

**NEBRASKA STATE PLAN
FOR THE
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)
PROGRAM**

October 1, 2007

PURPOSE

Section 402 of the Social Security Act as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Public Law 104-193, requires that a state plan be submitted to the Secretary of Health and Human Services. Nebraska is submitting this State Plan to renew its status as an eligible state in order to continue to qualify to receive funding and administer the Temporary Assistance for Needy Families (TANF) program.

GOALS

Employment First is the name of Nebraska's welfare reform program. The primary purpose of *Employment First* is to provide temporary, transitional support for Nebraska families so that economic self-sufficiency is attained in as expeditious a manner as possible through the provision of training, education, and employment preparation. Nebraska is dedicated to improving the standard of living and quality of life for each family living in the State. We will accomplish this by promoting personal responsibility and empowering parents to support their families.

POPULATION SERVED

Nebraska will continue to serve families who are Nebraska residents and:

- Are composed of either one or two parents; or
- Specified relatives, conservator, or guardian; and
- Who are expecting their first child to be born within the next 90 days; or
- Who care for children under the age of 18; or
- Up to age 19 if still in secondary school or equivalent level of vocational or technical school, or participating in *Employment First* after dropping out of school; and
- Whose family's income and resources meet the current means test.

Nebraska will continue to serve families moving to Nebraska under the same program regulations as are applied to other Nebraska families.

Nebraska will continue to serve qualified aliens as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), as amended, under the same program regulations as are applied to other Nebraska families. Funding for assistance provided to qualified aliens who enter the country on or after

August 22, 1996, and who are not eligible to receive Federal benefits because of the time limitations, will be from state only sources for the first five years.

OUT OF WEDLOCK BIRTHS

Nebraska 2010 Health Goals and Objectives

Refer to Attachment A for the Midcourse Review of Nebraska 2010 Health Goals and Objectives for Family Planning. Refer to Attachment B for the Midcourse Review of Nebraska 2010 Health Goals and Objectives for Family Planning Table.

Nebraska Reproductive Health Program

The Nebraska Reproductive Health Program is a statewide program that provides education and comprehensive medical services that are an integral part of prevention and good health.

The Nebraska Reproductive Health Program:

- Promotes responsible behavior, the well-being of families and healthy babies.
- Reduces mother and infant death, unintended pregnancies, child abuse and sexually transmitted diseases.
- Allows timing of pregnancies when couples are in the best position to care for new children.

The program provides services to people, both female and male, regardless of income, marital status, age, national origin, or residence.

Services are confidential and provided in a setting that preserves and protects the privacy and rights of each person. Statewide services are provided by eleven organizations.

Abstinence Education

The 1996 welfare reform law enacted by Congress created the Section 510 Abstinence Education Grant Program, funded at \$50 million each year. States are eligible to receive a portion of these funds based on a formula. Nebraska's formulated allocation of the Section 510 funding is \$218,740 annually.

Nebraska Abstinence Education Program funds have been used to implement programming at the community level. Local abstinence initiatives have been sustained through sub-grant awards in communities reaching across the state. Communities implement programs designed to:

- Reduce the proportion of adolescents who engage in premarital sexual activity, including but not limited to sexual intercourse;
- Reduce the incidence of out-of-wedlock pregnancies among adolescents; and
- Reduce the incidence of sexually transmitted diseases among adolescents.

Since communicating abstinence education to various target populations requires a number of different approaches, activities may include mentoring, counseling, and adult

supervision to promote abstinence from sexual activity. Organizations and entities receiving funds for abstinence education must adhere to programming that complies with the definition of abstinence education as defined by law.

Nebraska has awarded sub grants to organizations in nine communities beginning October 1, 2006. Other program activities for FY 2007 include a publication of a quarterly program newsletter, mobilization activities in selected sites and televised educational messages.

Positive Alternatives

Positive Alternatives is a pilot program administered by the Nebraska Children's Home Society and funded by the Nebraska Department of Health and Human Services. Positive Alternatives provides information on assistance that is available in the Lincoln and Omaha communities for those who are pregnant, or who believe they are and are not sure what to do. Positive Alternatives can help men whose girlfriends or wives are pregnant to understand what to expect next and how to be of help with the birth and raising of their child.

