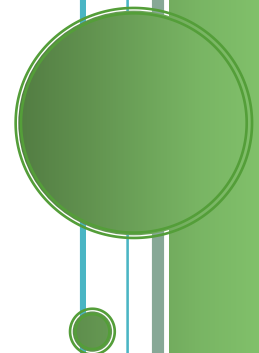


# NEBRASKA CHILDREN'S COMMISSION 2018 ANNUAL REPORT AND STRATEGIC PLAN

*Submitted to the Governor and Health and Human Services Committee of  
the Legislature Pursuant to Neb. Rev. Stat. §43-4202 and §43-4207*

July 2018



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## EXECUTIVE SUMMARY

The Nebraska Children's Commission (Commission) was created in 2012 by the Nebraska State Legislature. The Commission serves as a leadership forum for collaboration on child welfare and juvenile justice reform among the three branches of government and public and private stakeholders at the state, regional, and community level. The organizational model consists of 32 Commission Members including voting and non-voting members, an executive committee, a chairperson, and several statutory committees and Commission made workgroups.

The Commission votes to appoint members of the statutory Committees to ensure that each has a balanced membership representing all three branches of government, system stakeholders, community representatives, and families and youth whose lives have been impacted by the child welfare and juvenile justice systems. Over 250 stakeholders and community members across the state participate in the Commission's initiatives, which have significant impact on child welfare and juvenile justice policy and legislation.

The Commission has been highly active in 2017 and 2018, with a total of eight meetings occurring. With the passage of LB732 (Riepe), the Commission now reports annually September 1<sup>st</sup> as opposed to December 1<sup>st</sup>. The Commission will be changing the reporting timeframe from calendar year to state fiscal year for the annual reporting requirements. The contents of this year's report covers January to June 2018. Between July 1, 2017 and June 30, 2018, the Commission continued work on the strategic plan, and subgroup work plans submitted in the [2017 Annual Report](#). Additionally, the Commission partnered with DHHS-DCFS for kinship and relative licensing recommendations to improve IV-E licensing, as well as developed a framework for training to prevent sexual abuse in Nebraska's out of home placement settings.

The Commission's sunset date has been extended by the legislature twice, most recently in the 2016 legislative session, and is set to sunset June 30, 2019. The Commission is currently working to respond to the Legislative Resolution 451 introduced by Senator Bolz to examine the effectiveness, structure and continuation of the Nebraska Children's Commission.

The Commission is dedicated to promoting and enhancing efficiency in its functions and increase cost savings for taxpayers. A number of operational enhancements are underway to allow the Commission to meet statutory requirements in a more focused and efficient way. Since 2016, the number of Committees and Workgroups has decreased 37% from 32 groups in 2016 to 20 groups in 2018. For example, the [Data Sharing Feasibility Study](#) will be key to improving outcomes for children and families involved in child welfare and juvenile justice. Data Sharing has been a priority of the Commission since its creation in 2012. While this important study is underway, the Commission made room for other priorities identified, such as racial disproportionality.

This report contains the 2018-2019 Strategic Plan of the Commission, information and recommendations from the Commission's various groups, beginning with its statutory committees and ending with the Workgroups and Taskforce created by the Commission to support its goals.

## RECOMMENDATIONS

<b>Bridge to Independence Advisory Committee</b>	
1. Young Adults enrolled in the Bridge to Independence program and whose residence is paid for by Medicaid under a HCBS Wavier will not receive a Bridge to Independence stipend.	Statutory Change Required
2. Eligibility for the Bridge to Independence Program includes the requirement of Nebraska residency, not to exclude young adults placed through ICPC, and students attending school outside of Nebraska who still claim Nebraska residency.	
3. Establish paths for enrollment in the Bridge to Independence program for youth exiting Nebraska’s Juvenile Justice System, placed out of home at age 19, and, youth who have experienced adoption dissolution or guardianship termination following foster care.	
4. The Advisory Committee recommends the continuation of the Bridge to Independence Advisory Committee irrespective of the Nebraska Children’s Commission statutory sunset date (June 30, 2019). A review and amendment of Neb. Rev. Stat. §43-4513 will be needed in the event the Nebraska Children’s Commission sunsets and is no longer the parent Commission to the Bridge to Independence Advisory Committee.	
5. DHHS- DCFS regulatory change: Increase employment requirements from 40 hours per month to 80 hours per month. <a href="#">395 NAC 10-003.03C2</a>	Regulatory and Programmatic Changes for DHHS
6. Young adults in the Bridge to Independence Program who are receiving services paid for by Medicaid, under a HCBS waiver, will receive case management that is coordinated across the two programs. A structured process will be developed to ensure these young adults access the needed services. An assessment will be undertaken to understand the needs of the young adult. A plan will be created based on this assessment to ensure access to needed services and case management without any duplicative services. <i>This recommendation is dependent on the statutory change proposed in Recommendation 1.</i>	
<b>Juvenile Services Committee</b>	
7. The Juvenile Services Committee recommends the continuation of the Committee irrespective of the Nebraska Children’s Commission statutory sunset date (June 30, 2019). A review and amendment of Neb. Rev. Stat. §43-4203(b) will be needed in the event the Nebraska Children’s Commission sunsets and is no longer the parent Commission to the Juvenile Services Committee.	Statutory Change Required
<b>Strengthening Families Act Committee</b>	
8. The Committee recommends the continuation of the Strengthening Families Act Committee irrespective of the Nebraska Children’s Commission statutory sunset date (June 30, 2019). A review and amendment of membership appointments cited in Neb. Rev. Stat. §43-4218 will be needed when the Commission is no longer the parent body to the Nebraska Strengthening Families Act Committee.	Statutory Change Required

<p>9. The Committee continues to recommend a comprehensive Bill of Rights that includes the rights identified in the Community and Family Voice Subcommittee Report from 2016, available at <a href="https://goo.gl/86CKRv">https://goo.gl/86CKRv</a>.</p>	<p>Regulatory and Programmatic Changes for DHHS and PromiseShip</p>
<p>10. The Committee recommends curriculum for CFS Specialists and Family Permanency Specialists be added to new worker training regarding the role of the SFA advisor.</p>	
<p>11. The Committee also recommends system enhancements be made to N-FOCUS in order to store information, collect data and track the use of advisors within youths' electronic case file.</p>	

## MEMBERSHIP

Membership for the Commission is outlined in statute (Neb. Rev. Stat. §43-4202) for both voting and non-voting members.

