

**Nebraska Children's Commission
Foster Care Reimbursement Rate Committee**

January 6, 2020

1:00 to 4:00 pm

Jack J. Huck Continuing Education Center, Room 304
301 South 68th Street Place, Lincoln, NE 68510

1. Call to Order

The Foster Care Reimbursement Rate Committee (FCRRC) Co-Chair Bill Williams called the meeting to order at 1:07 p.m., and asked those in attendance to introduce themselves.

2. Roll Call

Committee Members present (7):

Phillip Burrell
Jessica Kroeker
Jackie Meyer
Felicia Nelsen

Proxy for Jennifer Potter, *Nikki Novak*
Lana Temple-Plotz
Bill Williams

Committee Members absent (4):

Peg Harriot
Bobby Loud

Liz Lovejoy-Brown
Cindy Rudolph

Ex Officio Members present (5):

Olivia Biggs
Brenda Brooks
Doug Kreifels

Mike Puls
Kathleen Stolz

Ex Officio Members absent (1):

Kari Rumbaugh

Through introductions, roll call was taken and a quorum was established.

Guests in Attendance (5):

Adam Anderson.....	Nebraska Children's Commission
Rebecca Daugherty.....	Nebraska DHHS, Children and Family Services
Chris Jones.....	Nebraska Children's Home Society
Darcy Kramer.....	Boys Town
Lisa Story.....	Foster Parent

a. Notice of Publication

Recorder for the meeting, Adam Anderson, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar and Nebraska Children's Commission website 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 at the sign-in table at the entrance of the meeting room.

3. Approval of Agenda

A motion was made by Felicia Nelsen to approve the [agenda](#) as presented. The motion was seconded by Nikki Novak, proxy for Jennifer Potter. No further discussion ensued. Roll Call vote as follows:

FOR (7):

Phillip Burrell

Jessica Kroeker

Jackie Meyer
Felicia Nelsen
Proxy for Jennifer Potterf, Niki Novak

Lana Temple-Plotz
Bill Williams

AGAINST (0):

ABSTAINED (0):

ABSENT (4):

Peg Harriott
Bobby Loud

Liz Lovejoy-Brown
Cindy Rudolph

MOTION CARRIED

4. Approval of the Previous Meeting Minutes

Lana Temple-Plotz moved to approve the [November 4, 2019 meeting minutes](#) as presented. Motion was seconded by Phillip Burrell. Roll Call vote as follows:

FOR (7):

Phillip Burrell
Jessica Kroeker
Jackie Meyer
Felicia Nelsen

Proxy for Jennifer Potterf, Niki Novak
Lana Temple-Plotz
Bill Williams

AGAINST (0):

ABSTAINED (0):

ABSENT (4):

Peg Harriott
Bobby Loud

Liz Lovejoy-Brown
Cindy Rudolph

MOTION CARRIED

5. Co-Chair Report

Co-Chair Bill Williams turned the floor over to Chris Jones for an update on the Children's Commission. Jones updated the committee on the recent visit to the Children's Commission by the Co-Chairs of the FCCRC at which time they provided an update and input to the members of the Children's Commission. The Children's Commission voted to uphold the recommendations of the FCCRC.

6. Public Comment

Co-Chair Williams invited any members of the public forward for comment. There was none.

7. 2020 Legislative Report Presentation

a. Essential Rate and Foster Parent Survey Workgroup

Felicia Nelsen directed the Member's attention to the [PowerPoint](#) and provided an update the committee on the work of the Essential Rate Workgroup, and she again reminded the Committee regarding the methodology. She noted that when the rates are due to increase in 2025 it will be very easy to revisit this. Additionally, Nelsen updated the Committee regarding the DHHS Southeast Service Area Subsidy Pilot. The workgroup recommends updates to the Nebraska Administrative Code 479, Chapters 7 and 8. Chris Jones noted a typo in the PowerPoint that will be corrected to say, in "accordance with the Administrative Procedures Act." Olivia Biggs noted that the rationale

behind the 65% maximum foster care rate is utilized by Iowa, and one justification for a reduced amount is that the foster youth is no longer involved in a juvenile court case. She added that the reduced rate is only applied to families in the Essential Rate Tier.