Positive Alternatives works with many organizations in the Lincoln and Omaha communities to provide education and services such as: mentoring, professional counseling, abstinence education, pregnancy tests and counseling, childbirth education, ultrasounds, prenatal care (up through birth), STD testing and education, adoption information and education, and parenting education and services.

STATE RAPE EDUCATION PROGRAM

The Nebraska Law Enforcement Training Center, the Nebraska State Patrol, and the Omaha Police Department are the three entities responsible for providing training to Nebraska's law enforcement officials on the problem of statutory rape. In addition, the Nebraska Department of Health and Human Services contracts with the Nebraska Domestic Violence Sexual Assault Coalition to provide training and technical assistance to local rape crisis centers as well as local police departments upon request regarding statutory rape.

Nebraska Revised Statutes 28-317 to 321, Crimes and Punishments, does not distinguish between genders. The State Rape Education Program serves all genders equally without distinction. The educational services provided are the same for both genders statewide.

CONFIDENTIALITY

All information regarding individuals and families will remain confidential and available only for the purposes of the effective administration of the program and to other federal or state agencies as appropriate. All employees will be trained in the need to maintain the confidentiality of information.

All Nebraska Department of Health and Human Services (DHHS) staff must complete HIPAA and SSA confidentiality training and all contractors must agree to and sign HIPAA Business Associates Agreements and SSA Access Agreements.

Access to Nebraska's computer system N-FOCUS, is defined by a security role that is attached to a person's ID, and access to information is defined and limited by job responsibilities. A personal logon ID cannot be issued until the individual completes a state developed orientation course. The orientation includes a review of data privacy and ethics as they pertain to client information.

All DHHS staff, contractors, temporary workers, and business partners are aware of the Information Technology (IT) Policies, Procedures, and Safeguards implemented by DHHS and understand their roles and responsibilities in insuring DHHS IT resources are secure and protected.

There are two sections to the Security Awareness Training. The first section "Information Technology Computer User Security Awareness" must be completed by any individual who uses a DHSS computer. The second section "IRS Federal Tax Information Appropriate Use and Disclosure" must be completed by every DHSS staff person that accesses IRS Federal Tax Information in the N-FOCUS data system. IRS Federal Tax Information is limited to the caseworker that the case is assigned to and their supervisor.

TWO-PARENT FAMILIES

Nebraska's TANF cash assistance program encourages the formation and maintenance of two-parent families by the elimination of specific requirements, such as the 100 hour rule and qualifying work history, which restricted eligibility of the second parent in the home. In addition, stepparents are included as eligible members of the assistance unit, just as natural and adoptive parents are included in the unit.

ELIGIBILITY FOR TANF

Nebraska's TANF cash assistance program is called Aid to Dependent Children (ADC). Eligibility is limited to needy families with dependent children or parent(s) with an unborn child. A needy family is defined as a family consisting of children who are living in the home of a relative, guardian, or conservator, unless removed from that home by judicial determination and whose income and resources are below the standards which are applied on a statewide basis.

Usually the child shares the same household with the parent, relative, guardian or conservator. However, a home is considered to exist as long as the parent or relative exercise responsibility for the care and control of the child, even though circumstances may require the temporary absence of either from the customary family setting.

Allowable absences include:

1. A child receiving medical care or education which requires the child to live away from the home.
2. A child out of the home for a visit not to exceed three months.
3. Emergency situations that deprive the child of a parent, relative, guardian, or conservator's care (may not continue beyond three months except in case of extended hospitalization).

If the child is living with a relative, the relative must be a father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, second cousin, nephew, or niece. These relatives may be half blood, related by adoption, or from a preceding generation. A child may also live with the spouse of any persons previously named even after death or divorce has terminated the marriage. The child may also live with a court appointed guardian or conservator.