### **Voting members:**

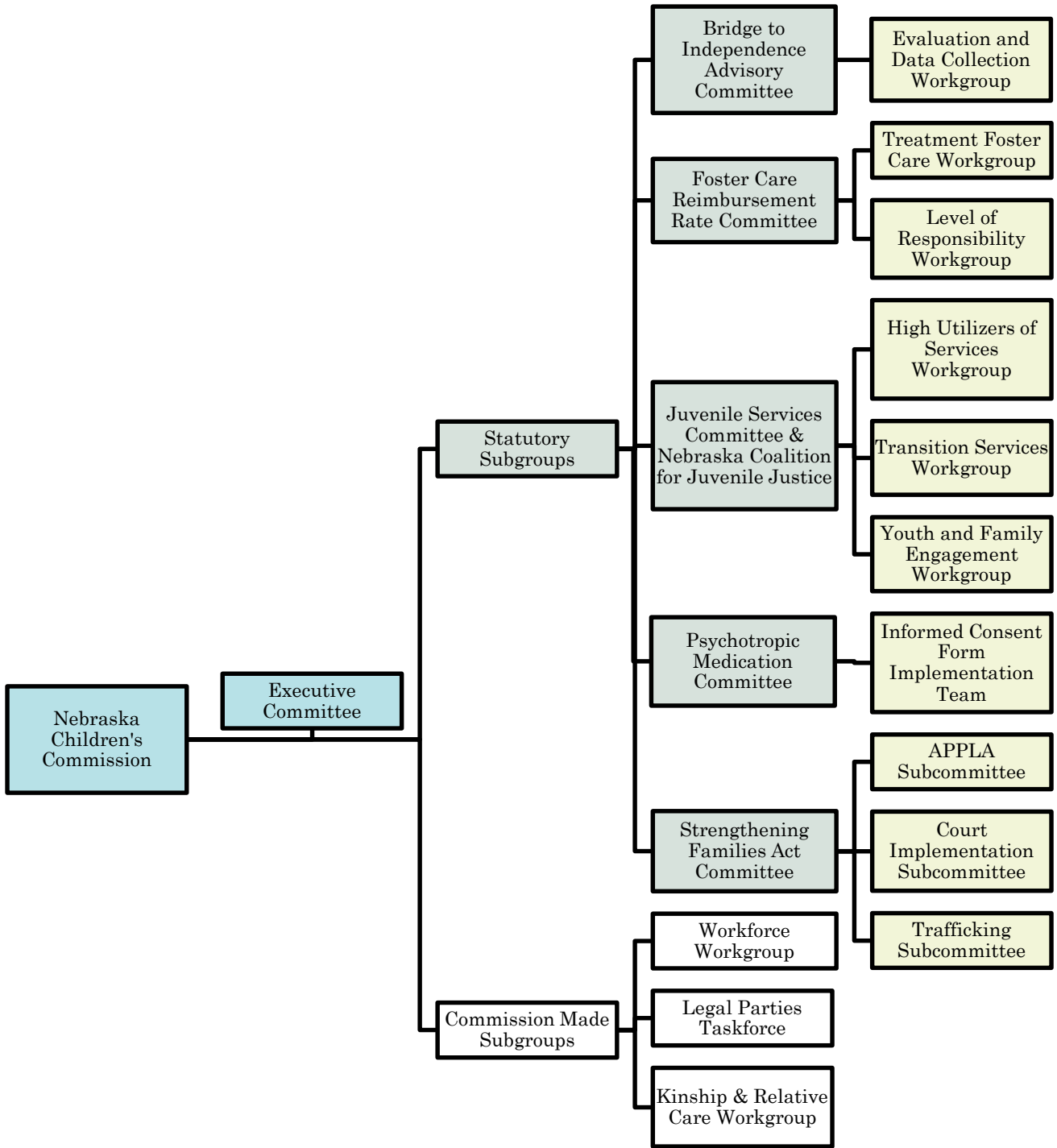
- Executive Director of the Foster Care Review Office;
- Seventeen members appointed by the Governor:
  - a director of a child advocacy center;
  - an administrator of a behavioral health region established pursuant to section 71-807;
  - a community representative from each of the service areas designated pursuant to section 81-3116. In the eastern service area designated pursuant to such section, the representative may be from a lead agency of a pilot project established under section 68-1212 or a collaborative member;
  - a prosecuting attorney who practices in juvenile court;
  - a guardian ad litem;
  - a biological parent currently or previously involved in the child welfare system or juvenile justice system;
  - a foster parent;
  - a court appointed special advocate volunteer;
  - a member of a local foster care review board;
  - a child welfare service agency that directly provides a wide range of child welfare services and is not a member of a lead agency collaborative;
  - a young adult previously in foster care;
  - a representative of a child advocacy organization that deals with legal and policy issues that include child welfare; and
  - a representative of a federally recognized Indian tribe residing within the State of Nebraska and appointed within thirty days after June 5, 2013, from a list of three nominees submitted by the Commission on Indian Affairs.

### **Nonvoting, ex officio members:**

- The chairperson of the Health and Human Services Committee of the Legislature or a committee member designated by the chairperson;
- the chairperson of the Judiciary Committee of the Legislature or a committee member designated by the chairperson;
- the chairperson of the Appropriations Committee of the Legislature or a committee member designated by the chairperson;
- three persons appointed by the State Court Administrator;
- the CEO of the Department of Health and Human Services or designee;
- the Director of Children and Family Services of the Division of Children and Family Services of the Department of Health and Human Services or designee;
- the Commissioner of Education or his or her designee; and
- the Inspector General of Nebraska Child Welfare.

For more information, including the Commission's membership listing, detailed meeting information, and group work plans, please view the [Appendix](#) and the Commission's website at <http://www.childrens.nebraska.gov>.

# ORGANIZATIONAL STRUCTURE



# 2018 – 2019 STRATEGIC PLAN

## Mission Statement

The Nebraska Children’s Commission works as a high-level leadership body with membership from the legislative, executive, and judicial branches along with system stakeholders to improve the safety and well-being of all children and families in Nebraska.

## Values

We believe in **Children and Families** where:

- The wants, needs, safety, and rights of children are honored,
- Children and families are a priority,
- The cultural strengths of families and communities are respected, and
- A family structure is preserved – when possible within a multi-generational framework.

We believe in **Compassion in Action** for:

- Positive youth work through strengths-based skill development.

We believe that **Collaborative Leadership** occurs when:

- Integrity, honesty, inclusion, and openness are present in our work and membership,
- We seek information, think critically, discover common ground, and require accountability to do no harm and improve the system, and
- All three branches (legislative, executive, and judicial) communicate and come together to create opportunities for enhanced safety and well-being of all children and families.

## Priorities

**Role Refinement:** Examine the work of the Nebraska Children’s Commission and evaluate the need for the Commission’s continuation and any revisions to its structure and purpose

**Workforce:** Maintain a strong workforce that supports the safety and well-being of children, families, and communities.

**Kinship:** Develop recommendations for licensing “approved” relative and kinship homes, and specific training for all licensed homes that will improve prevention of sexual abuse in Nebraska’s foster care system.

