

Nebraska Children’s Commission Meeting

June 18, 2019

9:00 a.m. – 3:00 p.m.

Southeast Community College, Rooms V-103 & 104

8800 O Street, Lincoln, NE 68520

1. Call to Order

Chairperson Jeanne Brandner called the meeting to order at 9:04 a.m.

2. Roll Call

Commission Members Present (8)

Beth Baxter	Felicia Nelsen	Susan Thomas
Holly Brandt	Deb O’Brien	Kelli Wacker
Kim Hawekotte	Lisa Story	

Commission Members Absent (7)

Teresa Anderson	Misty Frazier	Bill Williams
Jim Blue	Terri Knutson	
Vernon Davis	Janine Uchino	

Commission Ex-Officio Members Present (5)

Jeanne Brandner	Judge Linda Porter (9:28)	Michele Borg (<i>arrived late</i>)
Hazel Delgado*	Julie Rogers	

Commission Ex-Officio Members Absent (5)

Senator Kate Bolz	Dannette Smith	Matthew Wallen
Senator Patty Pansing Brooks	Senator Lynne Walz	

*Let it be noted for the record that Deb VanDyke-Ries appointed Hazel Delgado as her temporary proxy for the meeting.

A quorum was established.

Guests in Attendance (10)

Amanda Felton.....	Nebraska Children’s Commission
Peg Harriott.....	Child Saving Institute
Olivia Biggs.....	DHHS, Division of Children and Family Services
Nanette Simmons.....	DHHS, Division of Children and Family Services
Chris Jones.....	Nebraska Children’s Commission
Tami Soper.....	Legislative Aide, Office of Senator Kate Bolz
Chris Triebisch.....	Legislative Aide, Office of Senator Patty Pansing Brooks
Sarah Helvey.....	Co-Chair, Strengthening Families Act Committee
Jessica Hilderbrand.....	Foster Care Alumni, Nebraska Chapter
Aaron Weaver.....	Foster Care Alumni, Nebraska Chapter

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 **Holly Brandt** to approve the agenda with an alteration to move up the **Foster Care Review Office Quarterly Report** in between **10:00 a.m. and 11:00 a.m.** to accommodate the time restrictions of **Kim Hawekotte**. There was no further discussion. Roll call vote as follows:

FOR (8):

Beth Baxter	Felicia Nelson	Susan Thomas
Holly Brandt	Deb O'Brien	Kelli Wacker
Kim Hawekotte	Lisa Story	

AGAINST (0):

ABSTAIN (0):

ABSENT (7):

Teresa Anderson	Misty Frazier	Bill Williams
Jim Blue	Terri Knutson	
Vernon Davis	Janine Uchino	

MOTION CARRIED

4. Approval of Consent Agenda

a. [March 19, 2019 meeting minutes](#)

b. [Committee Member Nomination Report](#)

Foster Care Reimbursement Rate Committee

- Representative from a foster and adoptive parent association
 - **Felicia Nelsen (Voting)** - Executive Director, Nebraska Foster and Adoptive Parent Association

Deb O'Brien moved to approve the **Consent Agenda** items with **minor grammatical errors**. **Kelli Wacker** seconded the motion. No further discussion ensued. Roll call vote as follows:

FOR (7):

Beth Baxter	Deb O'Brien	Kelli Wacker
Kim Hawekotte	Lisa Story	
Felicia Nelsen	Susan Thomas	

AGAINST (0):

ABSTAIN (1):

Holly Brandt

ABSENT (5):

Teresa Anderson	Holly Brandt	Susan Thomas
Jim Blue	Dave Newell	

MOTION CARRIED

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

5. Legislative Discussion

Discussion began with an overview of [LB600](#) provided by Tami Soper, Legislative Aide to the Office of Senator Kate Bolz, Vice Chair, Jeanne Brandner and Policy Analyst for the Commission, Chris Jones. LB600 was passed by the Legislature and signed by Governor Pete Ricketts. Changes in statutory charge included removing provisions which the Commission had already addressed, and removes the sunset. Executive, Judicial and Legislative branch nonvoting representatives are more detailed within the bill and the voting representatives include community stakeholders of the child welfare and juvenile justice systems. These stakeholders include at least one biological parent, and one former foster youth with previous systems involvement and one tribal representative. All other stakeholder positions can be generally interpreted. This term of memberships will end June 30, 2019. Members who are interested in re-appointment will need to reapply.

