February 9, 2022

To: Senator Arch and Members of the Health and Human Services Committee

From: Aubrey Mancuso, Executive Director

Re: Neutral Testimony on LB 1173

Thank you Senator Arch and members of the committee. I am testifying in a neutral capacity today on LB 1173 on behalf of Voices for Children in Nebraska. While we appreciate this committee and the legislature’s attention to the ongoing challenges in Nebraska’s child welfare system, I also want to draw attention to the ways in which the issues raised in LB 1173 have already been studied by the legislature and the creation of an entity intended to circumvent the need for additional study.

A decade ago, in 2012, after statewide child welfare privatization efforts failed, the legislature undertook LR 37 to study what had happened and make recommendations on next steps. This set up the situation that we have had in place for the past decade with child welfare services privatized in only the Eastern Service Area, labeled as a pilot project. Prior to the contract with St. Francis Ministries, this system was stable if imperfect.

One of the recommendations in LR 37 was that the Legislature create a permanent governmental body for reasons similar to those stated in LB 1173. It is my understanding that part of the reason for the creation of a permanent entity, comprised of both those inside and outside government, was to alleviate the need to study our child welfare system in perpetuity. LB 821 created the Nebraska Children’s Commission to develop a statewide strategic plan for child welfare, provide a permanent forum for collaboration among stakeholders, explore financing and other issues and analyze progress. In 2015, the commission also released a detailed report on child welfare financing. If the Legislature is to undertake another study of the child welfare system, some attention should be given to the significant work already done in this regard including why studying the system hasn’t resulted in more significant improvements.

In addition, as this committee has heard many times in recent years, privatization of child welfare services is neither inherently good nor bad for children and families. It’s the way that privatization is done and how it is funded. At this juncture, Nebraska has demonstrably failed to do privatization efforts with fidelity in a way that benefits children and families and caused additional harm, not once but twice in the past decade. As such, the legislature should move forward with removing the privatization pilot in statute has been recommended to this committee from multiple stakeholders.

If this committee advances LB 1173, we hope that there will be significant attention given to learning from the failure of previous efforts and attempts and efforts to ensure that there are mechanisms in place

for true accountability to ensure that our child welfare system doesn’t continue to repeat patterns that cause harm to vulnerable children and families. Thank you.