**Racial Disproportionality and Disparity:** Identify the opportunities to address racial disproportionality and disparity in Nebraska’s child welfare and juvenile justice system and recommend strategies to address this.



**Goal 1: Examine the work of the Nebraska Children’s Commission and evaluate the need for the Commission’s continuation and any revisions to its structure and purpose.**

Legislative Resolution 451 was introduced during the 2018 Legislative Session with the purpose of reviewing the Nebraska Children’s Commission purpose and potential continuation which is scheduled to terminate on June 30, 2019.

*Strategies:*

- Document the successes and impact of the Nebraska Children’s Commission since its creation in 2012.
- Create a business case for the Nebraska Children’s Commission that outlines the problem the Commission addresses, role it plays, advantages of maintaining the Commission, and the risks of eliminating it.
- Review existing entities which are comprised of stakeholders in Child Welfare and Juvenile Justice and evaluate the Commission’s contribution.

**Goal 2: Maintain a strong workforce that supports the safety and well-being of children, families, and communities.**

The child welfare workforce supports children and families to build the foundation of well-being necessary to reach their full potential. A strong connection with a caseworker provides children with a stable relationship to help them face the challenges of system involvement, attain permanency, and aid in successful transition to adulthood. When system involved youth reach their full potential, the community and economy benefit as the youth goes on to enter the workforce and have their own stable family.

A strong workforce has been the focus of the Commission since its creation in 2012.

*Strategies:*

- Understand and define the child welfare workforce (private sector, DHHS, Tribal, etc.) documenting a baseline of who is doing what work.
- Identify gaps in the child welfare workforce.
- Review past recommendations and assess barriers for addressing the gaps.
- Review existing strategies underway in Nebraska.

**Goal 3: Support kinship and relative caregivers to promote child safety and well-being.**

In recent years, Nebraska has implemented programmatic, legislative and regulatory changes in order to promote and increase relative and kinship placements for children and youth in out of home care. Nearly two thirds of Nebraska’s child welfare children are in relative, kin, or fictive kin placements. As the frequency of placement with relative and kin increases, Nebraska’s child welfare and juvenile justice systems must reciprocate support to these families.

*Strategies:*

- Understand and define current efforts related to relative kinship documenting a point in time summary.
- Identify gaps in relative and kinship efforts.

- Make recommendations and advocate for addressing the gaps.
- Develop recommendations for licensing “approved” relative and kinship homes, and specific training for all licensed homes that will improve prevention of sexual abuse in Nebraska’s foster care system.

Goal 4: Identify the opportunities to address racial disproportionality and disparity in Nebraska’s child welfare system and recommend strategies to address this.

Child welfare and juvenile justice each have identified the need for attention and call to action to address racial disproportionality of system-involved children and youth.

*Strategies:*

- Analyze data, review trends, and present conclusions related to racial disproportionality and disparity in Nebraska’s child welfare and juvenile justice system, including the use of relative and kinship placement settings.
  - Identify and make recommendations for potential strategies to address disparities.
- 

## Operational Plan

There are ongoing activities of the Nebraska Children’s Commission that are outlined below:

- Monitor, respond and act on issues concerning Nebraska’s child welfare and juvenile justice systems.
- Provide oversight for and advocate for safe and healthy children, families, and communities by making recommendations to the legislative, executive, and judicial systems.
- Monitor the work of the following legislatively required subcommittees:
  - Juvenile Services
  - Psychotropic Medications
  - Foster Care Rate
  - Bride To Independence (b2i)
  - Strengthening Families Act
- The Commission will continue to create and enact an Operational Plan to coordinate the implementation of the strategic plan, statutory groups and Commission made workgroups.

For additional information about the Operational Activities of the Commission, please see the [Appendix](#).

# REPORTS & RECOMMENDATIONS

## Bridge to Independence Advisory Committee

### Statutory Charge

The Bridge to Independence Advisory Committee was created pursuant to [Neb. Rev. Stat. §43-4513](#) to make recommendations to DHHS and the Commission regarding the Bridge to Independence program, extended guardianship assistance, and extended adoption assistance.

### Background

When youth cannot safely remain home due to abuse or neglect, or other safety concerns and enter child welfare out-of-home placements, they need supports to transition to adulthood. The Bridge to Independence (B2i) Program was created to support young adults exiting the child welfare system without permanency to reach their goals.

Young adults are eligible for the B2i Program if the young adult is between the ages of 19 and 21 years old, and aged out of foster care in an out of home placement to independent living. To remain in the program, the youth must be working towards a productive adulthood in one of these ways: completing a high school diploma or attaining a GED, taking classes at least part time at a college or vocational education program, work at least 80 hours a month, be engaged in an activity designed to allow the young adult to address barriers to workforce participation, or be medically incapable of the above activities. Young adults must also meet with the B2i Program worker, called the Independence Coordinator on a monthly basis.

### Current B2i Advisory Committee Priorities

1. Monitor ongoing implementation of the current B2i Program; and
2. Outcome evaluation of the current B2i Program;
3. Expanding to and improving outcomes for similar groups of at-risk young adults

The priorities of 2018 have been focused on duplicative services for young adults enrolled in the B2i program, enhancements to eligibility and eligibility categories, external evaluation and data analysis. Much work of the B2i Advisory Committee occurs in two subgroups:

1. Evaluation and Data Collection Workgroup, and
2. Finance and Policy Workgroup.

The B2i program has been implemented since 2014, and is in a state of ongoing evaluation and assessment to improve outcomes for young adults through collaboration and continuous quality improvement. Enrollment has steadily increased each year. Title IV-E penetration rates have increased in the last 12 months. Progress is being made towards acquiring an external evaluation to guide the program further. More work must be done to better serve youth with developmental disabilities through available resources, and to collaborate for at-risk juveniles who are in out of home placement at age 19.

The B2i Advisory Committee will continue to explore what is working within the current program and how best to expand using the current data and analytics available. Committee meetings in 2018 and 2019 will explore issues related to the extended guardianship and adoption programs along with

the areas identified in this report. These efforts will aid the Committee in monitoring the B2i Program, supporting DHHS-CFS, and providing information and recommendations to the Nebraska Children's Commission, Governor, Legislature, and DHHS.

## **Key Recommendations of the 2018 B2i Advisory Committee Report**

### **Statutory Recommendations:**

1. Young Adults enrolled in the Bridge to Independence program and whose residence is paid for by Medicaid under a HCBS Waiver will not receive a Bridge to Independence stipend.
2. Eligibility for the Bridge to Independence Program includes the requirement of Nebraska residency, not to exclude young adults placed through ICPC, and students attending school outside of Nebraska who still claim Nebraska residency.
3. The Advisory Committee recommends the continuation of the Bridge to Independence Advisory Committee irrespective of the Nebraska Children's Commission statutory sunset date (June 30, 2019). A review and amendment of Neb. Rev. Stat. §43-4513 will be needed in the event the Nebraska Children's Commission sunsets and is no longer the parent Commission to the Bridge to Independence Advisory Committee.
4. Establish paths for enrollment in the Bridge to Independence program for youth exiting Nebraska's Juvenile Justice System, placed out of home at age 19, and, youth who have experienced adoption dissolution or guardianship termination following foster care.