The needs of the parent(s), needy caretaker relative, guardian or conservator may be included in the ADC financial payment. To be eligible they shall:

1. Assign support rights to the Nebraska Department of Health and Human Services;
2. Cooperate with the Child Support Enforcement Unit;
3. Live with the child in a place or residence they maintain;
4. Be in need, as determined by assistance requirements and standards;
5. Cooperate in developing and completing a Self-Sufficiency Contract;
6. Not be eligible for the Aid to the Aged, Blind and Disabled (AABD) medical assistance program.

If there is more than one child in the household of a non-relative, all children for whom assistance is requested must be included in a single grant unit and budgeted accordingly. Deprivation of parental support or care is not an eligibility requirement. Unmarried parents living together as a family shall be considered a family unit when paternity for the child(ren) has been acknowledged or established. When unmarried parents are living as a family and one parent is ineligible, the ineligible parent and his/her child(ren) are not included in the ADC unit. If otherwise financially eligible, the other parent and his/her children may continue to receive ADC cash assistance.

Eligibility for ADC cash assistance must be redetermined every six months. A family will be eligible for financial assistance and services if:

1. The family's countable income is under the standards in effect on July 1, 2007, adjusted biennially using the Consumer Price Index (CPI) for the previous two years; and
2. Countable resources do not exceed \$4,000 for a single individual and \$6,000 for two or more.

Any person convicted in federal or state court of having fraudulently misrepresented his/her residence in order to obtain assistance in two or more states is ineligible for assistance for 10 years from the date of conviction.

An individual is ineligible for assistance during any period in which the individual is:

1. Fleeing to avoid prosecution or custody or confinement after conviction for a crime or attempt to commit a crime that is a felony under the law of the place from which the individual is fleeing; or

2. Violating a condition of federal or state probation or parole.

An individual who commits any offense after August 22, 1996, which is classified as a felony and which has as an element the possession, use, or distribution of a controlled substance and is convicted under federal or state law after August 22, 1996, is permanently ineligible for ADC cash assistance.

BENEFITS

The maximum amount of ADC cash assistance provided will be \$222 for the first person and \$71 for each additional person included in the unit. The amount of the ADC cash payment to the household is determined by completing the following steps:

1. Total gross countable earned income;
2. Subtract 20 percent of earned income;
3. Subtract child care paid out-of-pocket;
4. Subtract the remaining earned income from the appropriate Standard of Need; (\$465 for the first person and \$108 for each additional person)
5. Compare the result of step 4 to the appropriate payment standard;
6. Show the lower of the payment standard or the difference from step 4;
7. Subtract unearned income from the amount shown in step 6;
8. The result of step 7 is the amount of the grant.

ADC cash assistance is time limited for families that include an adult or minor parent who meets the federal definition of a work-eligible individual.

Families subject to the time limit may receive an ADC cash payment for which they are eligible for a total of 60 months in a lifetime. The 60-month lifetime limit begins with the first month the family is determined to be eligible for and receives ADC cash assistance.

Medicaid coverage will be available to all family members receiving ADC cash assistance.

Child care assistance is available at no cost to families receiving ADC cash assistance or whose gross earned and unearned income is at or below 100 percent of the Federal Poverty Level. Families whose incomes are above the current income standard for the full child care subsidy may be eligible for a partial child care subsidy if their gross earned and unearned income is at or below 120 percent of the Federal Poverty Level. Eligible families cannot be required to pay more than 20 percent of their gross income towards the cost of child care.

TRANSITIONAL BENEFITS

An ADC case may receive up to five transitional cash payments, each payment being equal to one fifth of the ADC Payment Standard for the family's size at the time the family becomes ineligible for an ADC cash payment if:

1. The unit lost eligibility for an ADC cash payment because of increased earnings or increased hours of employment of the parent or needy caretaker relative or guardian or conservator.
2. The unit meets the requirements to qualify for Transitional Medical Assistance.
3. The unit must have lost eligibility for an ADC cash payment in the month immediately preceding the first month of eligibility for the transitional cash payment.
4. In order to continue to receive transitional cash payments for the full five-month period, the family must meet the following requirements:
 - a. The family's earned income cannot exceed 185 percent of the Federal Poverty Level for the family's size;
 - b. The parent or needy caretaker relative or guardian or conservator must be employed;
 - c. The family continues to reside in the State of Nebraska;
 - d. The family must continue to include a dependent child;
 - e. The family must remain ineligible to receive an ADC cash payment.

