

ONE HUNDRED SIXTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE RESOLUTION 134**

Introduced by Slama, 1; Howard, 9.

PURPOSE: The purpose of this interim study is to examine the drug testing protocol recently changed by the Division of Children and Family Services of the Department of Health and Human Services for families involved in the child welfare system.

The issues addressed by this interim study shall include, but not be limited to:

- (1) The reasons the drug testing protocol was changed;
- (2) Other states' experience with drug testing protocols related to child welfare systems;
- (3) The lack of drug testing for initial assessments and structured decision making safety and risk assessments;
- (4) The use of a new drug testing protocol in high-risk cases and the decision not to drug test members of families subject to a safety plan even if substance use is present;
- (5) The lack of substance use disorder evaluations when the structured decision making assessment outcome is safe or conditionally safe;
- (6) The decision not to drug test infants and children who may have been exposed to drugs;
- (7) The number of families subject to a safety plan who have been moved to a court-involved case or who have had children removed from the home due to substance abuse in the home;
- (8) The current laws related to drug testing policies in the child welfare system;
- (9) The number of children placed out-of-home before the drug testing protocol change compared to the number of children placed out-of-home after the

change;

(10) The number of children who tested positive for drugs prior to the drug testing protocol change;

(11) The impacts of possible drug use on children after the drug testing protocol change;

(12) The number of drug tests performed on children and on adults prior to the drug testing protocol change compared to the number of such tests after such change;

(13) The process for holding parents and guardians accountable under a safety plan or case plan; and

(14) The efforts by the department to find a compromise solution with stakeholders regarding drug testing protocols.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH 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.