### **Programmatic Recommendations**

5. DHHS- DCFS regulatory change: Increase employment requirements from 40 hours per month to 80 hours per month. [395 NAC 10-003.03C2](#)
6. Young adults in the Bridge to Independence Program who are receiving services paid for by Medicaid, under a HCBS waiver, will receive case management that is coordinated across the two programs. A structured process will be developed to ensure these young adults access the needed services. An assessment will be undertaken to understand the needs of the young adult. A plan will be created based on this assessment to ensure access to needed services and case management without any duplicative services. *This recommendation is dependent on the statutory change proposed in Recommendation 1.*

### **More Information**

The Bridge to Independence Advisory Committee is co-chaired by Commission Vice Chairperson Jeanne Brandner and Mary Jo Pankoke. The group met four times in 2017, and twice in 2018 with significant work occurring between meetings in workgroups and stakeholder support.

The full report of the Bridge to Independence Advisory Committee can be reviewed at *(link to be inserted upon approval)*.

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### **Foster Care Reimbursement Rate Committee**

#### **Statutory Charge**

The Foster Care Reimbursement Rate Committee was created by the Nebraska State Legislature to support foster parents and children by examining and making recommendations related to foster care reimbursement rates, the statewide standardized level of care assessment, and adoption assistance

payments. The Committee is charged with creating recommendations on July 1, 2016, and every four years after.

## **Background**

The FCRRC first began working on foster care reimbursement rates following its creation in 2012. The FCRRC and the work charged to it are products of [LR37 \(2011\)](#), a legislative study created to review, investigate, and assess the effects of child welfare reform. LR37 found that foster parent compensation in Nebraska was inconsistent and lacking in a statewide standard. These findings indicated a need to create a basic statewide rate for compensation.

As a result of the LR37 study, the FCRRC was established by [LB820](#) in 2012. At the time, Nebraska foster care rates were among the lowest in the nation. LB820 (2012) required the creation of base rates for foster parents and for the parents to be paid directly, instead of through child placing service agencies. The FCRRC did significant work to ensure that the new base rates and direct payment to foster parents were adequate to recruit and retain quality foster homes and would not have an adverse impact on the agencies that provide foster parent support.

The FCRRC was continued in 2013 by [LB530](#), which required the FCRRC to create a standard statewide assessment tool and foster parent reimbursement rates. The FCRRC released its [legislative report](#) containing the rate recommendations, Nebraska Caregiver Responsibilities Assessment Tool, and other recommendations to monitor the implementation process in May of 2014. This report and recommendations were the result of countless hours of work from the Department of Health and Human Services (DHHS), Nebraska Families Collaborative (NFC), child placing agencies, and many other organizations and individuals. Since that time, the FCRRC has continued to monitor implementation of the rates and tool, accept additional assignments from DHHS and the Commission, and work to create its legislatively required report.

## **Current FCRRC Priorities**

1. Foster Care Reimbursement Rates: Continue to monitor and review the rate as provided in statute to ensure recruitment and retention of quality foster homes.
2. Nebraska Caregiver Responsibilities Tool: Continue a Continuous Quality Improvement process around the Nebraska Caregiver and Responsibilities Tool.
3. Treatment Foster Care: Research and make recommendations related to a rate structure that includes expectations regarding treatment components adequate to serve youth in out-of-home care for whom placement is problematic.

## **More Information**

The Foster Care Reimbursement Rate Committee is co-chaired by Commission Chairperson David Newell and Peg Harriott. The group met once in 2017 with significant work occurring in workgroups and stakeholder initiatives. The FCRRC has two workgroups:

1. Treatment Foster Care, and
2. Level of Responsibility

Much of the work occurs through workgroups, which create recommendations for improvements. The FCRRC will continue to receive information and updates from agencies to identify changes and

recommendations. During the last year, the FCRRRC workgroups have focused on the enhancements and changes to better meet the needs of adoptive families by creating an Adoptive Parent Responsibility Tool and continued research towards the implementation of treatment foster care in Nebraska.

The 2016 Foster Care Reimbursement Rate Report is available here: <https://goo.gl/5g6LzM>

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## Juvenile Services Committee

### **Statutory Charge**

Examine the Office of Juvenile Services and the Juvenile Services Division of the Office of Probation Administration. Such committee shall review the role and effectiveness of out-of-home placements utilized in the juvenile justice system, including the youth rehabilitation and treatment centers, and make recommendations to the commission on the juvenile justice continuum of care, including what populations should be served in out-of-home placements and what treatment services should be provided at the centers in order to appropriately serve those populations. Such committee shall also review how mental and behavioral health services are provided to juveniles in residential placements and the need for such services throughout Nebraska and make recommendations to the commission relating to those systems of care in the juvenile justice system. [[Neb. Rev. Stat. §43-4203\(2\)\(b\)](#)]

### **Background**

Nebraska has made juvenile justice a priority with stakeholders working together to identify innovative solutions to the challenges facing youth who are involved with or at risk of becoming involved with the juvenile justice system.

In order to enhance collaboration, coordinate initiatives, and increase the impact and efficacy of juvenile justice reform in Nebraska, the Juvenile Services Committee of the Nebraska Children's Commission and the Nebraska Coalition for Juvenile Justice have begun collaborating in the form of joint meetings, joint reporting, and inclusive workgroups. This collaboration will allow the most coordinated response possible for juvenile justice reform, while allowing each body to meet its statutory obligations in the most efficient way possible.

### **Juvenile Services Committee Mission**

Design a comprehensive, accountable, culturally competent, continuum of care in the juvenile justice system that meets the needs of families and youth while maintaining public safety.

### **Juvenile Services Committee Goal**

To work collaboratively with the executive, legislative, judicial, and county branches of government, the Nebraska Children's Commission, and other key stakeholders to establish and support the development of the ideal juvenile justice system that will prevent children and youth from entering or becoming more deeply involved in the juvenile justice system.

### **Current Juvenile Services Committee Priorities**

1. **Legislative Reform:** Promote legislative reform in line with best practices in juvenile justice.



2. **High Utilizers of Services:** Identify the gaps in services available to the juvenile justice population across Nebraska and strategies to increase efficiency serving youth with highest needs.
3. **Transition Services:** Review and make recommendations related to best practices in the juvenile justice out-of-home continuum of care, including transition supports.
4. **Youth & Family Engagement:** Develop strategies to obtain the voices of system involved youth and their families to encourage knowledgeable and prepared support systems for the youth.

