

	Current AR Practice	Proposed Regulations	Practice with Regulations Changes
Definitions		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.	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.
Exclusionary Criteria	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	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	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
	Domestic violence involving a caretaker AND the alleged perpetrator has access to the child or Caretaker	Domestic violence involving a caretaker AND the alleged perpetrator has access to the child or Caretaker  • Move to RED Team Criteria	Cases with this definition will be reviewed by RED Team, provided that no other exclusionary criteria definitions are met with intake information

## **Alternative Response Proposed Regulations Crosswalk**



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



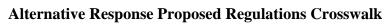


Stat 28-401 or alcohol AND breastfeeds or expresses intent to  Stat 28-401 or alcohol AND breastfeeds or expresses intent to	
breastfeeds or expresses intent to breastfeeds or expresses intent to	
breastfeed; or (v) has no in-home breastfeed; or (v) has no in-home	
support system or alternative support system or alternative	
primary care arrangements primary care arrangements	
10. Household Member uses or Household Member has been 8. Household Member has been	en
manufactures methamphetamine convicted of or has criminal charges convicted of or has criminal	
or other controlled substances as pending for uses or charges pending for	
defined in Neb. Rev. Stat. 28-401, manufacturesing manufacturing	
28-405 methamphetamine or other methamphetamine or othe	-
controlled substances as defined in controlled substances as	
Neb. Rev. Stat. 28-401, 28-405 defined in Neb. Rev. Stat. 28	3-
401, 28-405	
11. A pregnant woman who has tested A pregnant woman who has tested	
positive for methamphetamine or positive for methamphetamine or	
other controlled substances as other controlled substances as	
defined in Neb. Rev. Stat. 28-401, defined in Neb. Rev. Stat. 28-401,	
28-405 <del>28-405</del>	
12. A Child who has had contact with A Child who has had contact with	
methamphetamine or other methamphetamine or other	
controlled substance as defined in controlled substance as defined in	
Neb. Rev. Stat. 28-401, 28-405, Neb. Rev. Stat. 28-401, 28-405,	
including a positive meconium or including a positive meconium or	
hair follicle screen or test hair follicle screen or test	
13. A child resides with a Household	hold
Member whose parental rights have   Member whose parental rights have   Member whose parental rights	hts
been terminated or relinquished been terminated or relinquished have been terminated during	ıg a
during a court-involved case during a court-involved case court-involved case	
14. Abuse or neglect of a child who Abuse or neglect of a child who 10. Abuse or neglect of a child who	vho
resides with (i) the subject of an resides with (i) the subject of an resides with (i) the subject of	of an
active Traditional Response; or (ii) active Traditional Response; or (ii) active Traditional Response	; or
an individual or family that is an individual or family that is (ii) an individual or family th	at is
receiving services through the DCFS receiving services through the receiving services through the	he





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





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



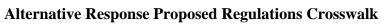


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	7. Physical abuse that does not rise to the level of physical abuse identified in Exclusionary Criteria  8. Household Member or alternate	Physical abuse that does not rise to the level of physical abuse identified in Exclusionary Criteria  Household Member or alternate	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	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;	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 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





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Response Eligibility	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	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	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
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Response Assignment	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 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 30 <sup>th</sup> , 2019. Beginning July 1, 2019 each Intake Accepted for Assessment that is eligible for Alternative Response will be assigned to Alternative Response.	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 30 <sup>th</sup> , 2019. Beginning July 1, 2019 each Intake Accepted for Assessment that is eligible for Alternative Response will be assigned to Alternative Response.
Reassignment from Alternative Response to Traditional Response	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 will automatically transfer a family from Alternative Response to Traditional Response if (i) a safety threat is present that cannot be managed through an inhome safety plan; (ii) it cannot	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;
	the Department that they will continue	assess child safety; (iii) law	(iii) law enforcement notifies the





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	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.	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.	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.
Alternative Response Services and Interventions		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.	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.