

Nebraska Children’s Commission Meeting
March 19, 2019
3:00 p.m. – 6:00 p.m.
Southeast Community College, Rooms V-103 & 104
8800 O Street, Lincoln, NE 68520

1. Call to Order

Chairperson Dave Newell called the meeting to order at 3:04 p.m.

2. Roll Call

Commission Members Present (13)

Beth Baxter	Terri Knutson	Janine Uchino
Jim Blue (3:17)	Felicia Nelsen	Kelli Wacker
Vernon Davis	Dave Newell	Bill Williams
Misty Frazier (3:06)	Deb O’Brien	
Kim Hawekotte	Lisa Story	

Commission Members Absent (3)

Teresa Anderson	Holly Brandt	Susan Thomas
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Commission Ex-Officio Members Present (7)

Michele Borg	Julie Rogers	Matthew Wallen
Jeanne Brandner	Dannette Smith	
Judge Linda Porter	Deb VanDyke-Ries	

Commission Ex-Officio Members Absent (3)

Senator Kate Bolz	Senator Patty Pansing Brooks	Senator Lynne Walz
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A quorum was established.

Guests in Attendance (7)

Jodie Austin.....	KVC Institute for Health Systems Innovation
Amanda Felton.....	Nebraska Children’s Commission
Peg Harriott.....	Child Saving Institute
Chris Jones.....	Nebraska Children’s Commission
Kari Rumbaugh.....	Administrative Office of the Courts and Probation
Julie Scott.....	Administrative Office of the Courts and Probation
Carol Tucker.....	DHHS, Division of Public Health, School Health Program

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

It was moved by Beth Baxter and seconded by Vernon Davis to approve the agenda with an alteration to move up the Treatment Family Care Discussion as the first item of business to accommodate the time restrictions of Jodie Austin. There was no further discussion. Roll call vote as follows:

FOR (12):

Beth Baxter
Vernon Davis
Misty Frazier
Kim Hawekotte

Terri Knutson
Felicia Nelsen
Dave Newell
Deb O'Brien

Lisa Story
Janine Uchino
Kelli Wacker
Bill Williams

AGAINST (0):

ABSTAIN (0):

ABSENT (4):

Teresa Anderson
Jim Blue

Holly Brandt
Susan Thomas

MOTION CARRIED

4. Approval of Consent Agenda

- a. [January 23, 2019 meeting minutes](#)
- b. [Committee Member Nomination Report](#)

Bridge to Independence Advisory Committee

- Representative of a federally recognized Indian tribe residing within the State of Nebraska
 - **Misty Frazier (Voting)** - Executive Director, Nebraska Indian Child Welfare Coalition
- Representative of the Executive Branch:
 - **Camas Steuter (Voting)** – Department of Health and Human Services (DHHS) Service Area Administrator, Division of Children and Family Service (DCFS)

Foster Care Reimbursement Rate Committee

- Representative from an advocacy organization, the singular focus of which is issues impacting children
 - **Misty Frazier (Voting)** - Executive Director, Nebraska Indian Child Welfare Coalition

Deb O'Brien moved to approve the Consent Agenda items as presented. Felicia Nelsen seconded the motion.

No further discussion ensued. Roll call vote as follows:

FOR (11):

Beth Baxter
Vernon Davis
Misty Frazier
Kim Hawekotte

Terri Knutson
Felicia Nelsen
Deb O'Brien
Lisa Story

Janine Uchino
Kelli Wacker
Bill Williams

AGAINST (0):

ABSTAIN (0):

ABSENT (5):

Teresa Anderson
Jim Blue

Holly Brandt
Dave Newell

Susan Thomas

MOTION CARRIED

Note that the order of items in the minutes will be reflective of the original agenda

5. Native Youth in the System

Misty Frazier, Executive Director of the Nebraska Indian Child Welfare Coalition (NICWC), provided the members information on the disproportionate contact of Native youth in the child welfare and juvenile justice systems. She invited Kim Hawekotte, Executive Director of the Foster Care Review Office (FCRO) to share data from their [June 2018 report on disproportionality](#). In addition to overall disproportionate representation, Native youth were more likely to stay in care longer than two years, more likely to be placed separate from siblings at the time of removal, and more

likely to be dual-involved in child welfare and juvenile justice systems. There was also discussion of the recent increase in Native youth placed at the youth rehabilitation treatment centers (YRTC) and how it may be due to the recent closing of Mark of Honor group home, significantly affecting the placement options for Native youth.