## **Key Recommendations of the 2018 Juvenile Services Committee and Nebraska Coalition for Juvenile Justice Annual Report**

### **Statutory Recommendation:**

1. The Juvenile Services Committee recommends the continuation of the Committee irrespective of the Nebraska Children’s Commission statutory sunset date (June 30, 2019). A review and amendment of Neb. Rev. Stat. §43-4203(b) will be needed in the event the Nebraska Children’s Commission sunsets and is no longer the parent Commission to the Juvenile Services Committee.

### **More Information**

This Committee is co-chaired by Commission member Kim Hawekotte and Nicole Brundo. It met five times in 2017, and three times in 2018, with significant work occurring in workgroups between meetings. During 2018, the Committee surveyed its members in order to prioritize and refine the organizational structure of the Committee and its workgroups. Following the results of the survey, the Committee realigned resources and initiatives in order to balance the work of the two statutory bodies, reduce the number of workgroups and priorities. The survey sent out to members indicated the identified goal for the year was the reduction of out-of-home placements. Workgroups were identified to aid in this goal were:

1. High Utilizers of Services;
2. Transition Services; and
3. Youth and Family Engagement.

For more information and recommendations of the Juvenile Services Committee, please visit *(link to be inserted upon approval)*.

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## **Psychotropic Medications Committee**

### **Statutory Charge**

The Psychotropic Medications Committee was created by statute (NRS 43-4203) to examine state policy regarding policy and procedures for prescribing and administering psychotropic medications to youth who are wards of the state and make recommendations for changes in policies and procedures.

## **Background**

The Psychotropic Medications Committee works to support the health and well-being of youth in foster care by examining the provision of psychotropic medication and making recommendations that ensure that agencies utilize best practices in psychotropic medication review and oversight procedures.

### **Current Priorities**

1. Supporting the Department of Health and Human Services in tracking the usage of psychotropic medications prescribed for children in the care of the state.
2. Promoting best practices and interventions for safe and low risk usage for children who are at high risk or have high or complex needs.
3. Training foster parents, case workers, and caregivers on issues related to psychotropic medications.
4. Identifying and promoting best practices for informed consent, supporting DHHS in implementing procedures to assure that consenters have proper information to give informed consent.

### **More Information**

The Psychotropic Medications Committee is chaired by Commission member Dr. Kayla Pope. The group met three times in 2017, with work occurring in workgroups and stakeholder initiatives in between meeting times. The group created the pilot project for an enhanced informed consent form ([Appendix E](#)) to ensure legal guardians of state wards at DHHS-CFS, who consent for medications for foster youth, are able to make the best decision possible with relevant, timely, and accurate information. In order for the pilot to be successful, partnerships amongst DHHS-DCFS, PromiseShip and practitioners is needed. Furthermore, training will be necessary for foster parents and Children and Family Service Specialists, and Family Permanency Specialists to advocate for foster children's mental and behavioral health needs and the safe use of psychotropic medications. The Committee will continue to make efforts towards the implementation of the pilot informed consent form developed by this group.

To review the most recent update of the Psychotropic Medications Committee, please visit: <https://goo.gl/qoTHfQ>.

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### **Strengthening Families Act Committee**

#### **Statutory Charge**

The Nebraska Strengthening Families Act Committee shall monitor and make recommendations regarding the implementation in Nebraska of the federal [Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183](#), as such act existed on January 1, 2017, and the Nebraska Strengthening Families Act, [Neb. Rev. Stat. [§43-4701](#) to [§43-4715](#)].

#### **Background**

Youth in child welfare out-of-home placements face extra challenges in accessing these protective factors due to past abuse and neglect, the trauma of removal from their homes, and moving around due to placement changes. All children who are state wards in out-of-home placements have incredible potential, and the Strengthening Families Act empowers families, foster parents, caseworkers, guardians ad litem and other stakeholders to support children's well-being by allowing children and youth to experience normalcy.



Normalcy is about supporting youth to reach their full potential by accessing protective factors like extracurricular activities, employment, and healthy supportive connections. Foster parents are empowered by the SFA to use the Reasonable and Prudent Parenting Standard, which allows the freedom to make decisions as a caregiver that support normalcy, such as consenting to sleepovers, enrollment in sports activities, and participation in extracurricular activities. This connection to normalcy allows youth to build the foundation of protective factors needed to reach their full potential.

### **Priorities**

1. Continue to monitor the implementation of the State and Federal Strengthening Families Act
2. Promote normalcy as the foundation to: prevent trafficking; address disparate impacts on minorities; and support the successful transition to adulthood
3. Coordinate implementation with other policy making bodies

### **Key Recommendations from the 2018 Strengthening Families Act Committee Annual Report**

#### **Statutory Recommendations**

1. The Committee recommends the continuation of the Strengthening Families Act Committee irrespective of the Nebraska Children’s Commission statutory sunset date (June 30, 2019). A review and amendment of membership appointments cited in Neb. Rev. Stat. §43-4218 will be needed when the Commission is no longer the parent body to the Nebraska Strengthening Families Act Committee.

#### **Programmatic Recommendations:**

2. The Strengthening Families Act Committee continues to recommend a comprehensive Bill of Rights that includes the rights identified in the Community and Family Voice Subcommittee Report from 2016, available at <https://goo.gl/86CKRv>.
3. The Committee recommends curriculum for CFS Specialists and Family Permanency Specialists be added to new worker training regarding the role of the advisor.
4. The Committee also recommends system enhancements be made to N-FOCUS in order to store information, collect data and track the use of advisors within youths’ electronic case file.

### **More Information**

The Strengthening Families Act Committee is chaired by Commission Member Vernon Davis and Sarah Helvey. The group has met four times in 2017, with significant work occurring in workgroups and stakeholder initiatives in between meeting times.

To review the most recent report of the Strengthening Families Act Committee, please visit: *(link to be added upon approval)*.

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### **Workforce Workgroup**

#### **Nebraska Children’s Commission’s Workforce Workgroup Goal**

A strong workforce supports the well-being of children, families, and communities.

### **Background**

A strong workforce has been the focus of the Commission since its creation in 2012. The Legislature affirmed the importance of the workforce by requiring the Commission to analyze and make recommendations related to the child welfare workforce.

## **Objectives**

1. Recognize caseworkers and caseworker supervisors as the foundation of the child welfare system. If a strong foundation of caseworkers and supervisors is built, the state will have a strong child welfare system, regardless of structure.
2. System stakeholders support caseworkers, starting with understanding the role of the caseworker and treating caseworkers with the respect they deserve.
3. Caseworker is seen as a complex and difficult vocation that deeply impacts children and families, not an entry-level position.
4. Caseworkers are not required to make unnecessary or duplicate data entries to report data.
5. Support and listen to the Department of Health and Human Services and lead agency Nebraska Families Collaborative as they build a strong workforce.