LB600 also includes a number of provisions related to the Bridge to Independence Advisory Committee, which included extension of eligibility to include youth who re-enter DHHS custody due to a disrupted adoption or guardianship after age 16 (under a 43-247 subsection 8 filing); revised court order language requirements to maintain IV-E funding on an ongoing basis; established residency requirements for eligibility; and eliminated duplication of services for those youth who are eligible for nursing facility level of care under the Developmental Disabilities Home and Community Based Services Waiver. These recommendations came from the Bridge to Independence Advisory Committee Annual Report last year.

Tami Soper, Legislative Aide to the Office of Senator Kate Bolz provided an update on legislative resolutions for the interim that would be relevant to the Commission. [LR193](#), explores the Federal Family Preservation Services Act (FFPSA). Senator Bolz's office is considering some community input sessions as a way to further understand FFPSA in Nebraska. A hearing for LR193 has not been scheduled yet.

Chris Triebisch, Legislative Aide to the Office of Senator Patty Pansing Brooks provided an update on legislative bills from their office during this session. [LB390](#) created a definition of school resources and instituted several requirements for the position. [LB354](#) streamlined the process for sealing juvenile records for those who have successfully completed their probation and orders by the Court by using automation. [LB516](#) was included within the trafficking package [LB519](#) which clarified that a child victim shall receive services of abuse and neglect regardless as to if the perpetrator is a caregiver or third party. Other bills from Senator Patty Pansing Brooks's office on general file included: juvenile right to council ([LB231](#)) and restricted use of room confinement for juveniles when necessary ([LB230](#)).

6. Foster Care Reimbursement Rate Committee Update

Foster Care Reimbursement Rate Committee (FCRRC) Co-Chair, Peg Harriott provided a general update on the work of the group. Harriott referred to the March 19, 2019 meeting, regarding an expected update from Director Matt Wallen, concerning the Treatment Family Care document, approved at that meeting. Director Wallen has yet to provide feedback, therefore Harriott would like this item to remain on the agenda. Additionally, the FCRRC is very active currently, preparing rate recommendations to be delivered to the Nebraska Children's Commission in January, 2020. Co-Chair Harriott provided updates on all workgroups of the FCRRC, and answered questions regarding the need for legislative support for foster care rate increases, including support for Juvenile Justice rate increases and support in Western Nebraska.

a. Nebraska Permanency Resource Responsibility Tool

Peg Harriott provided information about the [NPRRT](#). The tool was updated to match permanency and current language. It has been in use and is working out well. Olivia Biggs and Felicia Nelsen updated the Commission on history and next steps with the NPRRT pilot.

It was moved by Felicia Nelsen and seconded by Deb O'Brien to approve the Nebraska Permanency Resource Responsibility Tool as presented. Roll Call vote as follows:

FOR (8):

Beth Baxter
Holly Brandt
Kim Hawekotte

Felicia Nelsen
Deb O'Brien
Lisa Story

Susan Thomas
Kelli Wacker

AGAINST (0):

ABSTAIN (0):

ABSENT (7):

Teresa Anderson
Jim Blue
Vernon Davis

Misty Frazier
Terri Knutson
Janine Ucchino

Bill Williams

MOTION CARRIED

7. B2i Advisory Committee Annual Report Approval

B2i Advisory Committee Annual Report was reviewed and discussed. B2i Advisory Committee Co-Chair, Jeanne Brandner discussed priorities outlined in the annual report. The external evaluation is being completed by Child Trends, with the assistance of the Nebraska Children and Families Foundation and the Foster Care Review Office. It is anticipated to be completed in fall 2019. LB600 outlined a number of changes with regard to the Bridge to Independence Advisory Committee, referenced in legislative update. The [B2i Advisory Committee Annual Report Recommendations](#) were highlighted during discussion. Future priorities for the Committee include appropriate case load ration for Independence Coordinators and FFPSA services available to the Bridge population.

Kim Hawekotte, raised concern about recent filings found through the work at the Foster Care Review Office. She noted they have seen a few NRS §43-247(subsection 7) disrupted adoption filings and suggested enhanced education county attorneys about the new legislation under LB600 for B2i. The NRS §43-247(7) would not be eligible for B2i in the new legislation.

It was moved by Susan Thomas and seconded by Lisa Story to approve the Bridge to Independence Advisory Committee annual report as presented.

