

**Nebraska Children’s Commission**  
Forty-Sixth Meeting  
January 17, 2018  
9:00 a.m. – 3:00 p.m.  
Southeast Community College, Rooms U104 & 106  
8800 O Street, Lincoln, NE 68520

**1. Call to Order**

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Chairperson of the Nebraska Children’s Commission (Commission), Dave Newell, called the meeting to order at 9:11 a.m.

**2. Roll Call**

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**Commission Members present (16):**

Beth Baxter	Kelli Knutson	Janine Ucchino (9:48)
Jim Blue	Felicia Nelsen	Kelli Wacker
Holly Brandt (9:13)	David Newell	Paula Wells
Vernon Davis (11:55)	Deb O’Brien	Bill Williams
Misty Frazier	Lisa Story	
Kim Hawekotte	Susan Thomas	

**Commission Members absent (2):**

Teresa Anderson	Jennifer Chrystal-Clark
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**Ex Officio Members present (5):**

Michele Borg	Courtney Phillips	Deb VanDyke-Ries
Jeanne Brandner	Judge Linda Porter	

**Ex Officio Members absent (5):**

Sen. Kate Bolz	Sen. Merv Riepe	Matthew Wallen
Sen. Patty Pansing-Brooks	Julie Rogers	

A quorum was established.

**Guests in Attendance (9):**

Doug Beran.....	DHHS, Division of Children and Family Services
Cassy Blakely.....	Nebraska Children and Families Foundation
Bethany Connor Allen.....	Nebraska Children’s Commission
Jude Dean.....	Former Foster/Adoptive Parent
Amanda Felton.....	Nebraska Children’s Commission
Mark Forster.....	Office of the Inspector General of Nebraska Child Welfare
Julie Scott.....	Administrative Office of Probation
Colleen Svoboda.....	Children’s Hospital & Medical Center Foundation
Ivy Svoboda.....	Nebraska Alliance of Child Advocacy Centers

*a. Notice of Publication*

Recorder for the meeting, Amanda Felton, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar and Nebraska Children’s Commission websites in accordance with the Nebraska Open Meetings Act. The publication would be kept as a permanent attachment with the meeting minutes.

*b. Announcement of the placement of Open Meetings Act information*

A copy of the Open Meetings Act was available for public inspection and was located on the sign in table near the entrance of the room.

**3. Approval of Agenda**

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

**FOR (13):**

Beth Baxter  
Jim Blue  
Misty Frazier  
Kim Hawekotte  
Kelli Knutson

Felicia Nelsen  
David Newell  
Deb O'Brien  
Lisa Story  
Susan Thomas

Kelli Wacker  
Paula Wells  
Bill Williams

**AGAINST (0):**

**ABSENT (5):**

Teresa Anderson  
Holly Brandt

Jennifer Chrystal-Clark  
Vernon Davis

Janine Ucchino

**ABSTAINED (0):**

**MOTION CARRIED**

**4. Consent Agenda**

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Members wished to discuss and suggest changes to the items of the Consent agenda, thus, all items were pulled from Consent agenda and changes were discussed.

a. [Minutes of the November 14, 2017 Nebraska Children's Commission Retreat](#)

Felicia Nelson noted that agenda item III. Approval of the Agenda, had duplicate names in both the FOR and ABSENT section. Amanda Felton noted that minutes would be updated to reflect ABSENT members as Teresa Anderson, Misty Frazier, Lisa Story, and Janine Ucchino.

b. [Juvenile Services Committee Member Nominations](#)

Jeanne Brandner noted that the nomination report had Senator Patty Pansing Brooks noted in a voting capacity, but indicated that regular attendance may be difficult given the Senators legislative obligations. Traditionally the Commission had always placed Legislative Branch representative into resource positions. She entertained moving Senator Pansing Brooks to a resource member position.

- Advocate Group Representative:
  - **Tom McBride (Voting)** – Executive Director, Nebraska Juvenile Justice Association
- Children's Commission Representative:
  - **Kim Hawekotte (Voting)** – Executive Director, Foster Care Review Office
- County Attorney Representative:
  - **Nicole Brundo (Voting)** – Deputy County Attorney, Division Lead, Douglas County Attorney's Office, Juvenile Division
- Court Improvement Project Representative:
  - **Deb VanDyke-Ries (Voting)** – Director, Nebraska Court Improvement Project
- Crime Commission Representative:
  - **Cynthia Kennedy (Voting)** – Chief, Community-based Juvenile Services Aid Program, Nebraska Crime Commission
- Data Expert Representative:
  - **Richard Wiener (Voting)** – Beddey Professor of Psychology, University of Nebraska, Lincoln
- Department of Education Representative:
  - **Michele Borg (Voting)** - Education of Systems-Involved Students (ESIS) Coordinator, Nebraska Department of Education
- DHHS, Division of Behavioral Health Representative
  - **Tamara Gavin (Voting)** - Deputy Director, DHHS, Division of Behavioral Health
- Judge Representative
  - **Hon. Larry Gendler (Voting)** - Judge of the Separate Juvenile Court, Sarpy County Juvenile Court
- Representative of the Judicial Committee of the Legislature:
  - **Senator Patty Pansing Brooks (Voting Non-Voting Resource)** - Senator, Nebraska Legislative Council, District 28
- Treatment Placement Representative:
  - **Nick Juliano (Voting)** - Director Regional Advocacy and Public Policy, Boys Town

