

Nebraska Children's Commission Meeting

April 20, 2021
9:00 a.m. – 1:00 p.m.
Webex

1. Call to Order

Chair Jeanne Brandner welcomed everyone and called the meeting to order at 9:04 a.m. and asked Adam Anderson to call roll.

2. Introductions and Roll Call

Commission Members Present (12)

Breanna Anderson	Kathy Dinkel	Terri Knutson
Beth Baxter	Misty Frazier	Felicia Nelsen
Jim Blue	Ron Giesselmann	Jessica Rockemann
A'Jamal Byndon	Richard Hasty	Susan Thomas

Commission Members Absent (3)

Vernon Davis	Lana Temple-Plotz	Melanie Williams-Smotherman
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Commission Ex-Officio Members Present (8)

Stephanie Beasley	Jennifer Carter	Monika Gross
Michelle Borg	Sheri Dawson	Deb VanDyke-Ries
Jeanne Brandner	Senator Myron Dorn	

Commission Ex-Officio Members Absent (3)

Judge Roger Heidemann	Senator Patty Pansing Brooks	Senator Lynne Walz
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Roll call was taken, and a quorum was established.

Guests in Attendance (10)

Adam Anderson	Nebraska Children's Commission
Amanda Docter	Nebraska Department of Health and Human Services
Dr. Janine Fromm	Nebraska Department of Health and Human Services
Jamie Kramer	Nebraska Department of Health and Human Services
Mark LaBouchardiere	Nebraska Department of Health and Human Services
Laura Opfer	Nebraska Children's Commission
Roger Robinson	Nebraska Department of Health and Human Services
Ivy Svoboda	Nebraska Alliance of CACs

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 Children's Commission Website.

3. Approval of Agenda

It was moved by Misty Frazier and seconded by A'Jamal Byndon to approve the agenda with the change of removing the Foster Care Review Office Report, item number eight. There was no further discussion. Roll call vote as follows:

FOR (12):

Breanna Anderson
Beth Baxter
Jim Blue
A'Jamal Byndon

Kathy Dinkel
Misty Frazier
Ron Giesselmann
Richard Hasty

Terri Knutson
Felicia Nelsen
Jessica Rockemann
Susan Thomas

AGAINST (0):

ABSTAIN (0):

ABSENT (3):

Vernon Davis
Lana Temple-Plotz

Melanie Williams-Smotherman

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 January 19, 2021 Minutes](#)
- b. [Committee Member Nomination Report](#)
- c. [AR and FCRR Co-Chair Nomination Report](#)

Beth Baxter moved to approve the consent agenda items as presented. Breanna Anderson seconded the motion. No further discussion ensued. Roll call vote as follows:

FOR (12):

Breanna Anderson
Beth Baxter
Jim Blue
A'Jamal Byndon

Kathy Dinkel
Misty Frazier
Ron Giesselmann
Richard Hasty

Terri Knutson
Felicia Nelsen
Jessica Rockemann
Susan Thomas

AGAINST (0):

ABSTAIN (0):

ABSENT (3):

Vernon Davis
Lana Temple-Plotz

Melanie Williams-Smotherman

MOTION CARRIED

5. NCC Membership Application Process

Laura Opfer noted that term for the current members of the Children’s Commission expires on June 30, 2021. She shared information regarding the process of reapplying and appointment. She encouraged members to share the application. Opfer answered questions regarding racial and ethnic makeup of the Commission.

A’Jamal Byndon discussed offering highlights or a dashboard of items of note that moved forward during the current membership term.

6. Legislative Update

Laura Opfer shared a handout containing an overview of specific bills being tracked by the Children’s Commission. She provided an overview of the tracked legislation. She noted specifically the changes in the Open Meetings Act, LB 83, which added language regarding virtual conferencing and virtual conferencing during a declared emergency. She added information regarding the Youth Bill of Rights, LB 357, and the Youth Rehabilitation and Treatment Centers (YRTC) legislation which added language to strengthen education, equity, add notification by DHHS to the Legislature regarding changes, accreditation standards, and allow a needs assessment by DHHS for the current YRTC system. Opfer continued by sharing LB 568 aims to redirect the truancy youth from the probation system by changing the truancy standards and strengthens the pre-trial diversion programs. Lastly, Opfer shared LB 570, which requires DHHS to conduct an evaluation of the Eastern Service Area pilot program by December 31, 2021.

Senator Dorn shared that Senator Hilgers announced that the HHS Committee will now be starting the process of LR29 from Senator Michaela Cavanaugh instead of starting the process through the newly created committee. The process will then be turned over to the newly created committee at a later date. Additionally, Senator Dorn shared that bills that aren’t designated priority are most likely not going to pass this session but will be on General File next session for passage. Dorn was thankful with the progress the Legislature has made this session, given the circumstances regarding the COVID-19 pandemic, and thankful for the increasing number of vaccinations.