Frazier emphasized that the data shared by the FCRO only encompassed Native youth involved in the State system and did not include data from the Tribal courts. Given that information, it could be assumed that the disproportionality would be even more pronounced if it included the data currently held in Tribal courts. Frazier noted that there have been recent efforts to utilize continuous quality improvement initiatives to help track Tribal data. However, there was continued work needed to ensure data sharing with appropriate systems.

Other highlights from the discussion included both the current efforts towards progress and the barriers faced within the Tribal community. Services for native youth is especially difficult meaning that Tribal case workers are taking on duties outside of their scope in order to meet the needs of the youth they serve. There was a need for increased service, treatment, and placement options for Native youth.

6. Bridge to Independence Advisory Committee Update

Commission Policy Analyst, Chris Jones, provided an update on the work of the Bridge to Independence (B2i) Advisory Committee. Jones referenced the provided summary [handout](#) that covered the legislative discussions and external evaluation happening within the group. In particular, Jones highlighted the Committee's hope to focus on addressing the "gap-year" Tribal youth experience between hitting Tribal age of majority at 18 and being able to enroll in the B2i program at age 19. Regarding the external evaluation, members were encouraged to continue [sharing information](#) on the focus group recruitment since the evaluators were still working to pull in the necessary number of participants. A [breakdown](#) of the focus group format was provided for members to review.

7. Foster Care Reimbursement Rate Committee Update

Foster Care Reimbursement Rate Committee (FCRRC) Co-Chairs, Peg Harriott and Bill Williams, provided a general update on the work of the group. Included in the handouts was a [summary](#) of the scope and goals of the FCRRC and its subgroups.

a. Treatment Family Care (TFC) Update

Jodie Austin, Chair of the TFC workgroup, presented information on the recommended [Treatment Family Care service definition](#) forwarded from the Foster Care Reimbursement Rate Committee (FCRRC). Austin explained that after many months of collaboration between the workgroup and DHHS, the most concerning point of contention was the availability of the service within a biological home. Discussion continued on the goal of the recommendations to avoid many of the barriers that exist with current services such as eliminating the need for a youth to fail either up or down to be eligible for the service. Throughout the process of developing TFC, the members worked to ensure that funding could be braided to both ensure maximum federal drawdown as well as that youth could access the service no matter their system involvement.

After lengthy discussion, **it was moved by Beth Baxter and seconded by Bill Williams to accept the Treatment Family Care service definition as presented.** Discussion included the need for the FCRRC to continue momentum with the creation of a rate structure for the TFC service. Director Wallen indicated that he would take the approved service definition back to the various divisions within DHHS to review and would bring back an update. Roll Call vote as follows:

FOR (13):

Beth Baxter
Jim Blue
Vernon Davis
Misty Frazier
Kim Hawekotte

Terri Knutson
Felicia Nelsen
Dave Newell
Deb O'Brien
Lisa Story

Janine Uchino
Kelli Wacker
Bill Williams

AGAINST (0):

ABSTAIN (0):

ABSENT (3):

Teresa Anderson

Holly Brandt

Susan Thomas

MOTION CARRIED

b. Adoption Subsidy Discussion

Co-Chair Harriott brought attention to both Neb. Rev. Stat. [§43-4217](#) and [§43-117](#) in reference to adoption subsidy payments. Discussion centered on if it was the intent for the FCRRRC to simply provide feedback of the recommended DHHS proposed rates or research and provide a separate recommended structure for adoption subsidy payments. Harriott and Williams did note that DHHS had provided regular information on the adoption subsidy pilot happening in the Eastern service area to the Committee.

