

Nebraska Children's Commission Meeting

May 19, 2020

9:00 a.m. – 3:00 p.m.

Webex Video Conferencing System

1. Call to Order

Chair Jeanne Brandner called the meeting to order at 9:10 a.m. She welcomed everyone to the meeting, and gave some brief announcements.

Adam Anderson laid out guidelines for Webex Video Conferencing.

2. Introductions and Roll Call

Commission Members Present (15)

Breanna Anderson (9:52 a.m.)	Kathy Dinkel	Terri Knutson
Beth Baxter	Misty Frazier	Felicia Nelsen
Jim Blue	Ron Giesselmann	Lana Temple-Plotz
A'Jamal Byndon	Richard Hasty	Susan Thomas
Vernon Davis	Jessica Hilderbrand	Melanie Williams-Smotherman

Commission Ex-Officio Members Present (8)

Stephanie Beasley	Sheri Dawson	Senator Patty Pansing Brooks
Michelle Borg (9:58 a.m.)	Monika Gross	Deb VanDyke-Ries
Jeanne Brandner	Judge Roger Heideman	

Commission Ex-Officio Members Absent (2)

Senator Kate Bolz	Senator Lynn Walz
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A quorum was present.

Guests in Attendance (10)

Adam Anderson	Nebraska Children's Commission
Nicole Brundo	Juvenile Services Committee
Peg Harriot	Chair of the Foster Care Reimbursement Rate Committee
Nick Juliano	Juvenile Services Committee
Tom McBride	SFA Normalcy Subcommittee Co-Chair
Kathy Moore	Foster Care Review Office
Laura Opfer	Nebraska Children's Commission
Kaitlin Reece	Catalyst Public Affairs
Tami Soper	Office of Senator Kate Bolz
Ivy Svoboda	Nebraska Alliance of Child Advocacy Centers
Chris Triebisch	Office of Senator Patty Pansing Brooks
JoAnne Young	Lincoln Journal Star

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 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 Nebraska Children's Commission Website.

3. Approval of Agenda

It was moved by **Vernon Davis** and seconded by **Richard Hasty** to approve the agenda as presented. There was no further discussion. Roll call vote as follows:

FOR (14):

Breanna Anderson
Beth Baxter
Jim Blue
A'Jamal Byndon
Vernon Davis

Kathy Dinkel
Misty Frazier
Ron Giesselmann
Richard Hasty
Jessica Hilderbrand

Felicia Nelsen
Lana Temple-Plotz
Susan Thomas
Melanie Williams-Smotherman

AGAINST (0):

ABSTAIN (1):

Terri Knutson

ABSENT (0):

MOTION CARRIED

Note that the order of items in the minutes will not be reflective of the original agenda

4. Approval of Consent Agenda

- a. [Approval of February 18, 2020 Meeting Minutes](#)
- b. *Committee Member Nomination Report*

Bridge to Independence Advisory Committee

- Representative of a child welfare service agency
 - **Becky Bounds, to fill vacancy (Voting)** – Director of Child Welfare Services, Child Saving Institute

Juvenile Services Committee

- County Attorney Representative
 - **Nicole Brundo** – Deputy County Attorney, Division Lead, Douglas County Attorney's Office, Juvenile Division
- Treatment Placement Representative
 - **Nick Juliano** – President, Growth Strategies LLC

- c. *Co-Chair Nomination Report*

Strengthening Families Act Committee

- **Jessica Hilderbrand** – Child and Family Advocate, Nebraska Children and Families Foundation

Beth Baxter moved to approve the consent agenda items as presented. **Susan Thomas** seconded the motion. Adam Anderson noted that a correction to item number six of the February 18, 2020 minutes is needed, to indicate that the motion called for was to approve the FCRRRC recommendations as presented. The motion in item number six was typed in correctly in the draft minutes. There were no objections to this correction. Roll call vote as follows:

FOR (13):

Breanna Anderson
Beth Baxter
Jim Blue
A'Jamal Byndon
Vernon Davis

Misty Frazier
Ron Giesselmann
Richard Hasty
Jessica Hilderbrand
Felicia Nelsen

Lana Temple-Plotz
Susan Thomas
Melanie Williams-Smotherman

AGAINST (0):

ABSTAIN (2):

Kathy Dinkel
Terri Knutson

ABSENT (0):

MOTION CARRIED

5. Legislative Update

Chair Brandner turned the floor over to Senator Pansing Brooks for a Legislative update. Pansing Brooks relayed to the Commission that LB 232, the ban on juvenile solitary confinement, advanced earlier in the session. She noted that this is important as things may be in flux when the Legislature reconvenes due to the current pandemic. She added that LB 849 is on select file, and thanked the Commission for bringing that bill to her attention. She reminded the Commission that LB 849 is the bill that makes youth eligible for B2i when they reach age 18 and age out of the foster care system in certain tribal jurisdictions. Pansing Brooks also provided an overview of other juvenile justice related bills that she has proposed, such as juvenile life without parole, juvenile mandatory minimum sentencing. She noted that those bills will likely be put off until next year, at which time she will reintroduce them. She encouraged the Commission to look at those upcoming bills and provide support if they move forward.