An ADC case may receive up to 12 months of transitional Medicaid if:

1. The unit has earned income which results in ineligibility for an ADC cash payment (or in conjunction with other factors results in ineligibility for an ADC cash payment);
2. The unit received or was financially eligible to receive an ADC cash payment in three of the last six months preceding ineligibility; and
3. The parent or needy caretaker relative or guardian or conservator is employed.

Transitional child care assistance must be provided for up to 24 consecutive months if:

1. The family loses eligibility for ADC cash assistance as a result of increased earnings or increased hours of employment;
2. The family received an ADC cash payment (or did not receive a payment but met income and resource eligibility to receive a payment) for which they were eligible in three of the last six months preceding ineligibility;
3. The family provides the financial information necessary to determine eligibility and the amount of the fee;
4. The child care is necessary to allow the parent to accept or retain employment;
5. The adult or minor parent has complied with Child Support Enforcement requirements; and
6. The family's gross earned and unearned income is equal to or less than 185 percent of the Federal Poverty Level.

APPEALS/MEDIATION

Every applicant for or recipient of assistance or services provided through the Nebraska Department of Health and Human Services has the right to appeal to the Director of the

Department for a fair hearing on any action or inaction with regard to the assistance or services. The request for a fair hearing must be filed in writing within 90 days following the date the notice of adverse action is mailed. If an applicant wishes to appeal due to inaction, s/he must request a fair hearing within 90 days of the date the application was signed. Requests for a fair hearing filed within 10 days following the date the notice of adverse action is mailed will stay the adverse action until a fair hearing decision is rendered.

Employment First participants have the right to independent mediation if the participant is unhappy with a case manager's action or inaction; or when the Department has determined that the participant has not complied with the terms of the Self-Sufficiency Contract; or the participant contends that the Department has not fulfilled its terms of the Self-Sufficiency Contract. The request for mediation must be requested within 90 days following the date the notice of adverse action is mailed. Requests for mediation requested within 10 days following the date the notice of adverse action is mailed will stay the adverse action until a decision is reached through mediation. If the individual is unhappy with a case manager's action or inaction, the individual has 30 days from the date of the case manager's action or inaction or the date the individual became aware of the case manager's action or inaction to request mediation.

EMPLOYMENT FIRST PARTICIPATION

Nebraska has adopted the federal definition of work-eligible individuals. All individuals who are defined as a work-eligible individual are required to participate in the *Employment First* program.

Dependent children age 15 or younger (including an emancipated minor) and dependent children age 16, 17, or 18 who are full-time students regularly attending an elementary or secondary school, or the equivalent level of vocational or technical school, or a dependent child age 16 or 17 who is a full-time student and regularly attending college, are not required to participate in the *Employment First* program.

ORIENTATION/ASSESSMENT/SELF-SUFFICIENCY CONTRACT

The orientation is done as an introduction to the *Employment First* program and the comprehensive assets assessment. The orientation highlights the responsibilities that the client will be expected to fulfill if s/he becomes eligible for ADC cash assistance. The orientation also provides the participant with detailed information on all *Employment First* requirements, program expectations, participation options, services, and time limits. An assessment will be completed with each participant. The purpose of the assessment is to gather and organize information about the participant's skills, aptitudes, strengths, interests, goals, prior work experience, family circumstances and employability. The assessment is an ongoing process. Reassessment occurs when a participant's circumstances change, when s/he is not able to continue forward movement in the activities included in his/her Self-Sufficiency Contract, or at any time the case manager and/or the participant determines it is necessary.

Based on the results of the assessment, an individualized Self-Sufficiency Contract, which incorporates a detailed Service Plan, will be developed. The Contract will stress urgent action toward economic independence. It will outline and define both the Department's responsibility and the family's responsibility. The Contract will be used as a flexible tool. If the participant is not achieving progress in his/her Contract, it will be evaluated and changed accordingly.

