

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 243

Introduced by Bolz, 29; Campbell, 25; Howard, 9; Krist, 10.

Read first time January 14, 2015

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to children; to state intent; to define terms;
- 2 to create a pilot project relating to family finding services; to
- 3 provide duties for the Department of Health and Human Services; to
- 4 state intent relating to appropriations; and to provide for rules
- 5 and regulations.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. It is the intent of the Legislature to:

2 (1) Promote kinship care and lifelong connections through the
3 process of family finding when a child has been removed from the legal
4 custody of the child's parents;

5 (2) Prevent recurrence of abuse, neglect, exploitation, or other
6 maltreatment of children;

7 (3) Reduce the length of time children spend in foster care;

8 (4) Reduce multiple placements of children in foster care;

9 (5) Remain in compliance with the federal Fostering Connections to
10 Success and Increasing Adoptions Act of 2008, Public Law 110-351; and

11 (6) Create a pilot project for the process of locating and engaging
12 family members in the life of a child who is a ward of the state or is
13 participating in the bridge to independence program as defined in section
14 43-4503, or both and in need of permanency through a lifelong network of
15 support.

16 Sec. 2. For purposes of sections 1 to 9 of this act:

17 (1) Department means the Department of Health and Human Services;

18 (2) Family finding means the process described in section 3 of this
19 act;

20 (3) Family member means:

21 (a) A person related to a child by blood, adoption, or affinity
22 within the fifth degree of kinship;

23 (b) A stepparent;

24 (c) A stepsibling;

25 (d) The spouse, widow, widower, former spouse, or domestic partner
26 of any of the persons described in subdivisions (a) through (c) of this
27 subdivision; and

28 (e) Fictive kin;

29 (4) Fictive kin means an individual, unrelated by birth or marriage
30 to a child, who has an emotionally significant relationship with the
31 child that takes on the characteristics of a family relationship;

1 (5) Provider means an organization providing services as a child-
2 placing agency; and

3 (6) Service area means a geographic area administered by the
4 department and designated pursuant to section 81-3116.

5 Sec. 3. The department, its contracted providers of family finding
6 services, and family members of children involved in cases which are part
7 of the pilot project created in section 4 of this act shall participate
8 in family finding. Family finding is the evidence-based process of
9 engagement, searching, preparation, planning, decisionmaking, lifetime
10 network creation, healing, and permanency in order to:

11 (1) Search for and identify family members and engage them in
12 planning and decisionmaking;

13 (2) Gain commitments from family members to support a child through
14 nurturing relationships and to support the parent or parents, when
15 appropriate; and

16 (3) Achieve a safe, permanent legal home or lifelong connection for
17 the child, either through reunification or through permanent placement
18 through legal guardianship or adoption.

19 Sec. 4. A pilot project is created to provide family finding
20 services within each service area. The department shall contract with one
21 or more providers of family finding services in each service area or the
22 case management lead agency pilot project authorized under section
23 68-1212 to carry out the family finding services pilot project. A
24 provider may contract within multiple service areas. Each contracting
25 provider shall be trained in and implement the steps described in section
26 3 of this act. The family finding services pilot project shall terminate
27 on June 30, 2019.

28 Sec. 5. (1) Under the pilot project created under section 4 of this
29 act, the department shall refer a portion of all cases involving children
30 who are wards of the state in foster care or participating in the bridge
31 to independence program as defined in section 43-4503, or both to

1 providers of family finding services who or which shall (a) locate family
2 members of the children, (b) engage and empower family members, and (c)
3 create an individualized plan to achieve a safe, permanent legal home for
4 the children when possible.

5 (2) The department shall provide administrative oversight of the
6 contracts entered into pursuant to the pilot program created under
7 section 4 of this act.

8 (3) A child's departmental case manager, the child's foster parents,
9 and the provider of family finding services shall collaborate together to
10 maximize success throughout the family finding process.

11 (4) The department shall carry out the requirements of the
12 Interstate Compact for the Placement of Children when achieving out-of-
13 state placement of a ward of the court, including prompt submission of
14 required paperwork to ensure that the family finding process moves
15 forward in a timely manner.

16 Sec. 6. It is the intent of the Legislature to appropriate three
17 million dollars from the General Fund for each of fiscal years 2015-16,
18 2016-17, 2017-18, and 2018-19, to the department which shall pursue
19 federal matching funds as applicable and allocate such funds to
20 contracting providers of family finding services who or which shall use
21 such funds to: (1) Provide family finding services pursuant to contracts
22 with the department; and (2) create and coordinate training initiatives
23 for departmental case managers assigned to cases referred for family
24 finding services to promote provider and family engagement and to train
25 case managers on the principles of family finding services for successful
26 outcomes.

27 Sec. 7. The department shall establish a data collection system and
28 collect data from participating providers annually. Such data shall be
29 divided by service area and shall include (1) the number of participating
30 children and youth, (2) the ages of the participating children and youth,
31 (3) duration of each case, and (4) case outcomes, including permanency,

1 guardianship, and family support. Data involving incomplete cases shall
2 be included and identified as such.

3 Sec. 8. The department shall contract with an academic institution
4 to complete an independent evaluation of the pilot project created under
5 section 4 of this act. The evaluation shall assess the effectiveness of
6 the pilot project in achieving the purposes described in section 1 of
7 this act and the overall fiscal impact. The evaluation shall begin after
8 completion of the second year of the pilot project and shall be completed
9 in the third year of the pilot project. The department shall
10 electronically transmit the evaluation to the Health and Human Services
11 Committee of the Legislature.

12 Sec. 9. The department may adopt and promulgate rules and
13 regulations to carry out sections 1 to 8 of this act.