

Nebraska Children’s Commission  
Foster Care Reimbursement Rate Committee

November 4, 2019  
1:00 p.m. – 3:00 p.m.

Lincoln Community Foundation, 5th Floor Conference Room  
215 Centennial Mall South, Lincoln, NE 68508

**1. Call to Order**

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The Foster Care Reimbursement Rate Committee (FCRRC) Co-Chair Peg Harriott called the meeting to order at 1:05 p.m., and asked those in attendance to introduce themselves.

**2. Roll Call**

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**Committee Members present (7):**

Phillip Burrell (1:18 p.m.)  
Peg Harriott  
Liz Lovejoy-Brown  
Jacki Meyer

Felicia Nelsen  
Cindy Rudolph  
Lana Temple-Plotz

**Committee Members absent (4):**

Jessica Kroeker  
Bobby Loud

Joan Schwan  
Bill Williams

**Ex Officio Members present (6):**

Olivia Biggs  
Brenda Brooks  
Doug Kreifels

Mike Puls  
Kari Rumbaugh  
Kathleen Stolz

**Ex Officio Members absent (0):**

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

**Guests in Attendance (5):**

Adam Anderson.....	Nebraska Children’s Commission
Chris Jones.....	Nebraska Children’s Commission
Jennifer Potterf.....	St. Francis Ministries
Chrissy Tonkinson.....	Voices for Children in Nebraska

*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**

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A motion was made by Lana Temple-Plotz to approve the [agenda](#) as presented. The motion was seconded by Felicia Nelsen. No further discussion ensued. Roll Call vote as follows:

**FOR (6):**

Peg Harriott  
Liz Lovejoy-Brown  
Jackie Meyer

Felicia Nelsen  
Cindy Rudolph  
Lana Temple-Plotz

**AGAINST (0):**

**ABSTAINED (0):**

**ABSENT (5):**

Phillip Burrell  
Jessica Kroeker  
Bobby Loud

Joan Schwan  
Bill Williams

**MOTION CARRIED**

#### 4. Approval of the Previous Meeting Minutes

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Cindy Rudolph moved to approve the [September 3, 2019 meeting minutes](#), with corrections showing the correct meeting date of September 3, 2019 and correct meeting location of CEDARS Northbridge, 1533 North 27<sup>th</sup>, Lincoln, NE 68503. Felicia Nelsen seconded the motion. Roll Call vote as follows:

**FOR (6):**

Peg Harriott  
Liz Lovejoy-Brown  
Jackie Meyer

Felicia Nelsen  
Cindy Rudolph  
Lana Temple-Plotz

**AGAINST (0):**

**ABSTAINED (0):**

**ABSENT (5):**

Phillip Burrell  
Jessica Kroeker  
Bobby Loud

Joan Schwan  
Bill Williams

**MOTION CARRIED**

#### 5. Co-Chair Report

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Co-Chair Harriot relayed to the Committee a question raised by Lori Harder at DHHS, who is asking for information regarding the rationale and justification for the agency rate and what are the expectations for the agencies. Harriot added that the Committee needs to make sure that there is clarity that the administrative rate is the cost to provide the services and not the indirect cost of doing business, such as rent, utilities, etc.

Harriot discussed that the tentative timeline is for the Committee to approve the presentations of the Subcommittees today. Subsequently, a draft the report in advance of the next meeting in January will be created, at which time we will vote on the final product. The final product will be presented to the Commission. The Commission will then need sponsorship from a Senator to introduce the rates into law.

Children's Commission Staff Member Chris Jones distributed a copy of the [Timeline](#) for review. Co-Chair Harriot noted that the timeline had already been reviewed.

#### *Commission Status Update*

Co-chair Harriot turned the floor over to Chris Jones, from the Nebraska Children's Commission, to give an update on the Commission. Jones updated the Committee on the status of the Children's Commission. Exactly half the members are new to the Commission. Nine new voting members and four new ex-officio members. The Commission has a lot of work to do in the near future in order to get the new members up to speed. One of the Commission's revised statutory requirements is to identifying 3-5 strategic priority issues to bring to the Legislature

in December. Jones relayed to the Committee that the Commission will be looking at the reports of the Inspector General, the Foster Care Review Office, the Federal CFPSR and corresponding Performance Improvement Plan, as well as reviewing the recent work of the Second-Tier Committees and Subcommittees. Jones added that the Commission welcomes Lana Temple-Plotz, who was recently appointed.