WORK ACTIVITIES

Nebraska's approved work activities are:

1. Core activities:
 - a. Unsubsidized Employment;
 - b. Subsidized Private or Public Sector Employment;
 - c. Work Experience;
 - d. On-the-Job Training;
 - e. Job Search/Job Readiness;
 - f. Community Service;
 - g. Vocational Training'
 - h. Providing Child Care Services to an Individual Who is Participating in a Community Service Program; and
 - i. Post-Secondary Education.

2. Non-Core activities:
 - a. Job Skills Training Directly Related to Employment;
 - b. Education Directly Related to Employment; and
 - c. Satisfactory Attendance at Secondary School or in a Course of Study Leading to a Certificate of General Equivalence.

SUPPORTIVE SERVICES

Supportive services will be provided to the extent determined necessary to permit the individual to participate in any *Employment First* approved work activity, including the administrative process of orientation, assessment, self-sufficiency planning, and Self-Sufficiency Contract development, if no other source is available. Case management and necessary supportive services may be provided for the duration of the client's participation in all *Employment First* approved work activities and, if needed, after the loss of eligibility for ADC cash assistance due to earned income, and if the individual was either cooperating with or participating in *Employment First* at the time:

1. Extended EF supportive can be provided for up to three months for all approved work activities included in his/her Self-Sufficiency Contract; and
2. Transitional EF supportive services can be provided for up to six months if the supportive services are determined as necessary and critical for maintaining and/or retaining their employment.

The supportive services include, but are not limited to: transportation, education/training related expenses, relocation assistance, work-related expenses, and health-related services.

SANCTIONS

Non-cooperation with the program requirements will result in the following sanctions:

1. Cash assistance will be reduced by \$50 for each dependent child who fails to attend school if the student's parent has not taken reasonable steps to encourage the child to remain in school.
2. Non-cooperation with Child Support Enforcement will result in a 25 percent reduction in the ADC cash payment and the removal of the sanctioned individual's needs from the medical unit.
3. Non-cooperation with obtaining available cost-effective health insurance will result in the removal of the individual's needs from the medical unit.
4. Non-cooperation with obtaining third party medical payments will result in the removal of the individual's needs from the ADC and the medical unit.
5. Refusal to apply for potential income will result in the suspension or closure of the case.
6. Failure of the needy caretaker relative, guardian, or conservator to participate in the *Employment First* program results in the removal of the individual's needs from the ADC and the medical unit.
7. Failure of a dependent child age 16, 17, or 18 to attend school without participating in any other *Employment First* approved work activity results in removal of the child's needs from the ADC unit.
8. If the parent(s) fails to participate in the *Employment First* program, the result is the loss of ADC cash assistance for the entire family as well as medical assistance for the adult(s). The length of this sanction is:
 - a. The first sanction will last one month or until the failure to cooperate ceases, whichever is longer.
 - b. The second sanction will last for three months or until the failure to cooperate ceases, whichever is longer.
 - c. The third and subsequent sanctions will last for 12 months or until the failure to cooperate ceases, whichever is longer.

DOMESTIC VIOLENCE

Nebraska has adopted the Family violence Option under Subpart B of part 260 and wants recognition of its good cause domestic violence waivers.

All *Employment First* case managers are trained on definitions, policy, introductory and screening questions, work requirement exemptions, process and flow, confidentiality and safety, understanding domestic violence and safety planning. All *Employment First* case managers are provided with a Domestic Violence Guide developed by the Nebraska Department of Health and Human Services, *Employment First* program, Voices for Children, and the Nebraska Domestic Violence Sexual Assault Coalition.

All work-eligible individuals are provided with a self-administered screening form which allows them to self-disclose domestic violence. The screening form is maintained in a safe and confidential file separate from the case file.

In order to qualify for an exemption from the work requirements and time limits, the individual must have an assessment for domestic violence by a domestic violence/sexual assault program representative or a medical professional. There must be verification of the domestic violence from appropriate professional sources. The case manager must refer the individual for counseling and appropriate services. Work participation and the time limit may be waived for up to six months depending on the assessment. The exemption must be reassessed at least every six months or sooner and the exemption may be extended beyond six months, if necessary.

