

Nebraska Children’s Commission

LB330 Overview

The crosswalks provided illustrate the changes proposed in LB330 (Bolz). The left column includes the language as currently stated in statute, whereas the right column indicates the language provided in the proposed bill.

In summary, the bill proposes a couple major changes with a few minor modifications to streamline the role, proper organizational home, and consistency amongst the statutory committees. The changes include:

1. Move the Commission, from the Executive Branch in a non-code agency (the FCRO), to the Legislative Branch under a Legislative division (the Office of Public Counsel).
2. Align the voting members with that of a Legislative Committee; include the role of community stakeholders as advisory, nonvoting members.
3. All statutory committees under the Commission remain, and will have membership composition similar to the Commission, rather than individual representatives stated.
4. Rather than developing a strategic plan for the reform of child welfare, the Commission is tasked with identifying the three to five strategic priorities for research and policy development for the biennium in consultation with the annual report of the FCRO, the OIG and the results of the federal CFSR.
5. If passed, this act would become operative July 1, 2019

Nebraska Children’s Commission Administrative/ Operations		
	CURRENTLY STATED	PROPOSED IN LB330
Chairperson & Vice Chairperson	Members shall meet within 60 days to nominate a Chair and Vice Chairperson	Members shall meet within 60 days to nominate a Chair and Vice Chairperson
Agency Home	Foster Care Review Office	Office of Public Counsel
Branch of Government	(Executive Branch in a non-code Agency)	Legislative Branch
Office Location	Foster Care Review Office	Office of Public Counsel
Staffing	The Commission may hire staff as necessary, Employ a Policy Analyst	The Commission may hire staff as necessary, Employ a Policy Analyst (Continue on next page) Positions of employment in the FCRO relating to the duties and functions transferred pursuant to this section are transferred to the Office of Public Counsel.
Meeting Frequency	Quarterly and when deemed necessary by call of the chairperson	Quarterly and when deemed necessary by call of the chairperson
Reporting Requirements	Annual Report by September 1 st	Annual Report by September 1 st + Annual hearing in front of the HHS Committee on or before December 1 st

Scope/Purpose	<p>Broad restructuring of the goals for child welfare;</p> <p>(a) create a statewide strategic plan for reform of child welfare and juvenile justice programs and services in the State of Nebraska,</p> <p>(b) review the operations of the Department of Health and Human Services regarding child welfare programs and services and recommend, as a part of the statewide strategic plan, options for attaining the legislative intent stated in section 43-4201, either by the establishment of a new division within the department or the establishment of a new state agency to provide all child welfare programs and services which are the responsibility of the state, and</p> <p>(c) Develop a strategic plan for child welfare and juvenile justice systems reform</p>	<p>Provide strategic priorities for research or policy development within the child welfare system and juvenile justice systems.</p> <p>Monitor and evaluate the child welfare and juvenile justice systems</p>
<p>New Standardized Membership language for any group reporting to the Children’s Commission (43-4203 (1))</p>	<p>Any committee or subcommittee created by the Nebraska Children's Commission shall include representatives from all three branches of government, and the representatives from the executive and judicial branches of government shall be nonvoting, ex officio members. Committees and subcommittees may collaborate with subject matter experts to assist in the work of the commission.</p>	
<p>Committees continue to report to the Nebraska Children’s Commission</p> <ol style="list-style-type: none"> 1. Psychotropic Medications 2. Workforce 3. Juvenile Services Committee 4. Foster Care Reimbursement Rate Committee 5. Bridge to Independence Advisory Committee 6. Strengthening Families Act Committee 		

Nebraska Children’s Commission Membership (NRS 42-4202)

Nonvoting members may attend commission meetings and participate in the discussions of the commission, provide information to the commission on the policies, programs, and processes within their areas of expertise and gather information for the commission.

CURRENTLY STATED		PROPOSED IN LB330	
VOTING MEMBERS	NONVOTING MEMBERS	VOTING MEMBERS	NONVOTING MEMBERS
17 members	10 members	5 members	Minimum of 8 members + community stakeholders
Executive Director of the FCRO	Chairperson of the HHS Committee, or designee	Chairperson of HHS Committee, or designee	Executive Director of the FCRO, or designee
Director of a CAC	Chairperson of the Judiciary Committee, or designee	Chairperson of Judiciary Committee, or designee	State court Administrator, or designee
Administrator of a Behavioral Health region	Chairperson of the Appropriations Committee, or designee	Chairperson of the Appropriations , or designee	CEO of DHHS, or designee
A community representative from each of the service areas. In the eastern service area, the representative may be from a lead agency of a pilot project, or a collaborative member. (5)	Three (3) persons appointed by the State Court Administrator	Two (2) Additional members of the Legislature appointed by the Executive Board of the Legislative Counsel	Director of CFS for DHHS, or designee
A Prosecuting attorney who practices in juvenile court	CEO of DHHS or designee		Director of DD, or designee
A GAL	Director of CFS or designee		Director of Medicaid (MLTC), or designee
A biological parent currently or previously involved in the child welfare system or juvenile justice system	Commissioner of Education, or designee		Commissioner of Education, or designee
A Foster Parent	The Inspector General of Nebraska Child Welfare		Inspector General of Child Welfare, or designee
A CASA volunteer			Community Stakeholders with experience in child welfare and juvenile justice systems as designated by the Commission.
A member of a local foster care review board			