c. [Psychotropic Medication Committee Nominations](#)

- **Beth Baxter (Voting)**, Administrator with Behavioral Health Region 3
- **Beth Ann Brooks (Voting)**, Child & Adolescent Psychiatrist Independent Contractor with DHHS, Divisions of Behavioral Health and Children and Family Services
- **Janine Fromm (Voting)**, Physician, Nebraska Total Care
- **Linda Jensen (Voting)**, Nursing Professor with Clarkson College
- **Hailey Kimball (Voting)**, CHI Emergency Department RN and Psychiatric Nurse Practitioner Graduate Student at Creighton University
- **Melissa Koch (Voting)**, Programs & Services-Behavioral Health Specialist with Probation Juvenile Services Division
- **Kayla Pope (Voting)**, Child Psychiatrist, Director of Residency Training and Division Chief of Child and Adolescent Psychiatry with Creighton University
- **Carol Tucker (Voting)**, School Health Program Manager, Nebraska State School Nurse Consultant with DHHS, Division of Public Health
- **Kristi Weber (Voting)**, Family & Psychiatric NP, Weber Behavioral Health
- **Paula Wells (Voting)**, Foster and Adoptive Parent
- **Gregg Wright (Voting)**, Retired public health physician, UNL Center on Children, Families, and the Law

d. [Strengthening Families Act Committee Nominations](#)

- Representative from a child welfare service agency
  - **Dave Newell (Voting)** – President & CEO of PromiseShip
    - Dave Newell would replace current PromiseShip representative Nicole Seymour

e. *Subgroup Co-Chair Nominations*

- Bridget to Independence Advisory Committee:
  - **Jeanne Brandner (Commission Member)** – Deputy Administrator of the Division of Juvenile Services, Administrative Office of Probation
  - **Mary Jo Pankoke** – President, Nebraska Children and Families Foundation
- Community Ownership of Well Being Workgroup:
  - **Teresa Anderson (Commission Member)** – Health Director, Central District Health Department
  - **Jennifer Skala** – Vice President of Community Impact, Nebraska Children and Families Foundation
- Legal Parties Taskforce:
  - **Kim Hawekotte (Commission Member)** – Executive Director, Foster Care Review Office
- Psychotropic Medication Committee:
  - **Kayla Pope** – Child Psychiatrist, Director of Residency Training / Division Chief of Child and Adolescent Psychiatry, Creighton University
  - **Paula Wells (Commission Member)** – Foster and Adoptive Parent
- Strengthening Families Act Committee:
  - **Vernon Davis (Commission Member)** – Young Adult Previously in Foster Care
  - **Sarah Helvey** - Child Welfare Program Director / Staff Attorney, Nebraska Applesseed
- Workforce Workgroup:
  - **Deb VanDyke-Ries (Commission Member)** – Director, Nebraska Court Improvement Project

It was moved by Beth Baxter and seconded by Jim Blue approve of all items previously on the consent agenda with the following adjustments:

- Within the minutes of November 14, 2017 meeting, approval of the agenda should be updated to reflect the correct members
- For the Juvenile Services Committee membership, alter Senator Patty Pansing Brooks' position to reflect a resource member position. There was no further discussion. Roll call vote as follows:

**FOR (14):**

Beth Baxter  
Jim Blue  
Holly Brandt  
Misty Frazier  
Kim Hawekotte

Kelli Knutson  
Felicia Nelsen  
David Newell  
Deb O'Brien  
Lisa Story

Susan Thomas  
Kelli Wacker  
Paula Wells  
Bill Williams

**AGAINST (0):**

**ABSENT (4):**

Teresa Anderson  
Jennifer Chrystal-Clark

Vernon Davis  
Janine Ucchino

**ABSTAINED (0):**

**MOTION CARRIED**

f. *Probation Representative Member Nominees*

Chair Newell informed members that a request had been submitted to the Administrative Office of Probation to have a Juvenile Probation representative on the Psychotropic Medication and Foster Care Reimbursement Rate Committees. The nominees were as follows:

- Psychotropic Medication Committee:
  - **Melissa Koch (Voting)**, Programs & Services-Behavioral Health Specialist with Probation Juvenile Services Division
- Foster Care Reimbursement Rate Committee
  - Representative of Administrative Office of Probation, Juvenile Services Division
    - **Kari Rumbaugh (Ex-Officio)**, Assistant Deputy Administrator

**It was moved by Kim Hawekotte and seconded by Holly Brandt to appoint the suggested probation nominees as presented.** There was no further discussion. Roll call vote as follows:

**FOR (14):**

Beth Baxter  
Jim Blue  
Holly Brandt  
Misty Frazier  
Kim Hawekotte

Kelli Knutson  
Felicia Nelsen  
David Newell  
Deb O'Brien  
Lisa Story

Susan Thomas  
Kelli Wacker  
Paula Wells  
Bill Williams

**AGAINST (0):**

**ABSENT (4):**

Teresa Anderson  
Jennifer Chrystal-Clark

Vernon Davis  
Janine Ucchino

**ABSTAINED (0):**

**MOTION CARRIED**

## 5. Juvenile Services Committee Co-Chair Nominations

Commission members were presented with a list of nominees for Co-Chair leadership for the Juvenile Services Committee. Members were asked to select two individuals as Co-Chair representatives, one of which had to be a Commission Member.

- Non-Commission Member Nominees:
  - **Nicole Brundo** – Deputy County Attorney, Division Lead, Douglas County Attorney's Office, Juvenile Division
  - **Kari Rumbaugh** - Assistant Deputy Administrator, Administrative Office of Probation, Juvenile Services Division
  - **Richard Wiener** - Beddey Professor of Psychology, University of Nebraska, Lincoln
- Commission Member Nominees:
  - **Kim Hawekotte (Commission Member)** – Executive Director, Foster Care Review Office

**It was moved by Paula Wells to appoint Nicole Brundo and Kim Hawekotte as Co-Chairs of the Juvenile Services Committee. Deb O'Brien seconded the motion.** There was no further discussion. Roll call vote as follows:

**FOR (13):**

Beth Baxter  
Jim Blue  
Holly Brandt  
Misty Frazier  
Kelli Knutson

Felicia Nelsen  
David Newell  
Deb O'Brien  
Lisa Story  
Susan Thomas

Kelli Wacker  
Paula Wells  
Bill Williams

**AGAINST (0):**

**ABSENT (4):**

Teresa Anderson  
Jennifer Chrystal-Clark

Vernon Davis  
Janine Ucchino

**ABSTAINED (1):**

Kim Hawekotte

**MOTION CARRIED**

**6. Legislative Discussion**

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Chair Newell directed members to [LB732](#), which would move up the due date for the Commission's annual report from December 1<sup>st</sup> to September 1<sup>st</sup> annually. If passed, the change would affect meeting schedules and updates would be sent out to accommodate the shortened timeline.

**7. Facilitated Discussion of the Strategic Plan**

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Chair Newell welcomed Colleen Svoboda, Program Coordinator with the Children's Hospital & Medical Center Foundation, who would be the discussion facilitator for the morning. Ms. Svoboda began by asking members to think of several general areas regarding the Commission: the past – accomplishments and setbacks, the present – strengths and weaknesses, and the future – risks and opportunities. Members broke out into groups to review and discuss each area.

Upon reconvening, members summarized the top comments for each section. They were as follows:

- **Accomplishments**
  - The increase collaboration between the Department of Health and Human Services (DHHS) and the Commission.
  - The increase in the size and diversity of Commission and subgroup membership.
  - The work completed on the Foster Care Rates.
- **Setbacks**
  - General funding issues including both a lack of resources and learning to navigate the various funding sources and streams.
  - A lack of stabilization. Members noted that continual change and upheaval within the child welfare and juvenile justice systems created difficulty in maintaining community trust.
  - Unintended consequences of policy that restricted or impeded work on the front lines.
- **Strengths**
  - Strength and momentum of the current subgroups.
  - Diversity of the Commission and subgroup membership.
  - Our efforts have increased the amount of attention Legislatures give the Commission and they are willing to listen to our input.
- **Weaknesses**
  - Legislative and Commission membership term limits. Term limits could lead to a loss of historical knowledge and direction for the both the state and Commission groups.
  - Difficulty in streamlining the work of the Commission's subgroups as well as the work happening with outside groups.
  - Unrealistic goals. The scope and number of goals to be achieved by the Commission needed to be manageable.
- **Risks**
  - Loss of funding.
  - Taking on too many issues/too much responsibility and consequently decreasing our productivity.
  - Political and legislative focus may not align with the goals of the Commission.
- **Opportunities**
  - Increased opportunities for data and information sharing.
  - With the increased diversity of Commission membership, it would increase the reach and collaboration available with the communities.
  - We have the ability to clarify the mission statement and focusing the impact of the Commission