Chair Brandner shared information from Senator Pansing-Brooks office regarding other Legislative Bills, such as the juvenile right to counsel and truancy bills, which are continuing to move forward with conversations between County Attorneys and the Crime Commission.

Jennifer Carter posed a question regarding the two percent increase in provider rates. Senator Dorn provided information regarding this issue, noting that Appropriations Committee was not able to mandate a two percent increase for the Eastern Service Area due to the currently written contract, but amendment language indicated that the intent was that DHHS pass this increase on to the providers. Brander responded to a question, noting that Courts and Probation included a two percent increase to all services provided in their budget numbers. DHHS Children and Family Services Director Stephanie Beasley noted that their fiscal note numbers included increases for visitation services, family support services, Intensive Family Preservation, Intensive Family Reunification, and reunification family support. Beasley continued, noting that foster care numbers were from a separate analysis that was conducted.

Deb VanDyke-Ries shared that on June 30th, the Court Improvement Project will be hosting a Legislative Session Review. She shared the link in the chat for the session: <https://supremecourt.nebraska.gov/programs-services/court-improvement-project/events/2021-cip-legislative-review-webinar>

7. Statutory Committees

a. Foster Care Reimbursement Rate Committee

Laura Opfer noted that the FCRRRC hasn’t met in 2021, but she highlighted the legislation that has been introduced. She noted that DHHS has contracted with the Stephens Group to review Treatment Family Care, and specialized rates. Stephanie Beasley shared further information regarding the Stephens Group assessment of NCR levels. Beasley hoped to have recommendations for review in May, 2021 from the Stephens Group.

b. Strengthening Families Act Committee

Co-Chair Frazier shared information regarding the work of the SFA Committee. She noted the process of reviewing the statute, examining racial and ethnic disparities. Frazier also noted there has been significant

movement on the Trafficking Subcommittee, as a recent grant has been awarded to the Nebraska Children's and Families Foundation to examine trafficking in Nebraska.

Laura Opfer shared information regarding the work of the Normalcy Subcommittee. She noted the process of reviewing Normalcy Plans and recent one-on-one meetings between agencies and members of the Subcommittee. Co-Chair of the Normalcy Subcommittee, Felicia Nelsen added that it was enjoyable to connect and learn from the agencies in regards to their normalcy activities.

Laura Opfer also shared information regarding the work of the APPLA Subcommittee which is currently working on recommendations to strengthen the system for older youth and transition-aged youth, who have many independent and transitional living needs, to set them up for success starting out adulthood.

c. Juvenile Services Committee

Co-Chair Deb VanDyke-Ries noted the recent work of the JSC. She noted the co-meeting with the Nebraska Coalition for Juvenile Justice is very helpful as to not be duplicative across organizations. VanDyke-Ries shared the recent work of the Workgroups of the JSC. She noted the importance for the JSC to have workgroup chairs who were juveniles with lived-experience. She shared that the Racial and Ethnic Disparities Workgroup has been working on a flowchart of the juvenile justice system and will be collaborating with the Juvenile Detention Alternatives Initiative Workgroup.

Co-Chair of the Racial and Ethnic Disparities Workgroup, A'Jamal Byndon shared information regarding the recent work Workgroup, noting specifically the intent to build social capital, survey the entire state for input, and the importance of beginning the conversation of racial and ethnic disparities in order to be more comfortable with the data and creating change as a state.

Co-Chair VanDyke-Ries shared that the Needs Assessment Workgroup, which focuses on youth with higher needs, is working on surveying the system to find awareness of services, identifying gaps, and the challenges of attaining mental health services.

Lastly, VanDyke-Ries shared that the YRTC Workgroup has reviewed the YRTC Report from the Office of the Inspector General, and has discussed recommendation that will be made. The workgroup has focused on post-release services, Youth and Families Thrive training for the YRTCs, youth leadership opportunities at the YRTCs, and reviewing the YRTC 5-year plan. Laura Opfer added that the conversation at workgroup meetings has revolved around how to center the youth involved when discussing planning and changes to the system.

d. Bridge to Independence Advisory Committee

Laura Opfer and Adam Anderson shared information regarding the work of the B2i Committee. She noted that conversations have centered on juveniles with Special Juvenile Immigration Status and probation expansion. Anderson added that discussions have been had with DHHS regarding pandemic funding for youth in the B2i program. Opfer noted that the Children and Families Foundation has stepped up and started the GOALS program to provide aid to youth who have aged out of the B2i program during the COVID-19 pandemic. Opfer also added that the Legislative Bill to expand B2i to a segment of Probation population has stalled for this session, but it is a longstanding recommendation of the Committee.

Deb VanDyke-Ries added that there are discussions regarding Tribal Youth eligibility noting that there is now a workaround process for filing in courts in the county of residence. VanDyke-Ries added that there is an information campaign in planning between the Court Improvement Project and the Nebraska Indian Child Welfare Coalition, including a video that will spread the word of the B2i program to be shared with Tribal Youth. Misty Frazier hoped that a participant of the B2i would be able share their experience and the benefits of B2i.

