

Nebraska Children's Commission – Foster Care Reimbursement Rate Committee

Sixth Meeting

April 1, 2014

1:00PM-4:00PM

Airport Country Inn and Suites, Platte Room

1301 West Bond Circle, Lincoln, NE 68521

Call to Order

Peg Harriott called the meeting to order at 1:00pm and noted that the Open Meetings Act information was posted in the room as required by state law.

Roll Call

Subcommittee Members present: Peg Harriott, Corrie Edwards, Leigh Esau (1:02 p.m.), Susan Henrie, Bobby Loud (1:32 p.m.), Jackie Meyer, David Newell, Barb Nissen, Alana Pearson, Katie McLeese Stephenson (1:18 p.m.), Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz.

Ex-Officio Members present: Michele Anderson, Jeanne Brandner, Lindy Bryceson, Thomas Pristow, Debbie Silverman, and Nanette Simmons.

Subcommittee Member(s) absent: Jena Davenport and Sherry Moore.

Ex-Officio Members absent: Karen Knapp

Also attending: Bethany Connor and Leesa Sorensen from the Nebraska Children's Commission; and Jodi Allen from DHHS.

Approval of Agenda

A motion was made by David Newell to approve the agenda as written. The motion was seconded by Corrie Edwards. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, David Newell, Barb Nissen, Alana Pearson, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Jena Davenport, Bobby Loud, Sherry Moore, and Katie McLeese Stephenson were absent. Motion carried.

Approval of February 18, 2014 Minutes

A motion was made by Ryan Suhr to approve the February 18, 2014 minutes as written. The motion was seconded by Corrie Edwards. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Jackie Meyer, David Newell, Barb Nissen, Alana Pearson, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Jena Davenport, Bobby Loud, Sherry Moore, and Katie McLeese Stephenson were absent. Motion carried.

Chair's Report

Peg Harriott informed the committee that Shannon-Jo Hamilton had resigned from her committee position because of a job change. Peg noted that an application for membership to fill the representative opening on the committee would be provided to committee members in the near future. Peg then provided the committee with a recommendations draft document and requested that the committee begin the process of working through the document to determine if any of the recommendations could be finalized. It was noted that the document begins with the legislative intent language from LB530. Peg noted that part of the issue with finalizing the document was the fact that there has not been a final decision on the part of DHHS to finalize the agency rates.

Public Comment

None.

DHHS and Casey Consultant Meeting

Thomas Pristow provided an update on the meeting with the Casey Consultant to review the foster care reimbursement rates. He noted that the consultant indicated that the rates that have been proposed are consistent with what other states have been using as foster care rates. Thomas noted that reports from foster care agencies are due to his office by April 18 and he would be working from those reports to establish the administrative rate. Thomas also noted that he will have information on the rates including the rates reviewed by the Casey consultant by April 28, 2014, and will provide that information to both Peg Harriott and Leesa Sorensen on April 28, 2014. Thomas also noted that he would be meeting with Senator Kathy Campbell and Senator Annette Dubas on April 2, 2014, to provide an update on DHHS progress on setting the foster care reimbursement rates.

Foster Care Rate Implementation Planning

DHHS Update

Thomas Pristow and Nanette Simmons provided an update on the DHHS implementation plan. Thomas indicated that he will be talking with Senator Campbell and Senator Dubas on April 2, 2014, and will be informing them of the plan to delay implementation of the foster care reimbursement rates until August 1 instead of the July 1 date. Thomas noted that LB530 requires that the base rates be implemented by July 1, but did not require that the other rates be in place by that time. Thomas indicated that DHHS does not want to implement the rates piecemeal, so a suggestion was going to be made to delay implementation for a month. Thomas

indicated that he would prefer to have the rates delayed by 30 days to implement both the base rate and level of care rate together in a more healthy way. A committee member questioned Thomas and Nanette on this plan since some parents have already received notice of the rate change effective July 1. Thomas indicated that he felt it was a fluid situation and that they would work with foster parents to communicate the changes.

Thomas indicated that a provider meeting was also planned for April 2 in Kearney to discuss the rate changes. He also noted that CAFCON was scheduled to meet the week of April 7. Thomas stated that he would work with stakeholders to make the transition work the best way possible.

Thomas also noted that DHHS would need to address the transportation issue for rural areas. He also noted that there was additional work to do on the blending of rates. It was noted that the true cost of administration needed to be determined so that the base rate, parenting rate and agency support rate works with the IV-E waiver requirements. He felt that the 9 levels of payments were in range and that there were pros and cons of the committee recommending rates. Thomas noted that the executive branch is in charge of operationalizing the change.

NFC Update

David Newell provided an update on NFC's plan for implementation of the new rates that are effective July 1, 2014. David provided a handout with information on residential child-care rates from Texas. The Texas rates provide four levels of care – Basic, Moderate, Specialized, and Intense.

Dave then provided a second handout that included NFC's guiding principles for rate implementation of LB530; selected provisions of Nebraska law relative to foster care reimbursement rates; NFC's agency foster care rates by supplemental level rates; NFC foster care rate analysis – kinship foster care; the February 28, 2014, DHHS letter to providers and foster parents; and NFC's March 4, 2014, letter to NFC Network Providers on the foster care reimbursement rates. Dave directed the committee's attention back to the intent of the legislation and noted that the rate changes will have a significant impact on kinship foster care.