This led to discussion of the work in progress between DHHS and the FCRRRC to create a tool similar to the Nebraska Caregiver Responsibility (NCR) tool to determine adoption subsidy payments. The hope that this would ensure a standard process for establishing adoption payments. Members questioned if there was any planned evaluation of the effectiveness of the NCR tool. Staff shared that there was a survey in progress specifically on the NCR tool to gather foster parent input. An additional survey to gather financial and cost data from provider agencies was also in the early stages and could be adjusted to include questions regarding their experience with the NCR tool.

After lengthy discussion **it was moved by Lisa Story for the FCRRRC to make recommendations regarding an adoption payment structure. Kim Hawekotte seconded the motion.** There was no further discussion. Roll call vote as follows:

FOR (11):

Beth Baxter

Vernon Davis

Misty Frazier

Kim Hawekotte

Terri Knutson

Felicia Nelsen

Dave Newell

Lisa Story

Janine Uchino

Kelli Wacker

Bill Williams

AGAINST (0):

ABSTAIN (1):

Jim Blue

ABSENT (4):

Teresa Anderson

Holly Brandt

Deb O'Brien

Susan Thomas

MOTION CARRIED

8. Strengthening Families Act Committee Update

A review of the work happening under the Strengthening Families Act (SFA) Committee was given by Committee Co-Chair Vernon Davis. He reminded members about the [youth normalcy survey](#) currently available. Members were encouraged to share the link to any current or former system involved youth to help get a sense of how implementation of the Strengthening Families Act has affected the normalcy experienced by Nebraska's youth in care.

9. Probation Update

Kari Rumbaugh provided an update on the Juvenile Services division of the Administrative Office of Probation. Topics covered included increased staff training on high-risk youth, updates to processes and forms, emergency professional foster care, and the progress of the graduated response implementation.

10. Department of Health and Human Services Update

The floor was given to Dannette Smith, CEO of DHHS and Matt Wallen, Director of DCFS. Dannette, new to her role, shared some of the goals she brought with her to the position. They included examining internal processes, identifying how to strengthen relationships and collaboration, and finding ways to increase staff engagement. Other areas discussed were the work happening to assist families impacted by the severe weather in the past weeks, continued work on the Child and Family Service Reviews, and information on the draft five-year plan recently made available.

a. *Drug Testing Protocol*

Director Wallen made himself available for members to discuss the [Protection and Safety Procedure Update #3-2018](#) regarding drug testing policies at DHHS. He stressed that the Department was committed to keeping youth safe. Members raised concern with a potential decrease in the testing of youth for drug exposure.

11. Legislative Discussion

Chris Jones reminded member of the [Commission bill tracker](#) that was updated regularly to assist in monitoring bills that related to the work of the group. She expanded on LB330, the continuation bill for the Commission. The bill was still sitting with the Executive Board of the Legislature. Members of the Executive Board seemed favorable to the bill, and were working through a potential structure change from the proposed draft. There would likely be an amendment in the near future and staff would alert members once further information was available.

12. Public Comment

Ivy Svoboda, Executive Director of the Nebraska Alliance of Child Advocacy Centers, rose for public comment. She noted that the Child Advocacy Centers were the entity responsible for drug testing throughout the state and that they have seen a significant decline in drug testing of both parents and youth by DHHS.

13. New Business

Kim Hawekotte took this opportunity to inform members of the recent [Foster Care Review Office quarterly report](#). The report included a special study on the re-entry rates of adoption and guardianship cases.

14. Upcoming Meeting Planning

Chair Newell reminded members of the future meeting dates which were:

- a. May 21, 2019 from 3:00 – 6:00 p.m.
- b. June 25, 2019 from 9:00 a.m. – 3:00 p.m. (Tentative)
- c. July 16, 2019 from 9:00 a.m. – 3:00 p.m.

15. Adjourn

The meeting adjourned at 6:06 p.m.

Respectfully Submitted,
Amanda Felton