Members went on to discuss the common themes that immerge among the various categories. It was clear that the group wished to narrow down the priority issues in order to increase the impact of the Commission's voice. The group was asked to briefly review the statutory language around the Commission. It was noted much of the intent was to create collaboration among stakeholders.

Conversation occurred on how best to support positive change without becoming a burden on the system. Effectiveness could be achieved by reviewing the [goals of key system players](#) and identifying where common goals lay. Individual members of the group would also play a key role in taking back information and recommendations to their organizations and communities.

Ms. Svoboda turned the group's attention to the strategic plan and how it could be used to shape future momentum of the Commission. She directed members to the five goals outlined in the [draft strategic plan](#) as listed on page three. Members were once again asked to break out into groups to review the five goals and determine if they were still relevant to where the Commission wished to go. If the goal was identified as an area of continued focus, members were also asked to assess the objectives and strategies for each to see if they were necessary.

After a brief breakout period, members regathered and shared key points from the small group discussions. They included:

- **Goal #1 (Workforce): A strong workforce supports the well-being of children, families, and communities.**

Focus on workforce issues should remain a key area of focus for the Commission. Collaboration should occur to see how the group could assist in the [QIC-WD grant](#) that the DHHS had recently received. It was thought that the Workforce Workgroup could serve as a resource to the grant to assist without duplicating work.

- **Goal #2 (Prevention): Communities are empowered to prevent child welfare and juvenile justice system involvement through strong partnerships and collaboration.**

General consensus was that, while still an important issue to consider, it could be removed from the top Commission priorities. Many of the communities were already invested in efforts to support and prevent their populations from entering the systems. The group wanted to ensure that support was still offered to those efforts, but thought that this topic may better fit as an overarching value to consider.

- **Goal #3 (Data Sharing): Data systems are integrated and coordinated to support information exchange and transparency.**

Data sharing was another issue that members felt was an overarching value the Commission should support, but may not be a priority topic to work on. The Children and Juveniles Data Feasibility Study was referenced in this discussion. [Per Neb. Rev. Stat. §43-1306](#), the group would “oversee a feasibility study to identify how existing state agency data systems currently used to account for the use of all services, programs, and facilities by children and juveniles in the State of Nebraska can be used to establish an independent, external data warehouse.” Members felt that to take on this issue would be a duplication of work already in progress.

- **Goal #4 (System of Care): Public and private agencies, families, and communities partner to create a seamless system of care supporting well-being.**

Yet another issue that members agreed could be let go as a priority area. With the Nebraska System of Care (NeSOC) Initiative, movement was already in progress and being spearheaded by another organization. Beth Baxter also reminded members that she served on the System of Care Advisory Leadership Board as a representative of the Children's Commission. It was felt that a regular report out from the NeSOC Initiative would be beneficial to keep members up to date on their happenings.

- **Goal #5 (Legal Parties): The juvenile court system, including the Juvenile Code, attorneys, and court processes, improves the well-being, safety, and permanency of children.**

After discussing many of the objectives for this goal, it was noted that many of them were also goals of the [Supreme Court Commission on Children in the Courts](#). Since the Commission had developed mechanisms to coordinate with the Commission on Children in the Courts, the group was comfortable letting them take on this issue as an area of focus.

Ms. Svoboda thanked the members for their work and input throughout the day. She felt that the group had really come together on several issues and were now on the same track. Work would need to continue to refine the strategic plan of the Commission, but the day's work had provided a solid foundation to build upon.

## **8. Lunch**

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The Commission recessed for lunch from 11:50 a.m. – 12:10 p.m.

## 9. Bridge to Independence Advisory Committee Update

Co-Chair of the Bridge to Independence (B2i) Advisory Committee, Jeanne Brandner, provided background to the Commission on the [recommendations](#) forwarded from the group. Her [presentation](#) reviewed the work of the two subgroups of the B2i Advisory Committee, the Finance and Policy Workgroup and the Evaluation and Data Collection Workgroup.