b. LOR & TFC Rate Structure Workgroup

Chris Jones updated the Committee on the recent work of this workgroup. She noted the difference between the original tiered incremental rate of \$7.50 per day per tier and the 2% increase of \$7.65. Jones provided clarification on the different tiers as shown in the [PowerPoint](#). She proposed the different options for consideration by the Members to vote upon. Member Temple-Plotz noted that the original \$7.50 amount comes from the original recommended tiered incremental rate, based on the old FC Pay tool utilized to determine rates. Members discussed the implications of using the \$7.50 tiered amount versus \$7.65. Co-Chair Williams noted that a recommended rate increase would likely not happen in the interim between the Committee's recommendations. Kreifels noted that a Legislative rate increase of 2% for all State of Nebraska Contracts that also caused an increase of DHHS Foster Care Contract.

Lana Temple-Plotz moved to continue to maintain the tiered rate at \$7.50 per day. Motion was seconded by Jessica Kroeker. Roll Call vote as follows:

FOR (7):

Phillip Burrell
Jessica Kroeker
Jackie Meyer
Felicia Nelsen

Proxy for Jennifer Potterf, *Nikeki Novak*
Lana Temple-Plotz
Bill Williams

AGAINST (0):

ABSTAINED (0):

ABSENT (4):

Peg Harriott
Bobby Loud

Liz Lovejoy-Brown
Cindy Rudolph

MOTION CARRIED

Jones noted that the Specialized Tiered rate would change if the Committee agrees on the Specialized Tiered rate. She opened discussion on the previously proposed rates for the \$75-80 per day market rate. Temple-Plotz noted concern with backing up the methodology for recommending \$75-80 per day wouldn't make sense as there is no justification for the rate other than anecdotal justification. She proposed the question as to what would happen if the Committee recommends the \$7.50 per day tiered rate, and DHHS would purchase wraparound services outside of the contracted rate. Member Doug Kreifels noted that it is not unusual to pay for wraparound services for a harder to place youth when those services are not being provided by the contract. Chris Jones noted that the NCR would help clarify what is required of the foster parent for the Specialized Tier. Member Lisa Story cautioned about not providing incentive for the most critical need foster children. Foster parents that agree to take the highest need children often accept a high level of disruption in their lives and need to know there is something in place. Jones noted that the highest intensive rate represents a small fraction of the youth in foster care. Kathleen Stolz noted that there is no negotiation individually with foster parents. Member Felicia Nelsen noted that the rates are lower than what would be needed for incentive, as we are talking about children with high behavioral and medical needs, and take a lot of specialized care by the foster parents. Kreifels noted that there is a lack of regulation and methodology regarding foster care rates at the highest level of placements. Members continued to discuss the need for methodology and the historical context for the market rate of \$75-80 per day. Service Area Administrators noted that there may be less than 5% that fall outside the rate, and they are well outside the rate. Lisa Story noted that the rate provides one incentive and another incentive is that eventually after time they become trusted and respected to be able to be called on when needed. She added that foster parents are required to pay respite costs, and those respite

providers may or may not have the same level of care for the highest level needs, making it impossible to take a break for fear of losing progress made with a youth with high needs. Members discussed the recommendations for Treatment Family Care. Jones noted that information regarding those outside the tiered rate needs to be known before making a decision on the Specialized Rate. Temple-Plotz noted that there is methodology that needs to be done. Jones noted that it may be possible to recommend the need for individually developed structure.