FOR (8):

Beth Baxter
Holly Brandt
Kim Hawekotte

Felicia Nelsen
Deb O'Brien
Lisa Story

Susan Thomas
Kelli Wacker

AGAINST (0):

ABSTAIN (0):

ABSENT (7):

Teresa Anderson
Vernon Davis
Misty Frazier

Terri Knutson
Jim Blue
Janine Ucchino

Bill Williams

MOTION CARRIED

8. Juvenile Services Committee Annual Report

[Juvenile Services Committee Annual Report](#) was reviewed and discussed. Juvenile Services Committee Co-Chair, Kim Hawekotte thanked the Commission for the assistance in funding the Juvenile Suicide Prevention Conference held in May and co-hosted by the Juvenile Services Committee and Nebraska Coalition for Juvenile Justice. There were over 225 participants statewide who were able to attend in person or at the satellite locations in Hastings, Scottsbluff and Lexington. There was a very diverse representation of professionals and stakeholders who were in attendance. For children and youth in Nebraska, there were no juvenile emergency protective custody policies in place, statewide. Hawekotte highlighted the Committee would be further exploring the statutory gaps which could be improved to better serve juveniles at risk of, or who have attempted suicide, and cross-jurisdictional/county issues. The Committee will be reviewing the materials from the breakout sessions at the conference and developing recommendations.

Hawekotte discussed the overview of the structure and workgroup progress of the Juvenile Services Committee and Nebraska Coalition for Juvenile Justice Report. There are no recommendations for the Juvenile Services Committee at this time. The Committee will be focusing on juvenile suicide prevention and policy enhancements needed. Past Commission Chair, Beth Baxter offered Nebraska System of Care mobile crisis response statistics. Department of Education Designee, Michele Borg, highlighted the collaborative work with the Division of Behavioral Health which will enhance rural programming in partnership with the schools to develop three different platforms of support including referral information, efforts to addressing bullying and suicide.

It was moved by Holly Brandt and seconded by Felicia Nelsen to approve the Juvenile Services Committee annual report as presented. During discussion, Lisa Story commended to Juvenile Services Committee for collaborating with the Nebraska Coalition for Juvenile Justice for joint meetings and reporting. Roll call vote as follows:

FOR (8):

Beth Baxter

Holly Brandt

Kim Hawekotte

Felicia Nelsen

Deb O'Brien

Lisa Story

Susan Thomas

Kelli Wacker

AGAINST (0):

ABSTAIN (0):

ABSENT (7):

Teresa Anderson

Vernon Davis

Misty Frazier

Terri Knutson

Jim Blue

Janine Uchino

Bill Williams

MOTION CARRIED

9. Strengthening Families Act Committee Annual Report

[Strengthening Families Act Committee Annual Report](#) was presented by Co-Chair Sarah Helvey. Helvey presented an overview of the report, the subcommittee work and recommendations contained within. The Another Planned Permanent Living Arrangement Subcommittee partnered with the Nebraska Foster Care Alumni to produce an educational and informational video about the role of the Strengthening Families Act Advisor. The Commission viewed the APPLA Subcommittee's SFA Advisor video. The Normalcy Subcommittee wrote a letter providing feedback to the child care institutions regarding their Normalcy Plans and Reports previously submitted to DHHS. Normalcy Subcommittee also conducted a look back survey in 2019 from 2015. 32 young people participated in the survey which is similar to the response rate when it was conducted in 2015. It found the state, DHHS and stakeholders were improving and the law, since enacted, is helping access to normalcy for youth in out of home placement. 80% of the participants

indicated they were able to participate in normalcy activities. The court information forms used in juvenile court were updated to incorporate normalcy language within the periodic review caregiver and youth forms. The Committee did not come to a conclusion as to which entity Committee recommendations were presented from the report.

It was moved by Kim Hawekotte and seconded by Felicia Nelsen to approve the Strengthening Families Act Committee annual report as presented. There was no discussion. Roll call vote as follows:

FOR (8):

Beth Baxter	Felicia Nelsen	Susan Thomas
Holly Brandt	Deb O'Brien	Kelli Wacker
Kim Hawekotte	Lisa Story	

AGAINST (0):

ABSTAIN (0):

ABSENT (7):

Teresa Anderson	Terri Knutson	Bill Williams
Vernon Davis	Jim Blue	
Misty Frazier	Janine Ucchino	

MOTION CARRIED

10. Nebraska Children's Commission Report

Vice Chair, Jeanne Brandner presented the overview of the [annual report of the Nebraska Children's Commission](#). Much of the last year had been devoted to [LR451](#) and LB330, now known as LB600. Specifics about the bill were covered during the Legislative Update and members were encouraged to reapply for the Commission if interested. During the fall, the Commission will be focusing on the revised statutory charge to identify three to five priorities for policy research and development for child welfare and juvenile justice. The Office of Senator Kate Bolz was recognized for their hard work in promoting legislation to continue the Commission.