6. Foster Care Reimbursement Rate Committee

Peg Harriot provided a brief overview of the recommendations from the FCRRC that will be submitted to the Legislature upon approval by the Commission. She shared a [PowerPoint](#) containing all recommendations that have been approved by the Commission and those that are needing approval. Harriott noted that approval for Specialized Rates and Treatment Foster Care Rates is needed. She provided an overview of the recommendation and rationale for the Specialized Rate for foster parents and agency support. Harriott also shared the recommendation and rationale for the Treatment Family Care Rate (TFC). She added that TFC is important, because the service follows the child from a family home or foster home. This service is not a placement, but rather an add-on service that would come into the family or foster home.

Harriot answered questions regarding timing of the bill introduction. Chair Brandner noted the timing of the submission of the report will also include finding a Senator that will be able to introduce funding for increased foster care reimbursement rates. Brandner thanked that FCRRC for their work on the rates.

Laura Opfer provided some rationale for the Specialized Rate, noting that a higher rate allows DHHS to receive matching federal funds for children with exceptional needs. Currently, there is no matching funds for these youth, as DHHS pays additional funds to youth at the Intensive Rate through the Letter of Agreement process. Opfer also provided information regarding the Specialized Rate development. Harriot added that the foundation for the essential rate is based on cost of living rates through the USDA report on the cost of raising a child.

Melanie Williams-Smotherman raised a question regarding accountability for the additional funding. She noted that it is important to discuss the opportunity for youth to remain in the family home rather than adding more money to the foster care system. Harriot responded that the FCRRC made recommendations that were passed at the last Commission meeting regarding the responsibilities of the agencies. Harriot added that the FCRRC was also cognizant

of the Medicaid Rate, so the service can easily move with the child, and the home does not have to be defined as a foster parent home. She agreed that it is very important to keep children with their families, but the scope and charge of the FCRRRC does not deal with the front-end work of keeping children with their families.

Opfer thanked Harriott for her work on the FCRRRC and noted that this will be her last year with the Committee. She also thanked the members of the FCRRRC for their hard work.

Jessica Hilderbrand moved to approve the FCRRRC recommendations as presented in the PowerPoint. Misty Frazier seconded the motion. There was no further discussion. Roll call vote as follows:

FOR (13):

Breanna Anderson
Beth Baxter
Jim Blue
A'Jamal Byndon
Vernon Davis

Kathy Dinkel
Misty Frazier
Ron Giesselmann
Richard Hasty
Jessica Hilderbrand

Felicia Nelsen
Lana Temple-Plotz
Susan Thomas

AGAINST (1):

Melanie Williams-Smotherman

ABSTAIN (1):

Terri Knutson

ABSENT (0):

MOTION CARRIED

Chair Brandner thanked the Committee and Commission Staff for their work on the FCRRRC report and recommendations.

7. Strengthening Families Act Committee

Co-Chair of the SFA Committee, Vernon Davis shared an update of the recent work of the Committee. He shared information regarding the most recent meeting, noting that Jessica Hilderbrand was introduced as the potential new Co-Chair of the Committee. Subcommittees of the SFA Committee shared information on recent work, and are gearing up for ongoing projects in the upcoming months. Jessica Hilderbrand shared that she is excited to come on as the new Co-Chair.

Jeanne Brandner thanked the Co-chairs for their work and added that she looks forward to what Hilderbrand will bring to the SFA Committee.

8. Juvenile Services Committee Update

Kathy Moore, Interim Transition Consultant for the FCRO shared information regarding the JSC. She noted that there was not a meeting in April due to the pandemic situation, but there is a meeting scheduled for July 30th, 2020. She added that Kim Hawekotte, the former FCRO Director also served as a Co-chair on the JSC Committee with Nicole Brundo. Nicole Brundo's Co-Chair term ended in January, 2020 and the JSC is seeking new Co-Chair members. Moore introduced the [Co-Chair nominees](#): Nick Juliano and Nicole Brundo.

