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March 7, 2019

To: Chairwoman Howard and Members of the Health & Human Services Committee
From: Juliet Summers, Policy Coordinator at Voices for Children in Nebraska
Re: **LB 328 - adopt the Nebraska Family First Act, provide for non-court-involved response to reports of child abuse or neglect, and provide for a family finding project**

Our child welfare system should ensure that every child grows up in a loving, permanent family. In order to keep children safe, strengthen families, and minimize trauma through appropriate and timely responses, our system must have adequate and stable resources and be structured to emphasize in-home services and supports wherever they can be utilized to keep the child safe and connected.

When we think of the child welfare system, what may spring to mind is an image of an abused child taken into a stranger's home through foster care. Our data tells us, however, that removal and placement in foster care makes up only one piece of the spectrum. **In fact, since at least 2013, more children have entered our child welfare system through non-court, in-home cases than through courts and removals. In 2017, 56% of children entering our system were non-court involved, and only 44% were court involved.**¹ Moreover, once in care, Nebraska has a strikingly high percentage of children placed in kinship or relative placements: point in time data for 2017 showed **59.6% of children in foster care were placed with relatives or kin.** Our Department of Health and Human Services is making a concerted effort to keep children safely connected with their families, and that should be applauded.

Voices for Children supports LB 328, because it will take advantage of this momentum and the change to federal funding streams coming with the passage of the federal Family First Act, to ensure that our entire system is aligned to prioritize up-front, evidence-based service provision and efforts to keep more children at risk of removal safely home. It also makes permanent a family-finding project that has greatly contributed to our impressive kinship and relative placement rates.

If implemented successfully, the Family First Act will bring federal financial resources to Nebraska to support the entire continuum of our child welfare system, from prevention to adoption. We have historically had a low "penetration rate" for the major child welfare funding stream, Title IV-E of the Social Security Act. In one assessment, Nebraska's penetration rate was 20.4% compared with a national average of 51.6%.²

¹ *Kids Count in Nebraska Report 2018*. Voices for Children. Data provided by the Nebraska Department of Health & Human Services.

² *Nebraska Child Welfare Financing Primer*. Authored by Jennifer Miller and Rebecca Robuck of ChildFocus, Inc. and released by the Nebraska Children's Commission. April 2015.

Available online at:

<http://childrens.nebraska.gov/PDFs/Reports/Nebraska%20Child%20Welfare%20Financing%20Primer.pdf>

Even where IV-E could successfully be reimbursed, it has only been allowable in cases where a child was actually removed and placed into foster care or adopted. Successfully implementing the federal Family First Act through LB 328 will ensure that we are able to receive reimbursement for the broader continuum I've described, drawing down federal funds for preventive, evidence-based services to keep children safely with their families and prevent removal into foster care in the first place.

I'd like to note two particular aspects of the Family First Act that will be especially beneficial for Nebraska kids. Upon implementation, we will be able to:

- **Draw down IV-E reimbursement for up to twelve months of placement with a parent in a Family-Based Residential Treatment program:** Parental substance use is one of the major drivers of our child welfare system. Addiction is an illness that does not prevent a parent from desperately loving and wanting to provide their child with a safe home, and it is generally treatable with the right support at the right time. Family-Based Residential Treatment programs are inpatient treatment settings, where children may safely reside with their parents while the parent undergoes treatment and therapy. The parent-child bond is supported while the parent gets the level of substance abuse intervention they need in order to ameliorate risk, which prevents the trauma of removal. We currently have three such programs in our state, and the ability to receive federal funding for these programs will be a huge benefit for Nebraska.
- **Fund targeted supportive services to pregnant and parenting foster youth, children at risk of a disrupted adoption, and to keep children in family-based settings rather than congregate care facilities:** By allowing federal reimbursement for a broad swath of children considered at risk of entering foster care and setting a high standard for congregate care settings to receive IV-E funding, it will frontload financial resources to prevent crises and maximize safety for children, keeping them from additional trauma imposed by the system itself.

Nebraska is on the right path to ensure children are safe and have their needs met swiftly, while remaining connected to family and community. LB 328 is an important next step in continuing down this path and reaping maximum federal financial resources as we do so. This is good for children, and it is fiscally responsible. I'd like to thank Senator Bolz for sponsoring this bill, and the Committee for your time and consideration.