

	Current AR Practice	Proposed Regulations	Practice with Regulations Changes
Definitions		<p>FAMILY PLAN. A plan developed by the family, in collaboration with the Department to address familial needs that may potentially relate to child safety. The plan may identify individuals or services which could help support or meet the needs of the family.</p>	<p>FAMILY PLAN. A plan developed by the family, in collaboration with the Department to address familial needs that may potentially relate to child safety. The plan may identify individuals or services which could help support or meet the needs of the family.</p>
Exclusionary Criteria	<p>1. Physical abuse of a child (i) under the age of six involving an injury to the head or torso; or (ii) with a disability; or (iii) which resulted in serious bodily injury to a child as defined in Neb. Rev. Stat. 28-109(20); or (iv) is likely to cause death or severe injury to a child</p>	<p>Physical abuse of a child (i) under the age of six involving an injury to the head or torso; or (ii) with a disability; or (iii) which resulted in serious bodily injury to a child as defined in Neb. Rev. Stat. 28-109(20); or (iv) is likely to cause death or severe injury to a child</p>	<p>1. Physical abuse of a child which resulted in a serious bodily injury to a child as defined in Neb. Rev. Stat. 28-109(20); or is likely to cause death or severe injury to a child</p>
	<p>2. Domestic violence involving a caretaker AND the alleged perpetrator has access to the child or Caretaker</p>	<p>Domestic violence involving a caretaker AND the alleged perpetrator has access to the child or Caretaker</p> <ul style="list-style-type: none"> • Move to RED Team Criteria 	<p>Cases with this definition will be reviewed by RED Team, provided that no other exclusionary criteria definitions are met with intake information</p>

Alternative Response Proposed Regulations Crosswalk

	3. Sexual assault of a child as defined in Neb. Rev. Stat. 28-319.01, 28-320.01		2. Sexual assault of a child as defined in Neb. Rev. Stat. 28-319.01, 28-320.01
	4. Sexual exploitation of a child as defined in Neb. Rev. Stat. 28-830(14), 28-831(3)		3. Sexual exploitation of a child as defined in Neb. Rev. Stat. 28-830(14), 28-831(3)
	5. Sexual exploitation of a child as defined in Neb. Rev. Stat 28-707(d)		4. Sexual exploitation of a child as defined in Neb. Rev. Stat 28-707(d)
	6. Neglect of a child resulting in serious bodily injury as defined in Neb. Rev. Stat. 28-109(2)		5. Neglect of a child resulting in serious bodily injury as defined in Neb. Rev. Stat. 28-109(2)
	7. Allegations which require Child Advocacy Center, Law Enforcement, and Department coordination (Neb. Rev. Stat. 28-728(3)(d)(iii))	Allegations which that require Child Advocacy Center, Law Enforcement, and Department coordination as set forth in (Neb. Rev. Stat. 28-728(3)(d)(iii))	6. Allegations that require Child Advocacy Center, Law Enforcement, and Department coordination as set forth in (Neb. Rev. Stat. 28-728(3)(d)(iii))
	8. A Household member allegedly caused the death of a child	A Household member allegedly has been convicted of a crime that resulted in the death of a child or has criminal charges pending for a crime that resulted in caused the death of a child	7. A Household member has been convicted of a crime that resulted in the death of a child or has criminal charges pending for a crime that resulted in the death of a child
	9. Newborn whose urine or meconium has tested positive for alcohol and whose Caretaker (i) has an alcohol addiction; or (ii) previously delivered a drug-exposed infant and did not successfully completed drug treatment; or (iii) did not prepare for the newborn's birth; or (iv) currently uses controlled substances as defined by Neb. Rev.	Newborn whose urine or meconium has tested positive for alcohol and whose Caretaker (i) has an alcohol addiction; or (ii) previously delivered a drug-exposed infant and did not successfully completed drug treatment; or (iii) did not prepare for the newborn's birth; or (iv) currently uses controlled substances as defined by Neb. Rev.	

Alternative Response Proposed Regulations Crosswalk

	Stat 28-401 or alcohol AND breastfeeds or expresses intent to breastfeed; or (v) has no in-home support system or alternative primary care arrangements	Stat 28-401 or alcohol AND breastfeeds or expresses intent to breastfeed; or (v) has no in-home support system or alternative primary care arrangements	
	10. Household Member uses or manufactures methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405	Household Member has been convicted of or has criminal charges pending for uses or manufactures methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405	8. Household Member has been convicted of or has criminal charges pending for manufacturing methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405
	11. A pregnant woman who has tested positive for methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405	A pregnant woman who has tested positive for methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405	
	12. A Child who has had contact with methamphetamine or other controlled substance as defined in Neb. Rev. Stat. 28-401, 28-405, including a positive meconium or hair follicle screen or test	A Child who has had contact with methamphetamine or other controlled substance as defined in Neb. Rev. Stat. 28-401, 28-405, including a positive meconium or hair follicle screen or test	
	13. A child resides with a Household Member whose parental rights have been terminated or relinquished during a court-involved case	A child resides with a Household Member whose parental rights have been terminated or relinquished during a court-involved case	9. A child resides with a Household Member whose parental rights have been terminated during a court-involved case
	14. Abuse or neglect of a child who resides with (i) the subject of an active Traditional Response; or (ii) an individual or family that is receiving services through the DCFS	Abuse or neglect of a child who resides with (i) the subject of an active Traditional Response; or (ii) an individual or family that is receiving services through the	10. Abuse or neglect of a child who resides with (i) the subject of an active Traditional Response; or (ii) an individual or family that is receiving services through the

