

**Health and Human Services Committee**  
**IV-E Legislative Briefing**  
**October 25, 2013**

**Thomas Pristow, Director**  
**Division of Children and Family Services**  
**Department of Health and Human Services**

Good afternoon, my name is Thomas Pristow (T-H-O-M-A-S P-R-I-S-T-O-W), the Director of Children and Family Services with the Department of Health and Human Services, and I am here to update the committee on the status of the Federal Title IV-E program.

As you know in 2012 the Nebraska Legislature passed LB 820 requiring the department to apply for the Title IV-E waiver through the Administration of Children and Families or ACF. During the fall of 2012, the IV-E demonstration project committee met and made recommendations on how to increase the number of children eligible for Title IV-E funding, and also worked on establishing the goals for the IV-E waiver.

In December of 2012, ACF announced the deadline for applications to be considered for a 2013 waiver moved forward from July 2013 to January 15, 2013. In spite of the short deadline, our staff worked diligently to meet the deadline, and on September 30, 2013, Nebraska was awarded a Title IV-E waiver demonstration project. The IV-E waiver seeks to increase positive outcomes for children and families in their homes and communities and improve their safety and well-being. It also aims to prevent child abuse and neglect and the re-entry of youth into foster care.

The two primary interventions that are the basis for the waiver include Alternative Response and Results Based Accountability. The implementation of Alternative Response will require statutory changes regarding child abuse/neglect investigations. The waiver also included policy improvement plans around enhancing mental and physical health for children in foster care and increasing the use of federal Kinship Guardianships. The waiver term is five years and brings with it a capped allotment of \$153 million federal Title IV-E dollars.

The capped allotment was negotiated with ACF in review of past claims for Title IV-E. In April of 2013, we were informed that IV-E fund claims did not have adequate source documentation for foster care payments. The negotiation of the capped allotment took substantial time; ultimately we were able to settle on an allotment that met the cost neutrality provisions of the federal law. The IV-E waiver dollars will be used for children traditionally placed in foster care who are IV-E eligible. Over time, the interventions are expected to yield fewer children needing out-of-home placement; therefore, dollars currently used for foster care can be used for early intervention and prevention services to reduce the incidents of child abuse that result in

children being placed in foster care. This, in turn, will reduce the child and family trauma caused when they are separated.

The IV-E waiver terms and conditions also require that the department develop a corrective action plan to prospectively address claiming issues related to foster care payments. The department has met with Agency Supported Foster Care providers and the Foster Care Rate Reimbursement Committee to discuss the claiming issues. The department will be working collaboratively with the providers to ensure adequate source documentation is gathered to properly claim IV-E dollars. The department will also be working with the providers on “reasonable administrative rates” for the providers, as required by federal law to claim foster care payments. The department will not be able to implement either of the waiver interventions until the corrective action plan is approved by ACF.

In conclusion, Nebraska’s waiver provides the opportunity to use federal funding flexibly to demonstrate innovative child welfare practices to enhance the lives of children and families we serve. We look forward to partnering with all stakeholders involved in child protection to implement these interventions successfully. Thank you for your time. I am happy to answer any questions.