



LB 1173 Statutory Workgroup Meeting
MINUTES
March 13, 2023

The Nebraska LB 1173 Workgroup as established by the Nebraska Legislature met March 13th at DHHS offices, 5220 South 16th Street, Lincoln Nebraska, and via Zoom for the purpose of conducting business consistent with the statutory language of LB 1173, having given notice through release to news media and official public notices published in the Lincoln Journal Star.

The meeting was called to order at 2:00 PM CST. John Stephen from The Stephen Group, the consultant hired pursuant to LB 1173 to assist the Workgroup in meeting its deliverables, called the meeting to order and advised that the meeting was held as a public meeting and was being recorded.

LB 1173 Workgroup members present: DHHS Division Director of Children and Family Services (Interim) and DHHS CEO Danette R. Smith; DHHS Division Director of Behavioral Health (Interim) and DHHS Division Director of Developmental Disabilities Tony Green; DHHS Director of Public Health Charity Menefee (virtual); State Court Administrator Corey Steel (virtual); DHHS Director of Medicaid and Long-Term Care designee Carissa Schweitzer Masek; Omaha Tribe of Nebraska Attorney Alexis Zendejas; and Ponca Tribe of Nebraska representative Stephanie Pospisil.

LB 1173 Workgroup Members Commissioner of Education Deborah A. Frison or the commissioner's designee; a representative of the State Judicial Branch to be appointed by Chief Justice Michael G. Heavican; a representative for Santee Sioux Nation; and a representative for Winnebago Tribe of Nebraska were absent.

Others in attendance were Khalilah LeGrand, DHHS; Dr. Alger Studstill, DHHS; Camas Holder, DHHS; Jeff Powell, DHHS; Cedric Perkins, DHHS; Nanette Simmons, DHHS; Jennifer Skala, Nebraska Children and Families Foundation; David Kelly, Family Justice Group; Jerry Milner, Family Justice Group; John Stephen, The Stephen Group; Richard Kellogg, The Stephen Group; John Cooper, The Stephen Group; Brooke Holton, The Stephen Group (virtual); and Austin Kupke, The Stephen Group (virtual).

The agenda proceeded as follows.

- **Approval of the Agenda (Action Item)**
 - At the outset of the meeting, a request was made by DHHS CEO Smith to amend the agenda as all in attendance on March 13th had attended prior meetings in which an overview of LB 1173 was given.



- **A motion was made to amend the agenda to not cover “Overview and LB 1173” on the agenda, which was seconded and approved by vote, with all voting aye and none voting nay.**
- **Role of Workgroup**
 - John Stephen introduced himself as the Managing Director of The Stephen Group, the hired consultants for the LB 1173 Workgroup. John discussed that the role of the Workgroup is based in statute and went over the role to submit monthly reports to the LB 1173 Strategic Leadership Group, consisting of the Chairperson of the Judiciary Committee of the Legislature; the Chairperson of the Health and Human Services Committee of the Legislature; the Chief Justice or the Chief Justice's designee; and the Chief Executive Officer of the Department of Health and Human Services or such officer's designee. Each month a status report must be provided to this Group.
 - Mr. Stephen also discussed the role the Workgroup in providing the deliverable to the Health and Human Services Legislative Committee on or before December 1, 2023. That deliverable will be a framework for a child welfare practice and finance model. He gave an overview of what the practice and finance models typically entail.
 - There was discussion of how the process for how this deliverable would be developed, including the role of the Workgroup in deciding key areas, the role of the consultants, and gathering feedback and input from community meetings, stakeholder forums, and interviews with staff and other stakeholders in the coming months.
- **Workgroup Meeting Calendar (Action Item)**
 - DHHS CEO Smith requested to match existing 3-branch meetings up with when the Workgroup needs to give updates. State Court Administrator Steel wants to coincide meetings right after Workgroup meetings to report on activities of the Workgroup. DHHS CEO Smith asked to have 3-branch meetings be discussed as part of Workgroup meetings so the Workgroup can see how the work is being spoken about at 3-branch meetings. There was discussion about ensuring that April, May, and June Workgroup meetings would be scheduled to reflect these interests.
 - There was a discussion regarding DHHS Director of Medicaid and Long-Term Care designee Masek’s desire to marshal public health officials for meetings to discuss certain topics including prenatal Plan of Safe Care planning, chronic diseases, and infant child maternal programs in elementary schools/early childhood education, including Sara Morgan, Deputy Director Health Promotion



and Prevention at DHHS and some of her team. There was discussion of how these topics will be part of the prevention report-out at the next meeting.

