Marisa Cummings

Vernon Davis

Kim Hawekotte

Deb O'Brien

Susan Thomas

Janine Uchino

Kelli Wacker

Paula Wells

Bill Williams

AGAINST (0):

ABSENT (1):

Holly Brandt

ABSTAINED (1)

David Newell

MOTION CARRIED

Through the discussion of the remaining open leadership positions, the System of Care (SOC) Workgroup came into question. With the efforts of the Department of Behavioral Health and the SOC Initiative, it was felt that yet another group working on the same issue was unnecessary. **It was moved by Kim Hawekotte**

and seconded by Deb O'Brien to dissolve the System of Care Workgroup, and request that regular updates be provided to the Commission from leadership of the SOC Initiative. Chair Baxter reminded members that she served as Co-Chair of the SOC Leadership Committee as a representative of the Commission. She ensured that the voice of the Commission would be represented in that work. No further discussion ensued. Roll call vote as follows:

FOR (14):

Teresa Anderson
Karen Authier
Beth Baxter
Jennifer Chrystal-Clark
Marisa Cummings

Vernon Davis
Kim Hawekotte
David Newell
Deb O'Brien
Susan Thomas

Janine Uchino
Kelli Wacker
Paula Wells
Bill Williams

AGAINST (0):

ABSENT (1):

Holly Brandt

ABSTAINED (0)

MOTION CARRIED

The remaining leadership positions were filled with members expressing interest. **It was moved by Vernon Davis and seconded by Paula Wells to fill the open leadership positions with the following individuals:**

- **Bridge to Independence Advisory Committee Co-Chair: Jeanne Brandner**
- **Community Ownership of Child Well-Being Co-Chair: Theresa Anderson**
- **Foster Care Reimbursement Rate Committee Co-Chair: Dave Newell**
- **Normalcy Task Force Co-Chair: Vernon Davis**
- **Workforce Workgroup Chair: Deb VanDyke-Ries**

There was no further discussion. Roll call vote as follows:

FOR (14):

Teresa Anderson
Karen Authier
Beth Baxter
Jennifer Chrystal-Clark
Marisa Cummings

Vernon Davis
Kim Hawekotte
David Newell
Deb O'Brien
Susan Thomas

Janine Uchino
Kelli Wacker
Paula Wells
Bill Williams

AGAINST (0):

ABSENT (1):

Holly Brandt

ABSTAINED (0)

MOTION CARRIED

XV. Annual Report Approval

Members were asked to provide feedback on the annual report draft. It was suggested to have the Data, Technology, Accountability, and Reporting Workgroup examined by the Structure Taskforce in their future work. **Kim Hawekotte moved to approve the Nebraska Children's Commission annual report with the following updates: note the dissolution of the SOC Workgroup, include information on the new**

leadership positions, and add information on the Structure Taskforce. Paula Wells seconded the motion. No further discussion ensued. Roll call vote as follows:

FOR (14):

Teresa Anderson
Karen Authier
Beth Baxter
Jennifer Chrystal-Clark
Marisa Cummings

Vernon Davis
Kim Hawekotte
David Newell
Deb O'Brien
Susan Thomas

Janine Uchino
Kelli Wacker
Paula Wells
Bill Williams

AGAINST (0):

ABSENT (1):

Holly Brandt

ABSTAINED (0)

MOTION CARRIED

XVI. ChildFocus Inc. Proposed Report

Past Chair, Karen Authier discussed an opportunity to work with ChildFocus Inc. on a project. She reminded the members of their previous work on the Child Welfare Financial Primer that was released in 2013. The group had approached the executive committee with information on an updated report they hoped to complete that would focus on both child welfare and juvenile justice. Involvement would require a representative to participate in an advisory committee and, upon the completion of the report, the Commission would organize and promote the release of the information.

It was moved by Paula Wells and seconded by Jennifer Chrystal-Clark to participate and sponsor the upcoming ChildFocus, Inc. report. There was no further discussion. Roll call vote as follows:

FOR (13):

Teresa Anderson
Karen Authier
Beth Baxter
Jennifer Chrystal-Clark
Marisa Cummings

Vernon Davis
David Newell
Deb O'Brien
Susan Thomas
Janine Uchino

Kelli Wacker
Paula Wells
Bill Williams

AGAINST (0):

ABSENT (2):

Holly Brandt

Kim Hawekotte

ABSTAINED (0)

MOTION CARRIED

XVII. Department of Health and Human Services Update

Courtney Phillips, CEO of the Department of Health and Human Services (DHHS), provided a brief overview of the progress of its divisions. Highlights included preparation of education packets for incoming senators, meeting 6/7 of the Child & Family Services Reviews (CFSRs), decreased staff and youth assaults at the YRTCs, approval of Multisystemic Therapy (MST) from Medicaid, and the receipt of a grant for the Division of Developmental Disabilities.

a. *Alternative Response Update*

The floor was given to Alyson Goedken, Administrator with the Division of Children and Family Services, and Kate Stephenson, Project Director with the UNL Center for Children, Family and the Law. Ms. Goedken explained that Alternative Response (AR) was an alternative way to respond to intakes from the child abuse and neglect hotline. Currently, the program was operational in 57 counties. After passing through a number of exclusionary criteria, the families eligible for AR were then split into two categories – half were enrolled in the AR program with the remaining half entering Traditional Response (TR).

