



January 28, 2022

Senator John Arch, Chair  
Members of the Health and Human Services Committee  
Nebraska Legislature

RE: LB854

Chairperson Arch and Members of the Health and Human Services Committee,

My name is Dr. Katie Bass and I am the Data and Policy Research Advisor representing First Five Nebraska. First Five Nebraska is a statewide public policy organization focused on supporting policies that promote quality early care and learning experiences for young children in Nebraska. I am here today to testify in support of LB854. I want to thank Senator Day for introducing this legislation, and for reaching out to First Five Nebraska when the parents who testified today approached her with their concerns.

LB854 would require the Nebraska DHHS Division of Children and Family Services (CFS) to notify the DHHS Division of Public Health when they receive a report of alleged out-of-home child abuse or neglect when the subject of the report is a child care provider or child care staff member. The notice would include whether an investigation is being undertaken by law enforcement or DHHS CFS.

Both Children and Family Services and Public Health are responsible for investigating concerns around child safety. DHHS CFS receives reports of child abuse and neglect through the hotline, screens those reports to assess if an investigation is necessary, and if it is, either conducts the investigation or refers the case to law enforcement. DHHS Public Health is responsible for child care licensing, which includes investigating violations of safety regulations in licensed child care. Because of these distinct, yet intertwined responsibilities, it is essential that the different divisions are communicating with each other when any report of alleged child abuse or neglect in licensed child care is received.

Providing immediate notice would allow for better coordination if both a CFS and licensing investigation should need to occur, awareness if an allegation does not rise to the level of a child abuse investigation, but does include safety regulation concerns, and identification of patterns should there be multiple reports like we've heard about today.

The good news is that what LB854 proposes already exists in DHHS work procedures. The bad news is that these policies may not have been followed to fidelity in every instance. For something as serious as a reported case of child abuse or neglect, there should be no ambiguity. By placing this in statute, we are clearly defining this not as an expectation of an individual employee who screens a call on the hotline, but as an agency responsibility.

The proposed language in LB854 mirrors the process already in statute for schools, wherein reports of child abuse and neglect involving school employees require immediate notice to the Commissioner of Education. In your green copy, the schools reference is section 4(a) on page 3, the licensed child care language is section 4(b).

Nebraska is fortunate to have early childhood educators who make children's safety their top priority. When safety concerns do arise, it is important that all parties—parents, providers, and system partners—have a clear understanding of the procedures that are in place. LB854 is a first step in outlining those responsibilities clearly to all parties. The real work of digging into the challenge of ensuring adequate parental notification when an allegation of abuse comes in will occur with Senator Day's companion interim study, LR266, which will provide the forum to examine additional issues raised today.

Thank you for your time today and for your consideration of this bill. I am happy to try to answer any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Bass". The signature is fluid and cursive, with a large initial "K" and "B".

Katie Bass, Ph.D.  
Data and Policy Research Advisor  
First Five Nebraska