## **6. Public Comment**

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Co-Chair Harriot invited any members of the public forward for comment. Edison McDonald, Executive Director from the ARC of Nebraska, offered comment that the ARC of Nebraska is particularly worried about the crossover of children with developmental disabilities into the foster care system, as it is the third priority category in the developmental disability system. There is a high-level need and cost. ARC is working on a campaign to work through solutions to the cross-cutting issue. Edison stated that at this time he is beginning to looking into this issue, and he offered to speak with anyone that is interested.

## **7. Department of Health and Human Services Update**

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Olivia Biggs updated the Committee on the Southeast Service Area Adoption Pilot. 110 adoption cases have gone through on this pilot up until October in the Southeast Service Area. DHHS has not received updates from the CEO about the rollout statewide. Biggs announced that several public presentations have been made and that there have been no major barriers to the rollout of the pilot, other than barrier that have already been known, such as high medical needs. Currently there is discussion regarding if this Committee recommends a fourth level to the NCR and what the next steps will be after that. Chapter 7 and 8 of 479 Regulations for Adoption received public comments at hearing that could affect the rollout.

Nannette Simmons added that an online training has been developed and will be rolling out online soon. She encouraged feedback regarding the training. Simmons added it will be available to all relative and kinship foster parents starting November 5, 2019, and all modules will be about eight hours. Simmons answered questions regarding the different modules of the training. She stated that at a later date the goal is to have additional training modules available for all foster parents to complete addition continuing education hours.

## **8. Probation Update**

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Kari Rumbaugh updated the Committee about Emergency Professional Foster Care, to be used as an alternative to detention for juvenile justice involved youth. Rumbaugh stated that Professional Foster Care is a five-day, up to fourteen-day placement, for youth during a crisis situation. Probation is working with Apex and KVC who currently have two beds in Omaha, one in Lincoln, one in York. Rumbaugh stated that this program was launched last month and the beds have already have been utilized. Foster agencies have been working hard to identify great placements. Rumbaugh reminded the Committee that the daily rate is \$160 per day and a \$20 per day paid to the agency to hold the bed. Rumbaugh advised that it is hoped that the agencies share some of the \$20 per day with the foster family, however it is not known if that is happening. Probation is looking to expand and looking into options in western Nebraska. Rumbaugh stated that Probation continues to track foster care numbers, and noted that numbers have not increased dramatically since reform. She noted that there are occasions that homes accept multiple placements. She announced training in Scottsbluff area for Professional Foster Care. Four homes showed interest in the Scottsbluff area and homes will be trained. One year ago, judges noted an issue with the lack of incentives for kinship placement in western Nebraska. Probation has been working on the issue for the last year, and will be meeting with western Nebraska judges in the near future.

Co-Chair Harriott added that while the Committee is looking at the rates for the fourth level of foster care it will be important to keep in mind the rate that Probation is paying for Professional Foster Care, as it will be important for the rates to match up.

## **9. St. Francis Update**

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Jennifer Potterf updated the Committee on the status of the transition of case management from Promise Ship to St. Francis. Potterf stated that case transfers have begun. St. Francis has taken on 300 cases, mostly with their case manager. Each week Promise Ship is transferring about 200 cases. Potterf added that St. Francis has hired about 160

employees, and that mostly all the Case Managers are hired. Vacancies include some ancillary positions and administrative staff. She says that services under contract are continuing, and discussion for renewing contracts will be discussed in January. Potterf relayed that currently Professional Foster care rate is in line with what DHHS is using, and that it would need to be discussed with Jodi and Cheryl what rate would be used in the future.

## 10. Workgroup Presentations

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### a. Essential Rate and Foster Parent Survey Workgroup

Member Felicia Nelsen directed attention the presentation [handout](#) and presented to the Committee the work and rationale of the Workgroup. She stated that the group used the *USDA Expenditures on Children by Families (2017)* costs report and came up with a formula. In calculating the rate, the Workgroup took out childcare, insurance, as those are things that foster children would already have. The Workgroup used education expenses at the lower rate as to rule out private school expenses. Nelsen also explained the rate of inflation used to find numbers in the future, as well as the rationale behind it. Commission Staff Member Chris Jones added that the 2% increase from DHHS was not taken into consideration when developing the rates, and that the rates were developed expressly from the USDA report. This Workgroup only focused on the Essential Rate and landed on \$22.26, up from \$20.40 per day. Lastly, Nelsen added that the Workgroup developed a spreadsheet that only needs four data inputs to calculate a new rate. Tonkinson added that over the last decade the inflation rate has remained around 2% and that the USDA report used to develop this rate was intended to be used for this purpose.