<p>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</p>			
<p>A young adult previously in foster care</p>			
<p>A representative of a child advocacy organization that deals with legal and policy issues that include child welfare</p>			
<p>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</p>			

Foster Care Reimbursement Rate Committee		
	CURRENTLY STATED	PROPOSED IN LB330
Meeting Frequency	Not less than once every four years.	Not less than once every four years.
Membership terms	Four Years	Not specified
Membership for Foster Care Reimbursement Rate Committee		
	CURRENTLY STATED	PROPOSED IN LB330
Voting Members (Minimum of 7)	Nonvoting Members (Minimum of 6)	Comply with requirements in subsection (1) of Section 42-4203 (page 7 of Proposed LB330)
Representatives from a child welfare agency that contracts directly with foster parents, from each of the service areas	The CEO of DHHS, or designee	
Representative from an advocacy organization which deals with legal and policy issues that include child welfare	Representatives from DCFS from each of the service areas, including one division employee with a thorough understanding of the current foster care payment system and at least one division employee with a thorough understanding of N-FOCUS	
A representative from an advocacy organization, the singular focus of which is issues impacting children		
A representative from a foster and adoptive parent association		
A representative from a lead agency		
A representative from a child advocacy organization that supports young adults who were in foster care as children		
A foster parent who contracts directly with the DHHS		
A foster parent who contracts with a child welfare agency		
	CURRENTLY STATED	PROPOSED IN LB330
Reporting Requirements	Report to HHS Committee July 1, 2016 and every four years thereafter	Report to HHS Committee July 1, 2016 and every four years thereafter

Bridge to Independence Advisory Committee

	CURRENTLY STATED	PROPOSED IN LB330
Meeting Frequency	Meet on a biannual basis	Not specified
Membership terms	Two Years	Not specified
Membership		
	CURRENTLY STATED	PROPOSED IN LB330
	<p>The members of the Bridge to Independence Advisory Committee shall include, but not be limited to:</p> <p>(a) representatives from all three branches of government, and the representatives from the legislative and judicial branches of government shall be nonvoting, ex officio members,</p> <p>(b) no less than three young adults currently or previously in foster care, which may be filled on a rotating basis by members of Project Everlast or a similar youth support or advocacy group,</p> <p>(c) one or more representatives from a child welfare advocacy organization,</p> <p>(d) one or more representatives from a child welfare service agency, and</p> <p>(e) one or more representatives from an agency providing independent living services.</p>	<p>Comply with requirements in subsection (1) of Section 42-4203 (page 7 of Proposed LB330)</p>
	CURRENTLY STATED	PROPOSED IN LB330
Reporting Requirements	Report to Children’s Commission, HHS Committee of the Legislature, the department and the Governor by September 1 st annually.	Report to Children’s Commission, HHS Committee of the Legislature, the department and the Governor by September 1 st annually.

Strengthening Families Act Committee

	CURRENTLY STATED	PROPOSED IN LB330
Meeting Frequency	Meet on a biannual basis	Not specified
Membership terms	Two Years	Not specified
Membership		
	CURRENTLY STATED	PROPOSED IN LB330
	<p>(a) Representatives from the legislative, executive, and judicial branches of government. The representatives from the legislative and judicial branches shall be nonvoting, ex officio members,</p> <p>(b) no fewer than three young adults currently or previously in foster care which may be filled on a rotating basis by members of Project Everlast or a similar youth support or advocacy group,</p> <p>(c) a representative from the juvenile probation system,</p> <p>(d) the executive director of the Foster Care Review Office,</p> <p>(e) one or more representatives from a child welfare advocacy organization,</p> <p>(f) one or more representatives from a child welfare service agency,</p> <p>(g) one or more representatives from an agency providing independent living services, (h) one or more representatives of a child-care institution as defined in section 43-4703, (i) one or more current or former foster parents,</p> <p>(j) one or more parents who have experience in the foster care system,</p> <p>(k) one or more professionals who have relevant practical experience such as a caseworker, and</p> <p>(l) one or more guardians ad litem who practice in juvenile court</p>	<p>Comply with requirements in subsection (1) of Section 42-4203 (page 7 of Proposed LB330)</p>
	CURRENTLY STATED	PROPOSED IN LB330
Reporting Requirements	Report to Children’s Commission, HHS Committee of the Legislature, the DHHS, and the Governor by September 1 st annually.	Report to Children’s Commission, HHS Committee of the Legislature, the DHHS, and the Governor by September 1 st annually.