The *Employment First* case manager must develop an individualized service plan. The service plan outlines the steps necessary to overcome the individual's barriers to work and/or participation in other approved work activities. The service plan is based on the activities recommended and/or determined necessary by a qualified professional in the appropriate discipline.

SOLELY STATE-FUNDED PROGRAM FOR TWO-PARENT FAMILIES

Nebraska has implemented a solely-state funded program for two-parent families receiving ADC cash assistance. To allow for more flexibility in serving these families, this program is not funded with federal TANF funds. Cash assistance provided to these families will be funded with state dollars only. The state general funds used for cash assistance for this program will not count toward Nebraska's TANF maintenance-of-effort requirement and therefore are not subject to any federal TANF requirements. This program was created effective October 1, 2006.

The State provides short-term targeted services and work activities to these families to assist them in achieving economic independence. The regulations of the federal TANF program do not count many of these services and activities towards the work participation requirements. These services and work activities are necessary because this population comprises a small fraction of all Nebraska families on assistance, and two-parent families typically are:

- On ADC cash assistance for much shorter periods of time;
- Employed much sooner; and
- No longer eligible for ADC cash assistance if one person works more than 35 hours per week at minimum wage.

SOLELY STATE-FUNDED PROGRAM FOR SPECIFIED EXEMPTIONS

Nebraska has implemented a separate state program for families receiving ADC cash assistance where the adult or minor parent qualifies for one of the specified exemptions. To allow for more flexibility in serving these families, this program is not funded with federal TANF funds. Cash assistance provided to these families will be funded with state dollars only. The state general funds used for cash assistance for this program will not

count toward Nebraska's TANF maintenance-of-effort requirement and therefore are not subject to any federal TANF requirements. This program was created effective October 1, 2006.

This solely state-funded program allows Nebraska to exempt from the work participation requirements and federal time limits those families where the adult or minor parent is incapacitated with a medically determinable physical, mental or emotional impairment or who has significant barriers to participation in approved work activities. Nebraska will provide the services necessary to help these individuals overcome and/or remove the barriers preventing them from effectively engaging in approved work activities and attaining the maximum level of economic independence possible for their families through work.

The following individuals are exempt from participating in *Employment First* approved work activities and are also exempt from time limit for the length of time they qualify for the exemption:

1. A person who:
 - a. Has an illness or injury serious enough to temporarily prevent entry into employment or participating in another *Employment First* component activity for up to three months;
 - b. Is incapacitated with a medically determinable physical or mental impairment which, by itself or in conjunction with age, prevents the individual from engaging in employment or participating in another *Employment First* component activity and which is expected to exist for a continuous period of at least three months.
2. A person age 65 or older.
3. A parent who is needed in the home on a continuous basis to provide care for a disabled family member living in the home who does not attend school on a full-time basis and no other appropriate member of the household is available to provide the needed care.
4. A victim of domestic violence and where participation in *Employment First* approved work activities would make it more difficult for the individual to escape violence, or unfairly penalize the individual, or would put the individual at risk of further domestic violence.
5. A single custodial parent who is unable to participate because s/he cannot obtain child care for his/her child age five or younger for one or more of the following reasons:
 - a. Unavailability of appropriate child care within a reasonable distance from the client's home or work site;
 - b. Unavailability or unsuitability of informal child care by a relative or under other arrangements; or
 - c. Unavailability of appropriate and affordable formal child care arrangements.

Two-parent families are allowed the same exemptions as are single-parent families, but will remain in the solely state-funded program for two-parent families. If both parents in a two-parent family qualify for an exemption the family will be exempt from the time limit for the length of time both parents qualify for an exemption.

SEPARATE STATE PROGRAM FOR SPECIFIED EXEMPTIONS

Nebraska has implemented a separate state program for single-parent families receiving ADC cash assistance where the adult or minor parent qualifies for one of the specified exemptions. ADC cash assistance provided to these families will be funded with state dollars only. The state general funds used to support this separate state program will apply towards Nebraska's Maintenance-of-Effort requirement. This program was created effective October 1, 2006.