## **Priorities**

1. Focus conversations with key stakeholders;
2. Identify and engage with stakeholders from the private sector;
3. Advocate for a stable workforce; and
4. Statutory compliance with tasks.

## **Highlighted Strategic Action Steps**

1. The Workforce Workgroup and the Nebraska Children's Commission continues to recommend that the legislature undertake a comprehensive evaluation regarding child welfare caseworker professionals and include the issues of caseworker salaries, incentives, and caseload limits.
2. Continue to work on the statutory charges as per Neb. Rev. Stat. §43-4203(7)
3. Continue to advocate for incentives for stakeholders
4. Continue to advocate for evidence based training requirements for persons who work in the area of child welfare and their supervisors.

## **More Information**

The Workforce Workgroup is co-chaired by Commission member Deb Van Dyke-Ries and Jude Dean. For more information, please visit <https://goo.gl/ejG8WR>.

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## **Legal Parties Taskforce**

### **Nebraska Children's Commission's Legal Parties Taskforce Goal**

The juvenile court system, including the Juvenile Code, attorneys, and court processes, improves the well-being of children and families.

## **Background**

Juvenile Courts in Nebraska are rehabilitative in nature, and are focused on supporting the well-being of children and families, whether they are child welfare or juvenile justice involved. Children and

families need competent and zealous legal counsel throughout the legal process to ensure they have access to the supports they need to reach their full potential.

### **Current Legal Parties Task Force Priorities**

1. Improve professionalism in Juvenile Court
2. Improve provision of legal services and representation to parties
3. Review legislation for potential impact on juvenile court and practice

### **Objectives**

1. The practice of juvenile law is a professional and desirable career path.
2. The roles and responsibilities of legal parties are efficient and clearly communicated.
3. The Juvenile Code, court jurisdiction and legal processes are structured to promote improved wellbeing for court-involved children and families.
4. Juvenile court is rehabilitative for families and children.
5. Court-involvement is beneficial and an agent for lasting change for children and families.
6. Juvenile court attorneys are professional and work to attain key competencies.

### **Strategic Action Steps**

1. Research and evaluate the state Juvenile Code, court jurisdiction, and legal processes, including thorough examination of practice in other states.
2. Encourage professionalism and attainment of competencies in the practice of juvenile law by:
  - a. Increasing the amount of juvenile practice specific trainings available to legal parties and other system stakeholders.
  - b. Encouraging the Supreme Court of Nebraska to require dedicated Continuing Legal Education (CLE) hours for all attorneys who practice in juvenile court, and
  - c. Support initiatives in Nebraska law schools for students with interest in pursuing careers in juvenile practice.
3. Continue to monitor the implementation of [LB780\(2018\)](#), which provides for Bridge Orders in juvenile court.
4. Work to improve the professionalism in juvenile court and the provision of legal services to parties.
5. Provide analysis of proposed legislation that may affect juvenile courts or practice.
6. Support the work being done by the Supreme Court Commission on Children in the Courts related to juvenile court guardianships.
7. Examine statutes to determine best practices in protective supervision for child welfare involved youth that does not require the youth to be a ward of the state while allowing parents to access supports and services. Identify and recommend legislative changes to support best practices.
8. Examine exception hearings, and make recommendations for legislative changes to support best practices.

### **More Information**

This group is chaired by Commission member Kim Hawekotte, and has three times in 2017, and twice so far in 2018, with significant work occurring in between meetings. The Legal Parties Task Force

made great progress this year in collaborating and supporting [LB708 \(Bolz\)](#). This important legislation creates a pathway for custody transfers to juvenile court from foreign jurisdictions, such as district court and alleviates additional financial hardship to prospective custodians by eliminating duplicative filing fees. For more information, please visit <https://goo.gl/6qdKZN>.

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## Kinship & Relative Care Workgroup

### **Nebraska Children’s Commission Kinship & Relative Care Workgroup’s Plan:**

Respond to request for assistance from Director Matt Wallen, DCFS to develop recommendations for licensing “approved” relative and kinship homes, specific training for all homes to prevent sexual abuse in a budget neutral, stable payment structure, and develop an implementation timetable for the recommendations within 45 days.

The Kinship & Relative Care Workgroup completed its time limited task and provided an update and recommendations to Director Wallen. For a full description of activities and final recommendations, see Appendix F.

## APPENDIX

## Nebraska Children's Commission Members

Member Name	Member Type	Title and Organization	Representation
Vacant	Voting	,	Prosecuting Attorney Who Practices in Juvenile Court
Teresa Anderson	Voting	<b>Health Director</b> , Central District Health Department	Community Representative - Central Service Area
Beth Baxter (Past Chair)	Voting	<b>Administrator</b> , Behavioral Health Region 3	Administrator of a Behavior Health Region
Jim Blue	Voting	<b>President and CEO</b> , CEDARS Youth Services	Child Welfare Service Agency
Holly Brandt	Voting	<b>Executive Director</b> , CAPstone Child Advocacy Center	Community Representative - Western Service Area
Vernon Davis	Voting	<b>Young Adult Previously in Foster Care</b> , Young Adult Previously in Foster Care	Young Adult previously in Foster Care
Misty Frazier	Voting	<b>Director of the Dakota Tiwahe Service Unit</b> , Santee Sioux Nation of Nebraska	Representative of a federally recognized Indian tribe residing within the State of Nebraska
Kim Hawekotte	Voting	<b>Executive Director</b> , Foster Care Review Office	Executive Director of the Foster Care Review Office
Terri Knutson	Voting	<b>Certified Peer Support Provider</b> , Nebraska Family Support Network	Biological Parent Currently Or Previously Involved In The Child Welfare System or juvenile justice system
Felicia Nelsen	Voting	<b>Executive Director</b> , Nebraska Foster and Adoptive Parent Association	Community Representative - Southeast Service Area
David Newell (Chair)	Voting	<b>President &amp; CEO</b> , PromiseShip	Community Representative - Eastern Service Area (Lead Agency)
Deb O'Brien	Voting	<b>FCRB Member</b> ,	Member of a Local Foster Care Review Board
Lisa Story	Voting	<b>Community Member/Foster Parent</b> , Community Representative of the Northern Service Area	Community Representative - Northern Service Area
Susan Thomas	Voting	<b>CASA Volunteer</b> , Nebraska CASA Association	Court Appointed Special Advocate Volunteer
Janine Uchino	Voting	<b>Attorney</b> , Law Office of Janine Uchino	Guardian Ad Litem
Kelli Wacker	Voting	<b>Director</b> , Northeast Nebraska Child Advocacy Center	Director of a Child Advocacy Center
Paula Wells	Voting	<b>Foster Parent</b> ,	Foster Parent
Bill Williams	Voting	<b>Chief Operating Officer</b> , COMPASS	Representative Of A Child Advocacy Organization
Sen. Kate Bolz	Ex-Officio	<b>Senator</b> , Nebraska Legislative Council	Designee of the Chairperson of the Appropriations Committee of the Legislature