This workgroup will meet again quickly to look at individual information discussed from DHHS, Probation, and regarding the PromiseShip rate.

c. Level of Responsibility Workgroup

Workgroup Chair Temple-Plotz directed the Committee's attention to the [NCR Handout](#). She updated the Committee on the work of the NCR Workgroup. She reminded the Committee that the workgroup only added a Specialized Tier on Levels of Responsibility 1, 3, and 7, which are the weighted LORs. She added that the all tiers build upon each other. Jones noted that this workgroup requested any feedback but has yet to receive any. There were no concerns reported to the Workgroup with the proposed levels. Member Kreifels noted that there may in fact be youth who would warrant the Specialized Rate. Member Stolz noted that the NCR will most likely not capture the youth that are DD eligible but not funded. Temple-Plotz clarified that the thinking of the Workgroup regarding the foster parent seeking assistance from external sources is an expectation to accept assistance rather than expectation of the caregiver to seek out and pay for services out of their own pocket. Members discussed the need to address respite for Enhanced and Specialized level homes.

Temple-Plotz directed the Committee's attention to the [Agency Expectations handout](#). Chris Jones explained the sources of the document. She noted that this Workgroup cross-walked the Probation and Agency Service Agreements to create an Agency Expectations for the NCR. This was a request made by DHHS as well as the larger Committee.

Members agreed that it is important to table the discussion and look at additional information and past rate methodology to make a final decision on the Specialized rate.

Chris Jones update the Committee on the Treatment Family Care service and rate recommendations. She provided historical context for this workgroup and noted the specifics as outlined in [TFC Service Definition & Rate handout](#) provided to the Committee. Members discussed the specific rate recommendation and questioned the amounts noted for Clinical Supervisor need to be unbundled from the Level 4(Specialized Rate). Members noted the requirements as listed may be hard to find in greater Nebraska and requirements. It was recommended to remove mentioning level four and look at the requirements for Certified Treatment Aide.

d. Agency Administration & Support Rate Workgroup

Workgroup Co-Chair Darcy Kramer presented the information that was gathered regarding the agency rate for foster care support. She directed the Committee's attention to [Agency Administration and Support Rate handout](#), and pages 12-13 of the [Legislative Report](#) and noted the work that has been done to develop the agency rate, which included: surveying foster care agencies, comparing survey results against the Nonprofit Association of the Midlands figures for reasonableness. Jones added information regarding the fourth tier reduced caseload. Members noted that there is a possibility to include respite cost in the fourth tier of the NCR rather than as a cost paid by the agency.

e. Next Steps

Chris Jones noted the following as next steps:

Essential Rate, Subsidy Pilot, \$7.50 incremental increase, LOR Agency Expectations, NCR after changes, and Agency Rate after Respite have been approved.

LOR 3, L4 bullet 4 of the NCR, Agency Rate: Remove \$5.95 respite, include % Pre-Assessment and TFC Agency Level 4 needs to be edited.

Professional Rate Rationale (\$160/day), Lifespan Respite Costs and Other Respite Programs, DHHS and Probation Specialized/LOA data, and TFC/Agency Level 4 need further research.

Member Temple-Plotz noted that within the NCR the workgroup can determine which bullets have a fiscal impact to caregivers, such as flexible schedules and respite, to find rationale and methodology for a higher Specialized Rate to push the rate closer to the \$75-80 per day market rate.

Lana Temple-Plotz moved to advance the approved items to the Children's Commission as discussed, including: Essential Rate, Subsidy Pilot, \$7.50 incremental increase Essential through Enhanced, LOR Agency Expectations, NCR after changes, and Agency Rate after respite costs have been removed. Motion was seconded by Bill Williams. Roll Call vote as follows:

FOR (7):

Phillip Burrell
Jessica Kroeker
Jackie Meyer
Felicia Nelsen

Proxy for Jennifer Potterf, *Nikei Novak*
Lana Temple-Plotz
Bill Williams

AGAINST (0):

ABSTAINED (0):

ABSENT (4):

Peg Harriott
Bobby Loud

Liz Lovejoy-Brown
Cindy Rudolph

MOTION CARRIED

8. New Business

There was no new business.

9. Upcoming Meeting Planning

The Co-Chair Williams reminded members of the future Committee meeting dates which were:

- March 2, 2020 at the Lincoln Community Foundation, 1-3 PM.

10. Adjourn

The meeting was adjourned at 3:59 p.m.....Respectfully Submitted, Adam Anderson