Alternative Response Proposed Regulations Crosswalk

	Protection and Safety section; or (iii) an individual or family who is involved in a juvenile court petition pursuant to Neb. Reb. Stat. 43-247(3)(a)	Children and Family Services DCFS Protection and Safety section; or (iii) an individual or family who is involved in a juvenile court petition pursuant to Neb. Reb. Stat. 43-247(3)(a)	Children and Family Services Protection and Safety section; or (iii) an individual or family who is involved in a juvenile court petition pursuant to Neb. Reb. Stat. 43-247(3)(a)
	15. Child abuse or neglect has occurred in an out-of-home setting		11. Child abuse or neglect has occurred in an out-of-home setting
	16. A Household Member has a prior court substantiated report of child abuse or neglect OR is a sex offender	A Household Member has a prior court substantiated report of child abuse or neglect or is a sex offender who is on the sex offender registry; and	12. A Household Member has a prior court substantiated report of child abuse or neglect or is a sex offender who is on the sex offender registry; and
	17. A Household Member appears on the central registry of child protection cases under Neb. Rev. Stat. 28-720	A Household Member appears on the central registry of child protection cases under Neb. Rev. Stat. 28-720	
	18. A child under the age of two or at least two children under the age of five reside(s) with a Household Member where the current maltreatment concerns are the same as prior maltreatment concerns	A child under the age of two or at least two children under the age of five reside(s) with a Household Member where the current maltreatment concerns are the same as prior maltreatment concerns	
	19. A child whose Caretaker's identity or whereabouts are unknown	A child whose Caretaker's identity or whereabouts are unknown	
	20. Law enforcement has cited a Caretaker for the child abuse or neglect alleged in the Intake Accepted for Assessment		13. Law enforcement has cited a Caretaker for the child abuse or neglect alleged in the Intake Accepted for Assessment
	21. The Department is made aware by law enforcement of an ongoing law	The Department is made aware by law enforcement of an ongoing law	

Alternative Response Proposed Regulations Crosswalk

	enforcement investigation involving a Household Member	enforcement investigation involving a Household Member	
	22. A safety concern is otherwise identified which requires Department intervention within 24 hours.	A safety concern is otherwise identified which requires Department intervention within 24 hours.	
RED Team Criteria	1. A caretaker has a significant mental health diagnosis AND the reporting party is a physician, mental health or other health care provider;	A caretaker has a significant mental health diagnosis AND the reporting party is a physician, mental health or other health care provider;	
	2. A caretaker exhibits symptoms related to significant mental illness including but not limited to psychotic behaviors, delusional behaviors and danger to self or others;		1. A caretaker exhibits symptoms related to significant mental illness including but not limited to psychotic behaviors, delusional behaviors and danger to self or others;
	3. Caretaker is identified as a current or former state ward	Caretaker is identified as a current or former state ward	
	4. The family has had another Intake Accepted for Assessment within the past six months AND includes two or more children under the age of five or one child under the age of two;	The family has had another Intake Accepted for Assessment within the past six months AND and includes two or more children under the age of five or one child under the age of two;	2. The family has had another Intake Accepted for Assessment within the past six months and includes two or more children under the age of five or one child under the age of two;
	5. The family currently receives an Alternative Response		3. The family currently receives an Alternative Response
	6. Child abuse or neglect AND alcohol or other mood altering substance use by a Household member AND there are two or more children under the age of five or one child under the age or two	Child abuse or neglect AND alcohol or other mood altering substance use by a Household member AND there are two or more children under the age of five or one child under the age or two	