Chris Jones advised the Committee on the SESA Adoption Pilot. The Commission asked the Rate Committee to research other state adoption subsidy rates. Jones reported that most states report the maximum amount allowable. Only Iowa reported a reduced or deferred rate for certain children, and that was at 65% of the USDA *Cost of Raising a Child Report*, as opposed to the USDA *Expenditures on Children by Families*. Jones found that comparing state to state is not always comparing apples to apples. Limited documentation regarding adoption subsidies exists in border states. There are differences in age range groupings, and often rate changes are set by legislature or by federal foster care rates regulations. Jones also found that other states may have additional assistance programs not included in the adoption subsidy, such as medical assistance. Jones answered a question regarding 65% of foster care essential rate, explaining that offering 65% of the Essential Rate is because the foster family will no longer have to go to court, team meetings, etc. Nelsen confirmed that the 65% is only applicable to subsidies on adoptions where the child was at the Essential Level prior to adoption. Higher level subsidies must only be lower by any amount, i.e. one cent lower. Member Olivia Biggs cautioned that the NCR needed to be completed correctly and regularly reviewed. Biggs added that Adoption Subsidies can be renegotiated in the future, guardianships cannot. Temple-Plotz cautioned that not all adopted youth should be granted or negotiated an adoption subsidy. Biggs added that DHHS Pilot workgroup had another lower rate of “At-Risk” which was 65% of the USDA Report. Tonkinson and Biggs noted that nearly all adoptions in Nebraska are subsidized. Lastly, Biggs added that Guardianship ages are consistently going down and amount on the increase, for numerous reasons. Member Lovejoy-Brown noted that Tribal interests are in Guardianship for cultural beliefs.

Harriot noted that this workgroup will provide feedback on the recommendations and Commission Staff will revise recommendations to bring to the next meeting.

### b. LOR & TFC Rate Structure Workgroup

Commission Staff Member Jones provided a [facts sheet](#) on the proposed rates and noted Robin Chadwell’s departure from the FCRRC. Jones met with Chadwell in October to discuss the Workgroup’s recommendation prior to Chadwell’s departure. Jones expanded on the amount of difference between the rate levels. No recommendations or discussions can be found on the percentage differences between the rate levels. The idea was brought up that it might be connected to the FC Pay amount.

Harriot questioned the highest rate of \$45 per day, when there is a current market rate of \$80 for Professional Foster Care. Kreifels interjected that rationale and methodology behind the Professional Foster Care Rate of \$160 has not been found. Rumbaugh added that the Professional Foster Care Rate Probation

uses was perhaps developed with old material from DHHS. Rumbaugh also added some information regarding the details of Professional Foster Care. Feedback from Probation regarding Professional Foster Care shows that the youth at this level of care through review the highest level youth excel in these family-like settings, even though they have been denied by all other agencies or congregate care. The Committee speculated on the incentivized rates for foster parents and the shortage of foster parents. It was noted that there are many licensed foster parents. It was agreed that this Workgroup needs to reconvene prior to the January FCRR, and make recommendations for the different levels.

**c. Level of Responsibility Workgroup**

Member Lana Temple-Plotz updated the Committee on the recommendations of the Workgroup. She commended Chris Jones for the work done on cleaning up the format of the [NCR](#). Temple-Plotz noted the changes made, the rationale for the responsibility of the caregivers, and discussion on the level of responsibility of the caregivers. Member Jackie Meyer had questions regarding agency responsibility, and the face-to-face interaction while filling out the NCR. Olivia Biggs responded by saying to forward concerns of filling out the NCR to her. DHHS will follow-up on NCR concerns. Recommendations or questions about the NCR revisions can be directed to Temple-Plotz and Chris Jones.

**d. Agency Administration & Support Rate Workgroup**

Members Darcy Kramer and Cindy Rudolph directed the Committees attention to [Handout 9](#) and [Handout 10](#). Kramer and Rudolph relayed to the Committee that the Workgroup sent out surveys to the foster care agencies which allowed the Workgroup to refresh of the data from the 2014 agency rate survey. Rudolph noted that this Workgroup also cross-walked the data against data from the Nonprofit Association of the Midlands, and found that there was a lot of connection there. Rudolph also noted that this Workgroup will revise data to use the same 2% inflationary rate used by the other Workgroups. Jones will connect with Rudolph for the 4th tier agency rates

**11. Review of Assignments and Action Planning**

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All assignments for upcoming meetings need to be finalized in advance of the January 6, 2019 meeting, at which time the committee will vote and move recommendations up to the Children's Commission.

**12. New Business**

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There was no new business.

**13. Upcoming Meeting Planning**

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

- January 6, 2020

**14. Adjourn**

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The meeting was adjourned at 3:07 p.m..... Respectfully Submitted, Adam Anderson