

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 198

Introduced by Hunt, 8.

PURPOSE: The purpose of this resolution is to examine Nebraska's practices relating to social security benefits owed to certain children in the foster care system. Recent independent nationwide investigations by the Marshall Project and National Public Radio found that, in at least thirty-six states, foster care agencies look for children in their care who are entitled to social security benefits and apply to become the financial representative of those children in order for the agency to keep the money owed to those children, without notifying those children of such practices.

The investigations further found that at least ten state foster care agencies hired for-profit companies to seek and obtain social security benefits owed to children currently in foster care agencies within those states. Such foster care agencies profited millions of dollars under the guise of reimbursement for the costs of providing foster care services to those children.

This study shall include, but not be limited to:

(1) An investigation into whether the foster care system in Nebraska hired Maximus Inc. or a similar contractor for the purpose of identifying children in Nebraska who are eligible for social security benefits and helping the Nebraska foster care system acquire such funds;

(2) An examination of whether the foster care system in Nebraska has retained social security benefits intended for children in its care by way of serving as the financial representative for those children;

(3) An analysis of notification practices used by the foster care system in Nebraska to alert a child and that child's guardian or lawyer of the child's eligibility for social security benefits;

(4) An examination of the amount of social security benefits retained by the foster care system in Nebraska over the last five fiscal years, and, if applicable, the categorical breakdown of such benefits; and

(5) A determination of regulatory or statutory changes necessary to ensure that all children in the foster care system in Nebraska are made aware of social security benefits for which those children are eligible and how to receive such benefits.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.