- **A motion was made to amend the Workgroup meeting calendar to align 3-branch meetings and Workgroup meetings, which was seconded and approved by vote, with all voting aye and none voting nay.**

Child Welfare Practice and Finance Model - State Examples

- Florida, D.C., and Pennsylvania's models were provided to the Workgroup as examples of practice models.
- A high-level overview on these models was given by The Stephen Group's John Stephen and John Cooper, who highlighted some of the key aspects of these models. It was noted that no finance models for child welfare had been found. Discussion included how LB 1173 kickoff themes from the February 8th meeting in Omaha as well recent Nebraska child welfare strategic planning efforts would be factored into developing the practice model, and whether these models would include finance topics such as how claims are processed, billing, and blended funding. John Stephen stated that The Stephen Group consultants have been cataloging these prior efforts, as well as detailed notes from all the engagement sessions and these will be included. Also, there has been a meeting with Andrew Keck, CFS Deputy Director of Finance and that notes would be provided on these meetings.
- Vision/Mission/Practice Priorities and Goals: Workgroup feedback was provided on Vision/Mission/Priorities/Goals from models. State Court Administrator Steel noted the D.C. model's whole practice protocols for social work stuck out to him; he noted the importance of keeping in mind having something like this in what is done in Nebraska. He also stated it is highly important to continue to consider protocols for social work and setting expectations. DHHS CEO Smith noted she also liked the D.C. model because of its including expectations across the system: ex. probation and courts, not just at DHHS.

DHHS CEO Smith indicated that Dr. Alger Studstill, DHHS Deputy Director of Protection and Safety, Children & Family Services Division's team had begun evaluating their division's missions and values and how they see their interactions with the community for just his division. Omaha Tribe of Nebraska Attorney Alexis Zendejas noted that Nebraska has 4 federally recognized tribes and a 5th with some land in Nebraska but no government headquarters; she noted that when talking about "agency to agency" or "department to department" in a practice model that the Workgroup should make sure to include tribes as a government or agency entity, and indicate where Indian Child Welfare Act



applies, or where there may be reason to know that while a child not enrolled in tribe, they have strong ties to a tribe that the tribes are involved in these child welfare cases. Attorney Zendejas noted that Florida child welfare model mentioned culture and that Pennsylvania model has a whole section on cultural connectivity, which she really liked, and which mentions tribes explicitly. DHHS CEO Smith liked that the models are tailored to the states, but noted nothing mentioned in them about rural communities. She wants to acknowledge the tribes, what needs to be done differently for Nebraska.

DHHS CEO Smith indicated a desire to incorporate the Nebraska Strategic Transformation document previously developed and DHHS' Dr. Studstill's team documents to capture some of the verbiage for their model. The Stephen Group's John Stephen indicated he will send these documents out to the entire Workgroup. There was a significant discussion of methods developing the practice model, including vision/mission statements, with a commitment to invested stakeholders and being informed and reflective of all voices and the community's words. Several in attendance noted that there is an expectation that after previous strategic transformation work and the many months it took, that those voices be reflected in whatever is developed. DHHS' Dr. Studstill indicated a need to look at what the state has, what other states have, then make sure larger stakeholder groups are OK with what the Workgroup has landed on. DHHS CEO Smith expressed a desire to take Workgroup deliverables, even in draft form, around the state as listening sessions and interviews are conducted to collect input on what is being developed and whether it is responsive to/reflective of input.