It was moved by Kim Hawekotte and seconded by Kelli Wacker to approve the Nebraska Children's Commission annual report as presented. There was no discussion. Roll call vote as follows:

FOR (8):

Beth Baxter	Felicia Nelsen	Susan Thomas
Holly Brandt	Deb O'Brien	Kelli Wacker
Kim Hawekotte	Lisa Story	

AGAINST (0):

ABSTAIN (0):

ABSENT (7):

Teresa Anderson	Terri Knutson	Bill Williams
Vernon Davis	Jim Blue	
Misty Frazier	Janine Ucchino	

MOTION CARRIED

11. Lunch and Member Recognition

Lunch Break

12. Department of Health and Human Services Update

Nanette Simmons provided an update from the Department of Health and Human Services, Division of Children and Family Services on behalf of Director Matthew Wallen. The DHHS is working on the implementation of the federal FFPSA. There is information available on the DHHS website featuring the development of the five year prevention plan required as part of the FFPSA. The Performance Improvement Plan (PIP) which has been in draft and review for the last year has been approved by federal partners and is also available online. This summer, DHHS will continue to work on their efforts towards FFPSA implementation and the Annual Progress and Services Report (APSR) due to federal partners at the end of June.

DHHS is proposing changes to the Foster Care Regulations including the incorporation of Model Licensing Standards (to better align with FFPSA). DHHS is currently working through areas of disagreement with the national model including the requirements that foster homes must have smoke detectors and carbon monoxide detectors, immunizations for all household members, and better alignment with public health agency licensing regulations.

13. Probation Update

Jeanne Brander provided the update from Juvenile Probation. [LB670](#) will be going into effect this July, which will prohibit the use of detention facility placement for youth under the age of 12, and for those who are a risk of harm to self, as opposed to risk of harm to others. There has been a workgroup that has been working service growth for this initiative for the last year or more which stemmed from the Juvenile Alternatives to Detention initiative. Probation has developed Emergency Professional Foster Care which can last up to five days. Probation home based services are developing in greater Nebraska and the panhandle. Douglas and Lancaster County are piloting reception centers separate from the detention. Brander announced the Juvenile Division is working with KVC to expand foster care in District 12 to incentivize and recruit foster homes.

14. FCRO Quarterly Report Presentation

[FCRO Quarterly Report](#) Presentation was provided by Kim Hawekotte, Executive Director for the Foster Care Review Office. Findings from the report were highlighted including frequent placement changes and case worker changes, disrupted education, diagnosed disabilities, prevalence of past physical and sexual abuse, paternity and prevalence of episodes of going missing from care. This report is part one of two. The special issue focuses on children in out of home placement for five years or longer. This special study will be going on into the fall 2019. Hawekotte raised issues regarding low relative and kin licensing and pending legislative resolutions. [LB388](#), is a pending legislative bill from Senator Sara Howard that has a provision which provides placement status for agency based foster placements interested in permanency where a child has been placed 12 months or longer, the placement would be given the same status as relative or kin.

15. Public Comment

There was no public comment.

16. New Business

Vice Chair Brander reminded of the twelve stakeholder positions open for the next term of the Commission. With the Executive Committee, will need to discuss how the new executive committee will be structured. Beth Baxter, Past Chair, has served on the Executive Committee since 2012 and Vice Chair Brander stated there has been questions about whether or not the ex-officio non-voting members could serve on the Executive Committee of the Commission. This is all something the next term of members of the Commission will be working on in the next term.

Videoconferencing is a possibility in the next year, however no more than one half of meetings of the year can be held via videoconference. The meeting sites would need to be setup in a similar way as our in person meetings, with an

agenda posted, and accessible to the public. There are some specific arrangements which must be set, but videoconferencing is a possibility going into the future.

17. Upcoming Meeting Planning

Vice Chair Brandner reminded members of the future meeting dates:

- a. Orientation and Welcome Reception – September (Tentative)
- b. October 15, 2019 (Tentative)

18. Adjourn

The meeting adjourned at 12:47 p.m.

Respectfully Submitted,
Christine Jones

DRAFT