



LB1061

Change Provisions Relating to Alternative Response to Reports of Child Abuse/Neglect

Introduced by:

- Senator Crawford
- Senator Howard

Date Introduced:

January 21, 2020

Assigned to:

HHS Committee

Amendments Pending:

AM2417

- Eliminate Psychotropic Medications from NCC
- Add TPR to exclusionary criteria

History:

Alternative Response (AR) was piloted in 2014 under federal funding through the IV-E waiver. This program was developed to allow Nebraska's child welfare system to engage with families in a non-investigative and more collaborative way based on the severity of allegations received in the initial intake.

Currently, the AR pilot program has a sunset date of December 31, 2020. LB1061 would eliminate the sunset date and allow DHHS to continue implementing AR.

AR: Alternative Response
TR: Traditional Response
CAN: Child Abuse/Neglect
CW: Child Welfare
TPR: Termination of Parental Rights

1. Defines Child Advocacy Center
2. Defines relative/kin caregiver
3. Defines aspects of non-court involved cases:
 - a. Parental rights
 - b. Delegation of temporary parental authority
 - c. DHHS to provide written notice of rights to parents involved in non-court cases
 - d. DHHS may reimburse kin/relative caregiver
 - e. DHHS to assist caregiver in applying for TANF
 - f. DHHS to define timeframes and transfer process for AR cases
4. Specifies the use of "evidence-based and validated tools" for assessment
5. Lists 3 options for assigning accepted reports of CAN
 - a. Traditional Response
 - b. Alternative Response
 - c. Review, Evaluate and Decide (RED) team screening to determine AR or TR
6. Names the NCC to appoint advisory committee regarding:
 - a. Receipt and screening of CAN reports
 - b. Ongoing use of AR
 - c. Ongoing use of TR
 - d. Provision of services within AR & non-court cases
7. NCC may request, receive and review data from DHHS
8. Members of advisory committee to include:
 - a. DHHS
 - b. Law Enforcement
 - c. County Attorneys/Other Prosecutors
 - d. Nebraska Chapter of Child Advocacy Centers
 - e. GAL
 - f. Child Welfare Organization
 - g. Families with experience in the CW system
 - h. Family caregivers
 - i. Foster Care Review Board Office
 - j. Inspector General
9. DHHS to implement rules/regulations on the transfer of cases from AR to TR
10. Reports that cannot be assigned to AR (exclusionary criteria):
 - a. 1st or 2nd degree murder or manslaughter
 - b. 1st-3rd degree assault by strangulation or suffocation
 - c. Sexual abuse
 - d. Abandonment (6 months or more)
 - e. Labor trafficking
 - f. Serious neglect
 - g. Physical abuse to the head or torso of a child, or abuse resulting in bodily injury
 - h. Allegation that requires forensic interview at a CAC
 - i. Out-of-home CAN
 - j. Allegation being investigated by Law Enforcement at time of assignment
11. Reviewed by RED team prior to assignment to AR:
 - a. Domestic Violence
 - b. Use of alcohol or controlled substance
 - c. Member of household has been subject of a report accepted for AR or TR in past 6 months
12. DHHS to implement rules/regulations in accordance with this LB by 7/1/2021
13. Inspector General to submit reports by September 15th each year