

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

GUIDANCE DOCUMENT

“This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Nebraska Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.”

Pursuant to
Neb. Rev. Stat. § 84-901.03

Effective Date: July 18, 2026

Authority:

Nebraska Revised Statutes (Neb. Rev. Stat.) §§ 28-374.01, 28-380, 28-386, 28-713.01, 28-720, 28-710, 28-721, and 28-723.

Scope/Purpose: To provide guidance regarding the circumstances under which an individual's name may be placed on the Central Registry, the process for requesting a Central Registry Placement Appeal hearing before placement on the Central Registry, and the process for requesting expungement of a record from the Central Registry after placement.

Central Registry Placement Appeal Guidance:

Pursuant to Neb. Rev. Stat. §§ 28-374.01, 28-713.01, and 28-720, no person shall be entered on the Central Registry without first being notified of the right to contest the determination. If a proper request for appeal is made, the person shall not be entered on the Central Registry until the Department issues a final order.

Entries on the Central Registry

1. Nebraska law requires the Department of Health and Human Services to maintain registries (Central Registry) of individuals determined responsible for child abuse or neglect or the abuse, neglect, or exploitation of a vulnerable adult.
2. Prior to an individual's name being placed on the Central Registry, the individual will receive a letter notifying them of the ability to request a Central Registry Placement Appeal, allowing the individual to provide information as to why their name should not be placed on the Central Registry.
 - a. The Department must receive the appeal request within **14 calendar days of the date on the notice**.
 - b. If no request is received, the individual will be placed on the Central Registry. At any time thereafter, an expungement review can be requested. *See *Expungement Guidance* below.

How to Request a Central Registry Placement Appeal

1. Submit the following information to the Department via email or mail. **Email is preferred; Mail can take longer to receive and, therefore, should be mailed in a timely manner.**
 - a. Full name, current mailing address, telephone number, and a request for a Central Registry Placement Appeal hearing.
 - i. Email: DHHS.CRreview@nebraska.gov (preferred method)
 - ii. Mail: Department of Health and Human Services
Attention: Division of Children and Family Services – Expungement
P.O. Box 95026
Lincoln, NE 68509-5026
 - b. Information on how to request this appeal is also included in the letter received.

2. The Hearing Office schedules the hearing. A Notice of Hearing will be mailed to you from the Hearing Office regarding the hearing date/time and how to attend.
 - a. If you do not attend your hearing, the request will be dismissed, and your name will be placed on the Central Registry.

What to Expect at the Hearing

1. The Department will provide documentation as to why the Central Registry entry was made. The individual can provide information as well to support why their name should not be placed on the Central Registry.
2. The Department will testify as to why the entry was made and the applicable evidence to support the entry. The individual will have the ability to ask questions as well as to testify as to why they believe the entry should not be made on the Central Registry.
3. After the hearing, the Hearing Office will mail a Final Order detailing the hearing and the final decision on whether the individual will be placed on the Central Registry.

Expungement Guidance:

A person whose name has been entered on the Abuse and Neglect Central Registry (Central Registry) may request that the entry be amended or expunged if they believe the entry is inaccurate or is being maintained in a way that is inconsistent with the Child Protection Act.

Pursuant to Neb. Rev. Stat. § 28-721, the Department may amend, expunge, or remove from the Central Registry any record upon good cause shown and upon notice to the subject of the report.

How to Request an Expungement

1. An Expungement Review can be requested via:
 - a. Paper form: Nebraska Child Abuse and Neglect Central Registry (CAN Registry) Nebraska Adult Protective Services Central Registry (APS Registry) Request for Expungement Review (CFS-7) that can be found at <https://public-dhhs.ne.gov/Forms/Home.aspx>. Email or mail to DHHS at the email/address listed on the form.
 - b. The DHHS Expungement Request Website: <https://ecmp.nebraska.gov/DHHS-CR/Expungement/IndexER>.
2. It is strongly encouraged that the requester include documentation that supports good cause for the removal of their name from the Central Registry. Examples of documentation may include completion of treatment, therapy, or classes relating to the reason(s) the individual was placed on the Central Registry.

Expungement Review Process

1. The expungement process can take up to 30 days to complete.
2. Once an expungement request is received, the reviewer will ensure that all documentation from the investigation provides credible evidence that abuse or neglect occurred and that the named individual was responsible.
 - a. The reviewer will also consider any information provided by the requester to support if good cause exists to grant the expungement. See *Expungement Good Cause Examples* below.
3. Once the review is complete, a letter will be sent to the requester with the outcome of the expungement request.

Expungement Good Cause Examples

There are a number of reasons an entry on the Central Registry may be expunged for good cause. Some examples of good cause are:

1. No case file information can be located;
2. Documentation is not adequate to support the case status determination;
3. The entry was made when a different definition of abuse or neglect was in use;
4. There is not sufficient evidence to take the request to an Expungement Appeal; or
5. Circumstances have changed and indicate that the behavior that resulted in the Central Registry entry has been resolved. Relevant factors may include, but are not limited to:
 - a. Seriousness of the incident;
 - b. Length of time since report;
 - c. Willingness to accept responsibility for the incident;
 - d. Follow through with recommended services;
 - e. Evidence of changes made, including the length of time they have been able to demonstrate behavior change;
 - f. Extenuating circumstances that may have contributed to the incident;
 - g. Recommendation from the case manager (Child & Family Services Specialist-CFSS) and CFSS Supervisor; and
 - h. Whether the individual continues to be a threat to others.

Expungement for reasons 2, 3, and 4 will be made after a review of the adequacy of the documentation, including documentation related to:

1. The interview and/or observation of the alleged victim;
2. The interview of the alleged perpetrator;
3. Information from witnesses and collateral contacts; and
4. Supporting evidence regarding injuries, such as police/medical photos and reports.

Expungement Request Denial

1. When an expungement request is denied, the requester has the right to request an Expungement Appeal to have the information reviewed by an Administrative Hearing Officer. Requests for an Expungement Appeal must be sent via email or mail to the contact information listed on the Expungement Denial Letter.
2. Exhibits are prepared for the hearing using evidence such as case narratives, photos, law enforcement reports, medical records, and other information in the case file. Exhibits are provided to:
 - a. The Hearing Officer;
 - b. The individual requesting the expungement; and
 - c. Any attorney representing the requestor.
3. The CFSS and others involved in the case may also be called to testify at the Expungement Appeal, with cross-examination from the other parties. The Hearing Officer must be provided with credible evidence to show that it is more likely than not (preponderance of evidence standard of proof) that abuse or neglect occurred, and the individual whose name is on the Central Registry is the responsible party.
4. The Hearing Officer receives exhibits, reviews evidence, and hears testimony before making a recommendation to the Director of the Division of Children and Family Services.
5. The Director makes the final decision about whether or not the individual's name will be removed from the Central Registry.
 - a. If the Director denies the expungement request, the individual has the right to appeal the decision to the District Court.

References:

Central Registry Placement Appeal and Expungement Website:
<https://dhhs.ne.gov/Pages/Abuse-and-Neglect-Central-Registry.aspx>

Request an Expungement:

Website: <https://ecmp.nebraska.gov/DHHS-CR/Expungement/IndexER>

Paper Form: [Nebraska Child Abuse and Neglect Central Registry \(CAN Registry\)/Nebraska Adult Protective Services Central Registry \(APS Registry\) Request for Expungement Review \(CFS-7\)](#).

- Search under “by Form Number” for CFS-7”.