It was explained that the Center for Children, Family and the Law (CCFL), was performing an evaluation of the program with a randomized control study. Program successes included increased family engagement, safety of children was equivalent to that of TR, enrollment of the desired population, and increased communication and collaboration with the Community Response Initiatives.

Ms. Stephenson explained that survey data was collected from families during their involvement with the program. She remarked that a small number of intakes, 14.1%, qualified for AR, and only half of that population were enrolled due to the control study. With such a small population eligible for enrollment in AR, data had yet to show significant trending. She also touched on the lack of data to support improvement in protective factors for families enrolled in AR, which is contrary to the original hypothesis.

Other topics of discussion included the need for legislative support should the program go beyond its June 30, 2017 sunset date, addressing necessary changes at the policy and procedure levels, the challenges caseworkers face in balancing AR and TR cases, and time spent in the program by families.

XVIII. Probation Report

The Probation update was given by Assistant Deputy Administrator of the Division of Juvenile Services, Kari Rumbaugh. Key areas covered included the progress of MST, the evaluation of the Youth Level of Service (YLS) assessment, implementation of the MASI II as a mental health screening tool, and work to implement successful policies and practices from the Crossover Youth Practice Model and the Juvenile Detention Alternatives Initiative at a statewide level. The various pilot projects were also reviewed. They included pilots looking at status youth, transportation issues, evaluation implementation, and wraparound services. Reports would be released on the results once all pilots had been completed.

XIX. Presentation on Child & Family Well-Being

Chair Baxter welcomed the special guest speakers to the meeting. Presenters included Honorable Max Baer, Pennsylvania Supreme Court Justice, Kevin Campbell, founder of the Center for Family Finding and Youth Connectedness and developer of the Family Finding model, and Sandra Moore, Director of the Office of Children & Families in the Courts of the Supreme Court of Pennsylvania. The presenters began with a discussion of the structure of their system in comparison to that of Nebraska. Judge Baer emphasized the barriers that Nebraska faced with their current structure – the inability to hold County Attorney’s accountable and a judicial system that lacked unification.

The presenters continued with describing the steps they took to improve the poor communication they saw between counties. Round table meetings were established on regular basis with the various stakeholders to promote uniformity and communication. Training for individuals and entities was provided through the round tables. This created an informed system of judges who pushed for practices such as keeping sibling groups together and utilizing kinship placement as the default for out-of-home youth.

Mr. Campbell discussed a study on 50,000 youth who entered foster care as infants and were system involved through their 23rd birthdays. The study showed that 94% of the population examined had between 100 and 300 connected family or community members that could have fall into the kinship definition. The study showed that on average 5-8 of those individuals would have been willing to make a lifetime commitment of relationship and support for the youth no matter the acuity of their needs.

The presenters continued by highlighting the importance of family finding. Judge Baer remarked the Campbell Collaborative meta-analysis that ran an algorithm of comparing kinship care to traditional foster care. The study showed the youth in kinship care showed fewer behavioral problems, fewer mental health problems, better well-being, and less placement interruption. Ms. Moore discussed that in strengthening kinship placements, the focus needs to be less services and more on communication and relationships. With the use of family conferencing, families were allowed to address their issues and create plans that had cultural considerations and built up the family's community connections.

The presenters also talked about the importance of relationships. Mr. Campbell shared that disruptions in placement was more often due to adult behavior. This emphasized the need for relationship matching between the youth and placement as well as ensuring that the caregiver had the network and resources necessary to strengthen their own well-being. Services were not enough on their own, but should use them as support to equip the adults caring the children. Mr. Campbell shared a publication from the Center on the Developing Child at Harvard University. The publication, "[Applying the Science of Child Development in Child Welfare Systems](#)," was the first of the center's studies on child welfare.

Mr. Campbell then asked the members to consider the past, present, and future of the child welfare system in Nebraska. Commission members discussed the best and worst aspects in relation to each timeframe and their hopes for the future. The discussion ended with the presenters urging stakeholders to look at what is right with people, their strengths, over their weaknesses.

XX. New Business

There was no New Business.

XXI. Upcoming Meeting Planning

Chair Baxter encouraged members to let her or Commission staff know of any items to add to the agenda for future meetings. She reminded members that the January meeting would be on Wednesday the 18th due to the holiday on the Monday of that week.

XIX. Adjournment

It was moved by Kim Hawekotte and seconded by Vernon Davis to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 3:08 p.m.

AF