January 22, 2014

Senator Kathy Campbell
Chair, Health and Human Services Committee
Room 1402, State Capitol
Lincoln, NE 68509

Chairwoman Campbell and members of the Health and Human Services Committee,

On behalf of Nebraska Appleseed, I am here to testify in support of LB 853.

We want to begin by thanking Senator McGill and the Committee. Last year, Senator McGill introduced and this Committee prioritized LB 216 to create what is now being called the Bridge to Independence program, to provide extended services and support to age 21 for young people who age out of foster care. We believe this program will remove barriers, improve foster care outcomes, and prevent further reliance on adult systems.

LB 216 also established the Young Adult Voluntary Services and Support Advisory Committee to make recommendations regarding the initial and ongoing implementation of the program. The Advisory Committee has involved a broad array of stakeholders, including the Nebraska Department of Health and Human Services (DHHS), and these stakeholders have worked intensely over the past six months to develop recommendations. This has been an impressive process and we believe an important vehicle to ensure the program is implemented to best serve young people and that there is continued input and collaboration among stakeholders and young people.

I want to note for the record that I was appointed by the Nebraska Children’s Commission to serve on the Young Adult Voluntary Services and Support Advisory Committee, but I am testifying today on behalf of Nebraska Appleseed.

I want use my time today to provide more background for what LB 853 does and why it is important.

LB 853 implements recommendations from the Advisory Committee and input from stakeholders, provides clarity on certain pieces of implementation, and makes some technical changes.

As a supplement to our testimony, we are providing a Fact Sheet about LB 853. As you can see on the back page of the Fact Sheet, LB 853 does four primary things.
First, LB 853 updates statutory language to reflect the new title of the program, by replacing the term “extended services program” with “Bridge to Independence program.” The bill also changes the new caseworker title in the statute to “Independence Coordinator.” Both of these name changes were recommended by the Advisory Committee with input from young people.

Second, LB 853 provides guidance on how to implement the requirements of the program passed last year in LB 216 so DHHS is better able to serve young people.

- Specifically, LB 853 provides additional guidance on what Independence Coordinators should work on with young people by cross-referencing the existing categories of the transition planning statute for consistency.
- The bill also ensures that young adults are regularly informed about their right to an attorney and to request additional court hearings as needed, and that all young adults leaving the program receive information about community resources that may be of assistance to them.
- The bill also requires that Independence Coordinators help young adults prepare for their annual hearings and 6-month case reviews. It is important to note that there are federal requirements for this program for the caseworker and young adult to have monthly face-to-face meetings and therefore this provision does not create any new meeting requirements but just specifies how the already-required meetings should be used to help prepare the young adult and make progress in the case.
- The bill also reflects a recommendation that supervisors of Independence Coordinators should have specialized training in providing transition services and support to young adults.
- The bill also encourages the active participation of young adults in the 6-month case reviews by stating that they should be conducted an in informal manner and, whenever possible, at times that allow for the attendance and participation of the young adult.

Third, LB 853 clarifies juvenile court jurisdiction and process.

- The bill includes a reference to the juvenile court’s jurisdiction under this program in existing statute at Neb. Rev. Stat. § 43-247.
- The bill specifies that the document DHHS is required to file with the juvenile court be a petition (instead of a report) and that a record be made at permanency review hearings.
- Because of the relatively short period of time young people will be participating in this program, the bill provides that permanency review hearings shall be conducted in an expedited manner.
- The bill also offers clarification on the juvenile court’s authority to review the legal rights and entitlements of young adults under this Act. This reflects input from the Advisory Committee that the juvenile court should have a role when a young person is involuntarily terminated from the program.

Fourth, LB 853 makes some technical changes, including removing an incorrect federal reference and eliminating an inadvertent statutory inconsistency to permit extended guardianship subsidies beyond age 19 as intended by LB 216. LB 853 also changes existing
statute to reflect the Department's interpretation that the new Bridge to Independence program incorporates the Former Ward program.

LB 853 is important because it incorporates many of the lessons learned from the numerous stakeholders who have invested time and energy into ensuring this program is successful. That process also brought attention to some corrections that are needed in order to implement the law as intended, and therefore this bill is not just helpful but also necessary to move forward this year.

The Bridge to Independence Program will begin under existing statute within 60 days of the federal government's approval of the state plan amendment, which authorizes federal matching funds for this program. We believe this approval could come any day now, so we need this bill to be passed as soon as possible so the program will be ready to go to make the program work best for young people.

Thank you again for commitment to young adults transitioning from foster care to adulthood, and we respectfully request that you vote to advance LB 853 out of Committee.

Sincerely,
NEBRASKA APPLESEED

Sarah Helvey, J.D., M.S.
Director, Child Welfare Program

Attachment: LB 853 Fact Sheet