Appendix A

Member Name	Member Type	Title and Organization	Representation
<b>Michele Borg</b>	Ex-Officio	<b>Education of Systems-Involved Students (ESIS) Coordinator</b> , Nebraska Department of Education	Designee of the Commissioner of the Department of Education
<b>Jeanne Brandner</b> (Vice Chair)	Ex-Officio	<b>Deputy Administrator of the Division of Juvenile Services</b> , Administrative Office of Probation	Appointed by the State Court Administrator
<b>Sen. Patty Pansing Brooks</b>	Ex-Officio	<b>Senator</b> , Nebraska Legislative Council	Designee of the Chairperson of the Judiciary Committee of the Legislature
<b>Courtney Phillips</b>	Ex-Officio	<b>Chief Executive Officer</b> , Nebraska Department of Health and Human Services	CEO of Nebraska Department of Health and Human Services
<b>Judge Linda Porter</b>	Ex-Officio	<b>Judge</b> , Lancaster County Juvenile Court	Appointed by the State Court Administrator
<b>Sen. Merv Riepe</b>	Ex-Officio	<b>Senator</b> , Nebraska Legislative Council	Designee of the Chairperson of the HHS Committee of the Legislature
<b>Julie Rogers</b>	Ex-Officio	<b>Inspector General</b> , Office of Inspector General of Nebraska Child Welfare	Inspector General of Nebraska Child Welfare
<b>Deb VanDyke-Ries</b>	Ex-Officio	<b>Director</b> , Nebraska Court Improvement Project	Appointed by the State Court Administrator
<b>Matthew Wallen</b>	Ex-Officio	<b>Director</b> , DHHS, Division of Children and Family Services	Director of Children and Family Services division of DHHS

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## Nebraska Children's Commission: Operational Activities

Activity	Timeframe	Person(s) Responsible	Purpose	Documentation
Statutory Committee Meetings & Workgroups	Frequency of meetings varies depending on the Committee and statutory requirements	Chairpersons and Subgroup leads	Work groups gather to 1) Create Action Plan 2) Report progress; 3) Identify barriers and solutions; 4) Adjust the action plan as needed; 5) Produce the work of the Action Plan 6) Advance recommendations to the Commission	<ul style="list-style-type: none"> <li>Charter and/or Workgroup Plan</li> <li>Meeting notes</li> <li>Quarterly Performance Review</li> <li>Recommendations</li> </ul>
Nebraska Children's Commission	Quarterly meetings; Duration SFY 2016-2019; Annual retreat	Commission Members	1) Discussion of statewide child welfare and juvenile justice activities and events. 2) Assign work to Committees, Subcommittees and workgroups 3) Review Performance of Committees and Workgroups	<ul style="list-style-type: none"> <li>Meeting notes</li> <li>Strategic Plan</li> <li>Annual Report</li> </ul>
Membership Appointments	Every two years, unless otherwise determined by statutory Committee	Commission Members	1) Review Applications 2) Appoint members according to statutory requirements	<ul style="list-style-type: none"> <li>Applications</li> <li>Confirmation letters</li> <li>Roles and Responsibilities for new members</li> </ul>
Annual Report	Period of review is the state fiscal year (July 1 to June 30 <sup>th</sup> ) Submitted September 1 <sup>st</sup> , annually	Commission Personnel	1) Provide an annual report of activities, priorities and recommendations. 2) Update on strategic plan.	<ul style="list-style-type: none"> <li>Annual report</li> </ul>
Strategic Planning	Annual	Facilitation as provided in statute, Commission Personnel	Provide guidance, structure and scope for the work of the Nebraska's child welfare and juvenile justice systems.	<ul style="list-style-type: none"> <li>Strategic Plan</li> <li>Operations Plan</li> </ul>
Biennium Budget	Budget cycle, every two years, Duration: SFY2017-2019	Executive Committee, Commission Personnel, FCRO Administration	Provide and manage the fiscal operations of the Commission	<ul style="list-style-type: none"> <li>Program Narrative Report,</li> <li>Budget</li> <li>Administrative, Membership Expense Documentation and</li> <li>Reimbursements</li> </ul>
Operational Support	Duration of Commission's existence	Personnel- Administrative Assistant & Policy Analyst; FCRO Administration	1) Administrative support 2) Policy Analyst duties as prescribed in statute 3) Commission documentation, reporting, scheduling and maintenance	<ul style="list-style-type: none"> <li>Above mentioned documentation in all categories.</li> </ul>

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## Nebraska Children's Commission Organizational Structure and Composition

Group	Subgroup	Membership Requirements	History	Meeting Requirements by Statute	# of Subgroups	Reporting Requirements
<b>Children's Commission</b>	Statutory Subgroups & Commission Workgroups	<u>28 Members</u> 17 Appointed by Governor 9 Ex-Officio Non- Voting Members	Est. 2012	Min. of 4 mtgs/yr.	9 Subgroups; 11 3 <sup>rd</sup> Tier	Annual Report
<b>Statutory Subgroups</b>	<b>Bridge to Independence Advisory Committee</b>	Minimum of 9 <b>23</b> Current members	Est. 2013	Min. of 2 mtgs/yr.	2 Subgroups	Annual Report
	<b>Foster Care Rate Reimbursement Rate Committee</b>	minimum of 11 voting and 5 ex-officio; <b>25</b> Current members	Est. 2012	None	2 Subgroups	Report due 2020
	Juvenile Services Committee	32; 16 each voting and resource	OJS Est. 2012; Merged OJS Committee and NCJJ 2017	None for OJS, 2 mtgs/yr. for NCJJ	3 Subgroups	Annual Report
	Psychotropic Medication Committee	14; 12 voting and 2 resource	Est. 2012	None	1 Subgroup	No Annual Report
	<b>Strengthening Families Act Committee</b>	24; minimum 13 voting and 3 Ex-Officio	Est. 2015	None	3 Subgroups	Annual Report
	Community Ownership of Child Well Being	No Requirements; 12 current members	Est. 2015	None	None	No Annual Report
<b>Commission Workgroups</b>	Workforce Workgroup	No Requirements 12 current members	Est. 2016	None	None	No Annual Report
	Legal Parties Taskforce	No Requirements 13 Current members	Est. 2016	None	None	No Annual Report
	Kinship & Relative Care Workgroup	No Requirements 13 Current members	Est. 2018	None	None	No Annual Report

\*Requirements based on the Nebr. Rev. Stat.

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## Recommendation to the Commission

To be completed by any group advancing a recommendation to the Nebraska Children's Commission.