Jessica Hilderbrand moved to appoint Nick Juliano as Co-Chair of the Juvenile Services Committee. Lana Temple-Plotz seconded the motion. Commission Chair Brandner clarified the options for the roll call vote. Roll call vote as follows:

FOR (11):

Breanna Anderson
Jim Blue

A'Jamal Byndon
Vernon Davis

Ron Giesselmann
Richard Hasty

Jessica Hilderbrand
Terri Knutson

Felicia Nelsen
Lana Temple-Plotz

Susan Thomas

AGAINST (1):

Beth Baxter

ABSTAIN (3):

Kathy Dinkel
Misty Frazier
Melanie Williams-Smotherman

ABSENT (0):

MOTION CARRIED

Chair Brandner welcomed Nick Juliano as the new Co-Chair of the Juvenile Services Committee, and she thanked Nicole Brundo for her leadership on the Committee.

9. Bridge to Independence Advisory Committee

Co-Chair of the B2i Committee, Jeanne Brandner updated the Commission on the recent work of the Committee. She shared that she is looking to step down as Co-chair of the Committee. She reminded the Commission of the work done by the Committee regarding the B2i tribal eligibility legislation introduced by Senator Pansing Brooks. Brandner thanked the Senator for her work moving the bill forward and noted the excitement by the Committee on the legislation.

Brandner shared that Dr. Katie Bass, from the Data Collection workgroup attended the B2i meeting to update the Committee regarding the [Child Trends Technical Assistance document](#) recommendations. The Committee voted to begin work studying the outcomes for B2i youth as they relate to non-B2i participants, in order to gather data to expand B2i services to other youth populations that might benefit from Bridge services.

10. Annual Report Planning for Statutory Committees

Policy Analyst, Laura Opfer provided an overview of the annual reporting process for the Statutory Committees. She noted that at the August meeting of the Children's Commission the reports will be available. Opfer welcomed feedback on the reports. Prior to the August meeting, Opfer will be working with each of the Committees to finalize their reports.

11. Legislative Update

Chair Brandner noted that Legislative updates have occurred throughout the meeting, but noted that at the August meeting time will be set aside to talk specifically about new Legislative items, such as the interim truancy study. Brandner noted that the Commission is excited to see the work of the Legislature upon reconvening.

Laura Opfer shared that there is a calendar on the [Nebraska Legislature website](#) for when the Legislature reconvenes. Additionally, she noted there is a [worksheet](#) available, noting the incredible amount of work to be done when the Legislature returns. Lastly, Opfer reminded the Commission of the [Bill Tracker](#) that contains information, and links regarding each bill that the Commission Staff are tracking.

Tami Soper from the office of Senator Kate Bolz updated the Commission on relevant legislation. She noted that LB 977, a bill regarding the lead agency contract readiness assessment has advanced out of committee and is on general file. Senator Bolz's office is monitoring LB 329, regarding childcare subsidy, as a possible vehicle for amendments for a family response to the COVID-19 pandemic.

Brandner also noted that there are provisions being looked at federally, notably for the B2i program, for youth aging out of transition services. Many youth in the B2i program were ineligible for the stimulus money received, due to being eligible dependents, but yet that family was not able to receive money because the youth was over the age of 17.

12. Public Comment

Chair Brandner opened the floor to Public Comment. There was none.

13. New Business

Throughout the meeting Commission Members asked questions and discussed items through the chat function.

Members asked for more information regarding Senator Pansing Brooks' truancy bill. Pansing Brooks responded by informing the Commission her intent of submitting an interim study in July with the goal of holding a hearing in the fall. She encouraged the Children's Commission to participate at the hearing via testimony or information sharing. She added that the study will look at the issue of truancy, with the hopes to take the youth out of the court system as much as possible. Pansing Brooks will look to introducing a bill in 2021, hopefully with the support of the Children's Commission. She offered to share a draft of the study with anyone interested.

Adam Anderson noted the in addition to adding time for new legislation at the August meeting, the Commission will also be reviewing and voting on membership for all the committees, as many terms have lapsed. Many nominee appointments will be brought before the Commission.

Laura Opfer thanked members for attending, and added that at the August meeting, the Commission will also be reviewing strategic priorities.

14. Upcoming Meeting Planning

- a.* August 18, 2020 9:00am to 3:00pm
- b.* November 17, 2020 9:00am to 3:00pm

15. Adjourn

The meeting adjourned at 11:15 p.m.

Respectfully Submitted,
Adam Anderson