- Based on input received from the Workgroup, a 4-step process was proposed by John Stephen of The Stephen Group for developing the practice model: 1. Take what was heard from kickoff and other meetings to identify vision/values/practice priorities in a 1 pager; 2. Review and consider Strategic Transformation document and DHHS' Dr. Studstill's division's work; 3. Consider model approaches; 4. For upcoming meetings scheduled around the state, take the vision/values/practice priorities developed and approved by the Workgroup to gain input from communities.. The vision/values/practice priorities document would be presented at the next Workgroup meeting.
- **Report Framework/Highlights of LB 1173 Kickoff/Report/Discussion (Action Item)**
 - The first Workgroup status report for February was presented to the Workgroup for their review and input. Discussion indicated the amount of detail was appropriate to track progress over time and give an adequate update. DHHS Deputy Director of Protection and Safety Dr. Studstill and DHHS Director of Medicaid and Long-Term Care designee Masek made a request that an



Appendix 1 be referenced in relation to any meetings held, and that the Appendix 1 be any sign-in sheets from the referenced meetings to know who was in attendance. It was also requested that status report drafts be sent to the Workgroup one week prior to its due date for review and comment.

- **A motion was made to approve the Workgroup's February Status Report, which was seconded and approved by vote, with all voting aye and none voting nay.**
- **Finance Framework and Approach**
 - The Stephen Group consultant David DeStefano provided notes on progress on finance framework.
 - A recent survey of the CFS organization received a great response rate. This survey will provide a lot of crucial information moving forward on the finance model.
 - Andrew Keck, CFS Deputy Director of Finance and David DeStefano have discussed three tiers of workgroups for the finance model development: Group 1 (Primary Workgroup) would cover CFS, Contract, Rates, BH Finance, MLTC Finance, DD Finance, DHHS Finance, Probation Finance, DOE Finance; Group 2 (Secondary) would cover Budget office, District court finance, and the Legislative fiscal office; Group 3 would cover CW Providers, Persons with lived experience (PLEx), BH Regions, MCOs, Childcare association, Other state CW staff (SMEs), Federal partners, and Nebraska policy organizations. DHHS CEO Smith indicated that Anne Liverman from the Governor's Budget Office would be reaching out, Legislative Budget office also want to have included in these meetings. She also indicated this was an important opportunity to level-set as they had never had the opportunity to do so together as government agencies/branches. She indicated it is important get on the same page to begin with as government entities and then include providers, those with lived experience. DHHS CEO Smith wants to have everyone saying the same thing before the Legislature.
 - The Stephen Group has recommended 4 primary areas of focus for the finance Workgroups indicating that these can be expanded or amended at any time based on department or LB 1173 Workgroup feedback: 1. IV-E Maximization: FFPSA candidacy, Penetration rate; 2. Leverage funding: Medicaid, Education, DJJ, SAMHA, Focus on cross-system cost sharing; 3. Rate Analysis; 4. Performance based contracting.



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- **Workgroup Open Forum**

- Omaha Tribe of Nebraska Attorney Alexis Zendejas provided input on what should be included in Prevention work for next Workgroup meeting. She reiterated that when discussing “government to government” relationship building that tribes are considered as government entities and making sure ICWA is complied with.
- More discussion occurred on engaging community partners, and how FFPSA work was going to be covered, as several site visits and community work were involved to develop the state plan and Chapin Hall was engaged to develop the plan. Discussion included the plan to review best practices models from other states and then debrief with community stakeholders and Workgroup. The Stephen Group has also been meeting with Bring Up Nebraska Community Collaboratives around the state and will be doing more engagement with them. General agreement that on developing framework for practice model, it was a good approach to take what has been done with previous work, start from there on practice model framework, develop a draft, and indicate to community stakeholders that previous work got us to the starting point.
- The Workgroup discussed groups that would be beneficial to meet with in Columbus for upcoming forum, especially related to behavioral health and Medicaid. Region 4 area was listed as an important area to meet with. Public health was also named as an important segment of providers to meet with.
- Discussion was had on the content of Workgroup meetings moving forward and who would present, who would be invited to present. Discussion was also held on what deliverables would be expected by each Workgroup meeting, or what discrete accomplishments were expected at each meeting. More juvenile justice and judicial participants were requested as participating in Workgroup meetings.

- **Public Comment**

- No public comment was offered

- **Upcoming meeting/Wrap Up/Adjourn**

- The Workgroup adjourned the meeting at 4:13 PM CST.
- Next Workgroup meeting will be held on April 6th at 5220 South 16th Street, Lincoln Nebraska from 2 to 4 pm.