

# NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

February 23, 2017

Senator Riepe  
District #12, State Capitol  
P.O. Box 94604  
Lincoln, NE 68509-4604

RE: LB 297

Senator Riepe and Members of the Health and Human Services Committee:

The Department of Health and Human Services (DHHS) is not taking a position on this bill. LB 297 creates an Advisory Group to meet twice a year to develop recommendations. The advisory group consists of other agency representatives, the DHHS Director of the Children and Family Services Division, DHHS Director of the Developmental Disabilities Division, DHHS Director of the Medicaid and Long-Term Care Division and the DHHS Director of the Behavioral Health Division or their designee. Each member of the advisory group is to also designate a representative with technical knowledge to two subcommittees that meet regularly to manage and discuss items and report findings to the advisory group.

The Department has concerns on the constitutionality of the Children and Juveniles Data Pilot Project Advisory Group. The advisory group is made up of members from the executive branch (i.e. DHHS), legislative branch (Inspector General) and the judicial branch (Probation). We believe that this advisory group is executory in nature. The inclusion of members from the legislative branch and judicial branch may encroach on the sovereign duties of the executive branch.

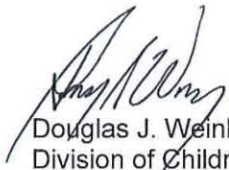
Also, DHHS already has data management projects in this area. The DHHS Division of Behavioral Health is currently working with the Nebraska Behavioral Health System of Care for Children and Youth Initiative which includes the development of a robust data collection and sharing expectations. Also, the DHHS Division of Children and Family Services participates on the Children's Commission's Data, Technology, Accountability, and Reporting Workgroup. This workgroup has been meeting to identify the type of information needed for a clear and thorough analysis of progress on child welfare indicators as per Neb. Rev. Stat. §43-4204(1)(d). The DHHS Division of Medicaid and Long-Term Care is procuring a data management and analytics (DMA) solution to improve access to quality and timely data and enhance capabilities to ensure quality, medically necessary, and cost-effective services.

Lastly, we want to assure all information going into the external data warehouse complies with state and federal confidentiality laws (i.e. Medicaid eligibility information).

For the above reasons, DHHS respectfully requests that the DHHS Director of the Children and Family Services Division, DHHS Director of the Developmental Disabilities Division, DHHS Director of the Medicaid and Long-Term Care Division and the DHHS Director of the Behavioral Health Division not be included in the Advisory Group. They will continue to be available to answer any questions the Advisory Group may have.

Thank you for the opportunity to share the above information and we look forward to working with you in continuing our mission of helping people live better lives.

Sincerely,



Douglas J. Weinberg, Director  
Division of Children and Family Services  
Department of Health and Human Services



Courtney Miller, Director  
Division of Developmental Disabilities  
Department of Health and Human Services



Calder Lynch, Director  
Division of Medicaid and Long-Term Care  
Department of Health and Human Services



Sheri Dawson, R.N., Director  
Division of Behavioral Health  
Department of Health and Human Services