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January 31, 2017

To: Members of the Health and Human Services Committee

From: Julia Tse, Policy Associate

RE: Opposition to LB 417 – Strike certain requirements regarding the Alternative Response pilot project

All children deserve to grow up in a safe, permanent, and loving family. When child maltreatment occurs, our child welfare system should minimize trauma to children and families through swift and thoughtful action. Voices for Children in Nebraska opposes LB 417 because it potentially puts the future of an important pilot project and federal child welfare funds at risk.

We continue to be supportive of the continuation of the Alternative Response (AR) pilot project—we have been pleased by the preliminary findings reported by the evaluators from the University of Nebraska at Lincoln, and by our experience serving on the Director’s AR Steering Committee and Citizen Review Panel.

However, LB 417, as written, creates several concerns regarding the provision of the pilot, its evaluation, as well as federal Title IV-E funds.

LB 417 strikes the statutory requirement that the Department of Health and Human Services (DHHS) administer the AR pilot, changing the language from “shall” to “may.” The bill also strikes existing language requiring that DHHS contract with an independent evaluator. **We believe that both of these provisions represent a violation of the terms and conditions of the Title IV-E waiver under which Nebraska is currently operating.** Failure to meet these terms and conditions through the full 5-year term of the waiver puts the receipt of our largest source of child welfare funding at risk, which is unprecedented among waiver states.

Secondly, LB 417 strikes the statutory requirement that DHHS provide public notice of changes to regulations pertaining to AR and publish proposed changes at least 60 days prior to public hearing. These regulations govern eligibility for AR, which were carefully crafted by DHHS with significant input from stakeholders and partners. These requirements are intended to protect child safety and reduce risk in conducting the pilot. In total, there are 22 criteria that currently categorically exclude families from participation in the pilot, and an additional 8 criteria that would require a case-by-case review by a specialized team. **Given the gravity of the responsibilities for which our child welfare system is charged, we believe that the extra public notice for any future proposed changes is necessary and appropriate.**

We thank Senator Riepe for his ongoing commitment to children in our state and the committee for their time and consideration. We respectfully urge you to consider these concerns in acting upon LB 417.