**Party Submitting Recommendation:**

**Date of Submission:**

**Type of Action Requested:**

Legislation       Policy       Issue statement on legislation

Other: \_\_\_\_\_

**Which of the Commission's Strategic Priorities does this Recommendation help advance:**

Child Welfare and Juvenile Justice     Role Refinement       Workforce

Kinship and Relative Support       Racial Disproportionality

**Summary of Recommendation:**

**Background of Recommendation:**

What is the need or problem?

What is the current response to the problem by the State of Nebraska?

What is the recommender proposing, and how will it help solve the problem?

What data, research or other information did the recommender consult to formulate this proposal?

**If a legislative request, cite the current relevant code and specify what change is being recommended.**

**If a policy request, cite the current relevant policy and specify what change is being recommended.**

**If the recommendation involves an endorsement or public promotion of a specific initiative or statement, attach the document of which you are seeking the Commission's support/endorsement/promotion.**

## Process for Determining if Proposed Projects are within Scope

Executive Committee or full Commission to Assess:	Yes	No	Notes
1. Does the proposed project fit within the mission / vision?			
2. Does the proposed project fit within the Commission strategic plan?			
3. Do we have the subject matter expertise to accomplish the project? <i>Identify subject matter expert(s) in notes section</i>			
4. Are we the right entity to undertake the project?			
- Are others groups working on this subject already?			
- Are other groups better suited for the work?			
5. Will the project have clear outcomes to help us achieve our mission / vision?			
6. Are there any conflicts of interest? <i>If yes, please describe in notes section.</i>			
7. Do we have, or can we access, the fiscal resources to complete the work?			
8. Do we have, or can we access, the technical /data resources to complete the work?			
9. Do we have, or can we access, other resources to complete the work?			
10. What is the timeframe needed to accomplish the project?			
<b>Based on the answers above, is the proposed project within the scope of the Commission?</b>			
<b>If deemed within scope, to which Committee/ Task Force/ Subgroup should the project be assigned?</b>			
<b>Project Lead:</b>			
<b>If project is deemed outside scope, summarize explanation below:</b>			
<b>Other comments:</b>			

## Charter Template

<b>Group Name:</b>	Committee, Subcommittee, Subgroup, Workgroup, Task Force, etc.
<b>Date of Charter:</b>	
<b>Scope:</b>	Topic or Assignment;
<b>Background:</b>	Why is this important, relevant, and necessary?
<b>Objective:</b>	What is the goal of this group? What are you trying to achieve?
<b>Project Boundaries:</b>	What action can be taken? What acceptable strategies can be taken? Population under consideration, etc.
<b>Timeline:</b>	
<b>Deliverables:</b>	<p>What is the anticipated final work product?</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>○ Report,</li> <li>○ Presentation to Stakeholders,</li> <li>○ Education/ Training,</li> <li>○ Best Practice Guide,</li> <li>○ Resource Material,</li> <li>○ Roundtable/Panel Discussion;</li> <li>○ Resource Materials,</li> <li>○ Bench Guides,</li> <li>○ Action Plan Summary</li> <li>○ Recommendations: <ul style="list-style-type: none"> <li>○ Policy/Regulatory or Program</li> <li>○ Statutory</li> <li>○ Systemic (Must be accompanied with Collaborative Action Plan)</li> </ul> </li> </ul>
<b>Resources Needed:</b>	
<b>Resources Available:</b>	
<b>Projected Benefits:</b>	
<b>Team Lead:</b>	
<b>Team Members:</b>	

## Quarterly Subcommittee & Work Group Performance Review

Report every four months to the Statutory Committee and Nebraska Children’s Commission.		
Group Name:		
Date Prepared:		
Quarter being Reviewed:		
Purpose of Group:		
Progress		
Forward movement on activities of the group		
Blocks/Barriers:		
What challenges or barriers are preventing progress?  What activities did not get accomplished this quarter?		
Adjustments to Charter:		
Goals for Next Quarter:		
Action Plan for the Group		
Person Responsible	Action	Timeline

## Psychotropic Medication Informed Consent Pilot Template

## PSYCHOTROPIC MEDICATION INFORMED CONSENT FORM- PILOT 2018

SECTION A		PSYCHOTROPIC MEDICATION RECOMMENDATIONS: (to be completed by licensed medical professional)						
Name:					Date of Visit:			
Gender:	Female:	<input type="checkbox"/>	Male:	<input type="checkbox"/>	DOB:			
Age:			Height:			Blood Pressure:		
Weight:			Pulse:					
Prescribing Provider's Name & Credentials:						Telephone Number:		
Facility/Office Name:				Facility/Office Address:				
Clinical Information								
Mental Health Diagnosis:								
Concurrent Medical Diagnosis (physical health):								
Current Psychotropic Medication								
MEDICATION/DOSAGE SCHEDULE			INDICATION			START DATE /PRESCRIBER		
Discontinued Psychotropic Medication(s) and Reason for Discontinuation:								
New Psychotropic Medication and Recommendations (not necessary for dosage changes within current prescribed medications)								
Name of New Medication #1:				Dosage Range:		Frequency:		
Target Symptoms/Benefits:				Potential Side Effects:				
Rationale:								
Tests/Procedures Required Before, During & After Medication Regimen:				Alternative Treatments:				

Appendix E

Name of New Medication #2:		Dosage Range:		Frequency:	
Target Symptoms/Benefits:		Potential Side Effects:			
Rationale:					
Tests/Procedures Required Before, During & After Medication Regimen:			Alternative Treatments:		
Name of New Medication #3:		Dosage Range:		Frequency:	
Target Symptoms/Benefits:		Potential Side Effects:			
Rationale:					
Tests/Procedures Required Before, During & After Medication Regimen:			Alternative Treatments:		
<b>Reviewed All Above Information With</b>					
Youth	Yes:	No:	Current Caregiver		Foster Parent's Name:
Foster Care Case Worker	Yes:	No:	Foster Care Case Worker's Name:		Foster Care Case Worker's Phone Number:
Youth Has a Mental Health Therapist		Yes:	No:	Mental Health Therapist's Name:	Mental Health Therapist's Phone:
<b>Section B</b>	<b>NOTIFICATION (to be completed by foster care case worker)</b>				
Youth's Name:			DOB:	Legal Status:	Case#:
Legal parent(s) notified of psychotropic medications		Yes	No		
Child is in state custody		Yes	No		
<p><b>For youth who are in temporary custody, medications cannot be administered until signed consent is received from legal parent/legal guardian or the court.</b></p> <p><b>Comments:</b></p>					
Foster Care Case Worker's Name:			Agency:		
Agency Address:			Phone Number:		

## Kinship and Relative Care Workgroup Recommendations

PLACEHOLDER – RECOMMENDATIONS TO BE INSERTED UPON APPROVAL