8. YRTC 5-Year Plan

Dr. Janine Fromm and Mark LaBouchardiere shared the [5-Year Plan for YRTC's in Nebraska](#) and provided an overview of the process of developing the 5-year plan that was recently shared with the Legislature. Dr. Fromm shared that the plan was developed by a group of dedicated stakeholders in partnership with Sam Nelson, PhD from the University of Nebraska and is intended to be a perpetual document for update. She added that the plan includes items from LB 1140.

Dr. Fromm continued by sharing the three-legged philosophical approach that drives the operations and results in quality care that includes programming, staffing, and facility. LaBouchardiere shared past examples at the YRTC's where one or more of these legs was stressed resulting in lower outcomes.

Dr. Fromm discussed the continuum of care for the youth facilities noting the staffing, gender, capacity, as well as acuity for each facility. She provided examples of the youth at each of the facilities and the condition of the facilities. She noted that the Lincoln facility is for high acuity and low staffing ratio. She provided an overview of the programming at all facilities. Dr. Fromm continued by sharing a weekly data graph of behaviors. She noted that the information from the graphs is shared with families, attorneys, judges, and the youth are very engaged in making the graphs look better.

LaBouchardiere provided an overview of the strategy recommendations and noted the plan to address each of the recommendations. LaBouchardiere also provided an update on the Whitehall facility, noting that five females had recently been moved to the facility and gone through assessments with the clinical staff. He added that things are progressing well and more females will be moved to that facility slowly depending on how the youth adjust to the new facility.

Members shared questions in the chat regarding Indigenous and Native American populations and diversity at the YRTC's for youth and staff. Dr. Fromm and LaBouchardiere noted that Native American youth has declined compared to years past. LaBouchardiere will share information with the members. Members asked about the incorporation of youth and family voice. LaBouchardiere noted that family voice was incorporated in the framework but not the writing of the plan itself. Members also asked about community outreach. LaBouchardiere responded that the issue at hand is to protect and observe the youth at the facility and that the outreach piece is to recommend treatment to the family to best care for the youth at the facility, and that no holistic community outreach has been undertaken. He pointed out that youth currently at the facility represent the highest need youth in the community. LaBouchardiere responded to a question about education at the facilities. He noted that conversations with Nebraska Department of Education has been helpful to unify the educational system at the YRTC's and the transfer of credits and educational needs between the facilities and youth educational needs. Dr. Fromm noted that the educational opportunities are now more robust and engaging for the youth.

9. DHHS Update

a. Families First Prevention Services Act 5-year plan

Jamie Kramer shared a [PowerPoint](#) and provided an overview of the Family First Prevention Services Act (FFPSA) and how DHHS is implementing the program across Nebraska. She noted a partnership with Chapin Hall, who will provide technical guidance on implementation, identify gaps in service array, and evaluate the impact of prevention services and family outcomes of the next five years. Kramer added that a survey has been sent out to families and providers, and focus groups will be formed to perform a gap analysis. Kramer also discussed the process of evaluating the program and answered a question regarding caseload standards.

b. Steering Committee

Roger Robinson shared information about the work and makeup of the Steering Committee. He shared five priorities developed by the Committee: Elevate the Voices of those who are worked with. Co-Create an equitable system. Partner to eliminate silos. Focus on prevention and well-being. Improve the relationship and engagement of families and support providers. Robinson shared that Chapin Hall is facilitating this Committee and noted that family stakeholders are compensated for their participation. Robinson noted that he had been involved in this process in another state that didn't have the same results due to a lack of community representation.

c. Structured Decision Making Core Team

Amanda Docter presented information regarding the current Structured Decision Making (SDM) core review and update. Docter provided an overview of the SDM system, noting that DHHS has been in use since 2012. She added that SDM consists of evaluation tools for various stages along the life of the case. Currently, DHHS is working with Evident Change, an organization assisting with the external review of SDM. Docter noted that the first review in 2016 resulted in adjustments to the intake, safety, and risk tools. Docter anticipates that this review is more comprehensive and will occur over the next two to three years. In order to align with statute changes, it was required to review the tools. Docter added information regarding the makeup of the core review workgroup, noting the inclusion of additional targeted outreach in underrepresented communities and families. Results from the discovery phase are hoped to be presented in July and the core team will advise on the development of fidelity improvement plan that will take place throughout the next year.

10. Public Comment

Chair Jeanne Brandner opened the floor for public comment. There was none.

11. New Business

Laura Opfer provided an update for the Alternative Response Advisory Committee. She welcomed Monika Gross and Susan Thomas as Co-Chairs. She noted that the first meetings have focused on the history of the Committee and will provide and update at the next Commission Meeting.

12. Upcoming Meeting Planning

June 29, 2021
August 17, 2021
October 19, 2021

13. Adjourn

The meeting adjourned at 12:21 p.m.

Respectfully Submitted,
Adam Anderson