NFC also noted that DHHS will be doing the training on the NCR tool. The training will also be made available by webinar. The training will be scheduled in the next couple of months after rate decisions have been finalized.

Probation Update

Jeanne Brandner provided an update on Probation's plan for implementation of the new rates. Jeanne indicated that Probation is planning to stay in line with what NFC and DHHS are doing. She indicated that the discussion of transportation will be extremely important. Jeanne noted that there is no indication that probation's rates will be changing and they intend to continue with utilizing the standard and intensive probation rates that are currently being used. It was noted that Probation is not planning to implement the NCR tool at this time but will continue to monitor the issue.

Level of Care Assessment Workgroup

Lana Temple-Plotz provided an update on the Level of Care (LOC) assessment workgroup. Lana reported that the workgroup met from 10:30am to 12:00pm on April 1, 2014, to continue the work on the NCR tool. Lana noted that the workgroup is still waiting for pilot results from DHHS. The February 18, 2014, meeting notes were provided to the group. A copy of the NCR tool was not distributed because the group is continuing to fine tune elements of the form. The workgroup decided to add fields to the assessment tool to support the collection of data for evaluation at a later date. Lana noted that an updated version of the tool will be provided at a future meeting.

The workgroup noted that additional discussions were needed on transportation and respite issues. The workgroup is still discussing issues related to the definition of “respite”. The group was not sure if the USDA base rates included money for transportation and respite. The group further discussed “regular respite” vs “unique respite” which usually applies to medically fragile children. There was also a question as to what the real cost of respite would be. The workgroup is suggesting that a better understanding of respite issues would be helpful.

It was also noted that the administrative rate and associated fees discussion needed to be finalized before final decisions could be made. However, the workgroup is continuing to develop recommendations. Lana noted that the group will be going back to the original report to the legislature and making recommendations related to training, implementation and quality assurance as noted on page 4 and 5 of the original November 2012 Level of Care Assessment Subcommittee report.

Agency Support/Service Rates

Thomas Pristow indicated that the information that he had regarding rates was covered under the plan for implementation of new rates report.

Recommendations to Children’s Commission regarding Foster Parent Rates

Peg Harriott then reviewed the list of draft recommendations for the Children’s Commission that was handed out at the beginning of the meeting. The committee reviewed Recommendation A which included the legislative intent language from LB530. Peg noted that she had left off the final statement of intent as it related to funding that would be handled by DHHS. After some discussion, the committee decided to add the final intent state in as the committee felt it was important for funds to be available to permanently replace the foster care bridge funding.

A motion was made by Katie McLeese Stephenson to approve Recommendation A with the addition of the final intent language from LB530. The motion was seconded by Barb Nissen. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Bobby Loud, Jackie Meyer, David Newell, Barb Nissen, Katie McLeese Stephenson, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Jena Davenport, Sherry Moore, and Alana Pearson were absent. Motion carried.

The committee reviewed Recommendation B. The committee discussed the need to strike the reference to Probation; change “agency support rates” to “Child Placement Agency rates” and add the phrase “and implemented.” after the word “established” which appears before sub-bullet “a.”.

A motion was made by Lana Temple-Plotz to approve Recommendation B with the additions as noted above. The motion was seconded by Jackie Meyer. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Bobby Loud, Jackie Meyer, David Newell, Barb Nissen, Katie McLeese Stephenson, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Jena Davenport, Sherry Moore, and Alana Pearson were absent. Motion carried.

The committee then discussed Recommendation C and no changes to the language were suggested. A motion was made by David Newell to approve Recommendation C as written. The motion was seconded by Katie McLeese Stephenson. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Bobby Loud, Jackie Meyer, David Newell, Barb Nissen, Katie McLeese Stephenson, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Jena Davenport, Sherry Moore, and Alana Pearson were absent. Motion carried.

Recommendation D was discussed next. The committee discussed the need to change and enhance the language of Recommendation D. The committee agreed that Recommendation D should read as follows: “Recommend the implementation of the Nebraska Caregiver (NCR) Tool for all youth placed July 1, 2014, or after. As the NCR is a newly developed tool, DHHS and NFC may override the NCR tool administration results if determined to be in the child’s best interest.”

A motion was made by Katie McLeese Stephenson to approve Recommendation D as written. The motion was seconded by Bobby Loud. Voting yes: Peg Harriott, Corrie Edwards, Leigh Esau, Susan Henrie, Bobby Loud, Jackie Meyer, David Newell, Barb Nissen, Katie McLeese Stephenson, Bev Stutzman, Ryan Suhr, and Lana Temple-Plotz. Voting no: none. Jena Davenport, Sherry Moore, and Alana Pearson were absent. Motion carried.

The group discussed further the “grandfathering” recommendation and the fact that the system needs to re-set. It was noted that the communication piece with families was critical to providing stability. The committee then agreed to table the discussion on Recommendation E until the next meeting; strike Recommendation F; and postpone discussion on Recommendation G and H until Child Placement Agency Rates are provided by DHHS. The committee then agreed that due to time constraints the discussion of the remaining recommendations would be handled at the May meeting.

New Business

None.

Next Meeting Date

The next meeting is tentatively scheduled for May 6, 2014 from 1:00p.m. to 4:00p.m.

Adjourn

A motion was made by Jackie Meyer to adjourn the meeting, seconded by Corrie Edwards. The meeting adjourned at 4:04 p.m.