Alternative Response Proposed Regulations Crosswalk

	7. Physical abuse that does not rise to the level of physical abuse identified in Exclusionary Criteria	Physical abuse that does not rise to the level of physical abuse identified in Exclusionary Criteria	
	8. Household Member or alternate Caregiver noted on the Intake Accepted for Assessment has a history or using or manufacturing methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405	Household Member or alternate Caregiver noted on the Intake Accepted for Assessment has a history or using or manufacturing methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405 or;	4. Household Member or alternate Caregiver noted on the Intake Accepted for Assessment has a history or using or manufacturing methamphetamine or other controlled substances as defined in Neb. Rev. Stat. 28-401, 28-405 or;
		Domestic violence involving a caretaker and the alleged perpetrator lives in the home with access to the child or Caretaker	5. Domestic violence involving a caretaker and the alleged perpetrator lives in the home with access to the child or Caretaker
Review, Evaluate, Decide (RED) Team Review	Within one regular business day after receiving an Intake Accepted for Assessment that includes RED Team Criteria, the RED Team will review and evaluate the Intake Accepted for Assessment that includes Review, Evaluate, Decide (RED) Team Criteria to determine whether it is eligible for Alternative Response	Within one regular business day after receiving an Intake Accepted for Assessment that includes RED Team Criteria, The Review Evaluate, Decide (RED) Team will review and evaluate the an Intake Accepted for Assessment that includes Review, Evaluate, Decide (RED) Team Criteria to determine whether it is eligible for Alternative Response	Within one regular business day after The Review Evaluate, Decide (RED) Team will review and evaluate an Intake Accepted for Assessment that includes Review, Evaluate, Decide (RED) Team Criteria to determine whether it is eligible for Alternative Response

Alternative Response Proposed Regulations Crosswalk

<p>Response Eligibility</p>	<p>C. (iii) One or more RED Team criteria and no Exclusionary Criteria AND the RED Team reaches a unanimous decision that it is eligible for Alternative Response, it is eligible for Alternative Response</p>	<p>One or more Review, Evaluate, Decide (RED) Team criteria and no Exclusionary Criteria AND and the Review, Evaluate, Decide (RED) Team reaches a unanimous decision that it is eligible for Alternative Response, it is eligible for Alternative Response</p>	<p>One or more Review, Evaluate, Decide (RED) Team criteria and no Exclusionary Criteria and the Review, Evaluate, Decide (RED) Team reaches a decision that it is eligible for Alternative Response, it is eligible for Alternative Response</p>
<p>Response Assignment</p>	<p>The Department will use a computerized randomization process to assign each Intake Accepted for Assessment that is eligible for Alternative Response to Alternative Response or Traditional Response. The Department will assign all other Intakes Accepted for Assessment to Traditional Response.</p>	<p>The Department will use a computerized randomization process to assign each Intake Accepted for Assessment that is eligible for Alternative Response to Alternative Response or Traditional Response. The Department will assign all other Intakes Accepted for Assessment to Traditional Response. The computerized randomization process will be used until June 30th, 2019. Beginning July 1, 2019 each Intake Accepted for Assessment that is eligible for Alternative Response will be assigned to Alternative Response.</p>	<p>The Department will use a computerized randomization process to assign each Intake Accepted for Assessment that is eligible for Alternative Response to Alternative Response or Traditional Response. The Department will assign all other Intakes Accepted for Assessment to Traditional Response. The computerized randomization process will be used until June 30th, 2019. Beginning July 1, 2019 each Intake Accepted for Assessment that is eligible for Alternative Response will be assigned to Alternative Response.</p>
<p>Reassignment from Alternative Response to Traditional Response</p>	<p>The Department will automatically transfer a family from Alternative Response to Traditional Response if (i) a safety threat is present that cannot be managed through an in-home safety plan; (ii) it cannot assess child safety; (iii) law enforcement notifies the Department that they will continue</p>	<p>The Department will automatically transfer a family from Alternative Response to Traditional Response if (i) a safety threat is present that cannot be managed through an in-home safety plan; (ii) it cannot assess child safety; (iii) law</p>	<p>The Department will automatically transfer a family from Alternative Response to Traditional Response if (i) a safety threat is present that cannot be managed through an in-home safety plan; (ii) it cannot assess child safety; (iii) law enforcement notifies the</p>

Alternative Response Proposed Regulations Crosswalk

	<p>investigating the child abuse or neglect Intake Accepted for Assessment; (iv) the Caretaker receiving Alternative Response requests Traditional Response; or (v) it learns a Household Member allegedly caused the death of a child.</p>	<p>enforcement notifies the Department that they will continue investigating have cited the Caretaker for the child abuse or neglect alleged in the Intake Accepted for Assessment; (iv) the Caretaker receiving Alternative Response requests Traditional Response; or (v) it learns a Household Member allegedly caused the death of a child.</p>	<p>Department that they have cited the Caretaker for the child abuse or neglect alleged in the Intake Accepted for Assessment; (iv) the Caretaker receiving Alternative Response requests Traditional Response; or (v) it learns a Household Member allegedly caused the death of a child.</p>
<p>Alternative Response Services and Interventions</p>		<p>For each child in the family, the Department may contact all parents and Household Members as part of the assessment process and may engage all parents and Household Members in the Development of the Family Plan.</p>	<p>For each child in the family, the Department may contact all parents and Household Members as part of the assessment process and may engage all parents and Household Members in the Development of the Family Plan.</p>