After reviewing the various recommendations, the Commission members questioned the intent of recommendation five, “The Bridge to Independence Advisory Committee requests that the Nebraska Children’s Commission tasks the Foster Care Reimbursement Rate Committee to develop a recommendation for the minimum adequate rate for a maintenance payment for young adults in the Bridge to Independence program who are parenting (a) minor child(ren) consistent with state and federal requirements.” The B2i Advisory Committee had felt that given the prior experience in defining appropriate rates for the care of foster children and youth, that the Foster Care Reimbursement Rate Committee would be a fitting group to determine an appropriate rate for dependents of B2i program participants.

Ms. Brandner explained to the members that currently all participants in the B2i program received a stipend of \$760 a month. In addition to the \$760, roughly another \$620 is given to participants for each dependent child they have. Currently, DHHS was considering adjusting the \$620 to reflect the Temporary Assistance for Needy Families (TANF) standard that is roughly \$308 for one dependent and an additional \$98 for each additional dependent. Lengthy discussion on the topic ensued.

**It was moved by Paula Wells and seconded by Vernon Davis to accept the Bridge to Independence Advisory Committee recommendations with the exception of recommendation five. This decision would be left to the discretion of the Department and would not be forwarded as a task to the Foster Care Reimbursement Rate Committee.** There was no further discussion. Roll call vote as follows:

### **FOR (15):**

Beth Baxter	Kim Hawekotte	Deb O’Brien
Holly Brandt	Kelli Knutson	Lisa Story
Vernon Davis	Felicia Nelsen	Susan Thomas
Misty Frazier	David Newell	Janine Ucchino
Kelli Wacker	Paula Wells	Bill Williams

### **AGAINST (0):**

### **ABSENT (3):**

Teresa Anderson	Jim Blue	Jennifer Chrystal-Clark
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### **ABSTAINED (0):**

### **MOTION CARRIED**

## 10. Legal Parties Taskforce Update

Kim Hawekotte, Chair of the Legal Parties Taskforce, was invited to provide an update to the Commission. She informed the members that the last several meetings of the Taskforce had focused on the issue of exception hearings. She explained that these hearings were to occur for children and youth who had been out of home for 15 out of 22 months to determine if there was an exception to the filing of a termination of parental rights. Data showed that only around 10% of the courts across the state were performing exception hearings.

Another issue the Taskforce was working on included the juvenile court bridge orders. Bridge orders ease the transition of custody in situations where a non-custodial parent would be an appropriate placement for a youth. Ms. Hawekotte explained that an unintended consequence of the previous legislation on this issue was the filing fees that were administered to transfer these cases from juvenile to district court. To combat these challenges, [LB708](#) was introduced this session to help clarify the filing process and to streamline the attainment of divorce documentation from other states.

**It was moved by Paula Wells that the Commission testify in support of LB708. Janine Ucchino seconded the motion.** No further discussion ensued. Roll call vote as follows:

### **FOR (15):**

Beth Baxter	Kim Hawekotte	Deb O’Brien
Holly Brandt	Kelli Knutson	Lisa Story
Vernon Davis	Felicia Nelsen	Susan Thomas
Misty Frazier	David Newell	Janine Ucchino
Kelli Wacker	Paula Wells	Bill Williams

**AGAINST (0):**

**ABSENT (3):**

Teresa Anderson

Jim Blue

Jennifer Chrystal-Clark

**ABSTAINED (0):**

**MOTION CARRIED**

Ms. Hawekotte noted several other pending bills that may be of interest to the Commission which included, [LB863](#), [LB845](#), [LB714](#), [LB869](#), [LB930](#), and [LB981](#). She also inquired as to the role the Legal Parties Taskforce would play since in the strategic planning discussion, it was felt that a majority of the court issues should fall under the umbrella of the Commission for Children in the Courts. The members felt that the role the taskforce played, particularly weighing in on legislation, was an important area of focus for the Commission to continue to have.

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**11. Update on Round 3 Children and Family Services Review**

Doug Beran, Deputy Director of Research, Planning & Evaluation with DHHS, Division of Children and Family Services, was welcomed forward to share information on the recent Round 3 Children and Family Service Review (CFSR). Mr. Beran explained the challenges that come in reviewing an entire system as he shared a [data presentation](#) with the Commission. The group discussed at length the areas of needed improvement, the areas the DHHS was doing well, and the plans for future improvements. He explained that a full version of the [CFSR Round 3 Report](#) could be found online.

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**12. New Business**

There was no new business.

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**13. Upcoming Meeting Planning**

Chair Newell noted that in order to prepare for the shortened reporting schedule that the Commission meetings originally scheduled for April and July would be adjusted to allow adequate time for the Commission's groups to complete their work. Updates would go out as dates and locations were finalized.

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**14. Adjourn**

The meeting adjourned at 2:48 p.m.

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