The following individuals are exempt from participating in *Employment First* approved work activities and are also exempt from the time limit for the length of time they qualify for the exemption:

1. A pregnant woman beginning the first of the month before the month of the mother's due date.
2. A parent or needy caretaker relative, guardian or conservator of a child under the age of 12 weeks. This exemption can be extended if a written statement from the attending physician states that the parent requires additional postpartum recovery time, or special medical conditions of the child require the presence of at least one parent or needy caretaker relative, guardian, or conservator.

Nebraska will continue to report on all TANF families and separate state funded families in the quarterly TANF data report (ACF-199) as required.

SEPARATE STATE PROGRAM FOR POST-SECONDARY EDUCATION

Nebraska has implemented a separate state program for single-parent families where the adult or minor parent is participating in an approved post-secondary education component activity. ADC cash assistance provided to these families will be funded with state dollars only. The state general funds used to support this separate state program will apply towards Nebraska's Maintenance-of-Effort requirement. This separate state program took effect November 1, 2004.

Nebraska's 1115 waivers allowed the State to count post-secondary education as an approved work activity. With the loss of the 1115 waivers, Nebraska's post-secondary education component activity became inconsistent with approved federal work activities. Post-secondary education is specified as an allowable activity under the Nebraska Welfare Reform Act. By creating this separate state program Nebraska will be able to continue post-secondary education as an allowable work activity.

Nebraska will continue to report on all TANF families and separate state funded families in the quarterly TANF data report (ACF-199) as required.

DIVERSION PROGRAM

Effective October 1, 2006, Nebraska created an upfront non-assistance Diversion Program for applicants. Participation in the program is for up to 4 months in a 12 month period. The purpose of the program is to assist mandatory work-eligible individuals applying for ADC with the skills and supportive services necessary to obtain and retain a job and to ensure that those entering the regular TANF program are immediately engaged in approved work activities for the federally required number of hours. By providing this short term non-assistance program individual and family circumstances, strengths and needs can be fully assessed, barriers addressed, safe and reliable child care secured, and realistic and achievable employment plans developed. Many of these families will secure employment and successfully transition to economic self-sufficiency, thus preserving months of time limited TANF cash assistance. The cash assistance provided under this program is funded with federal TANF funds and State MOE funds and is considered non-assistance as it is short term and nonrecurring.

NEBRASKA'S MAINTENANCE-OF-EFFORT QUALIFYING EXPENDITURES

To receive full federal TANF funding, Nebraska must have qualifying state expenditures to meet at least 75% of the 1995 level of expenditures. Nebraska's TANF Maintenance-of-Effort (MOE) requirement is \$28,501,559 at the 75% level and \$30,401,663 at the 80% level.

The following are the qualifying state expenditures for Nebraska's TANF MOE requirement beginning FFY 2006, with the exception of Nebraska's Earned Income Tax Credit which began qualifying as a TANF MOE expenditure for FFY 2007:

1. *Cash Assistance:*

Nebraska's Aid to Dependent Children (ADC) program provides cash assistance to low-income families with minor children to help to meet their basic needs. Eligibility is based on the same criteria for TANF cash assistance as found on pages 4 - 6, ELIGIBILITY FOR TANF.

2. *Emergency Assistance:*

Nebraska's Emergency Assistance (EA) program provides financial assistance for families with minor children who are threatened by unforeseen crises such as: catastrophic illness where services are not covered by Medicaid; shutoff by utility companies' imminent eviction from a family home; emergency non-food items; emergency telephone installation; emergency special diets; or emergency food. General eligibility requirements include:

- a. The child is age 18 or younger (a pregnant woman with no other children may be eligible);
- b. The child is currently living with one or both parents, or, within six months before the month in which assistance is required, was living with a specified relative or a legally appointed guardian or conservator in a place of residence maintained as their own home;

- c. The household is without income and resources immediately accessible to meet the needs that are caused by the emergency situation;
 - d. The child meets requirements of citizenship or permanent resident alien status;
 - e. The destitution or need did not arise because the child (if age 16 or older and not in school) or the relative responsible for support and care refused without good cause to accept employment or training for employment or quit a job without good cause. However, if the child or family member refused without good cause, but the emergency was not caused by this action, the family is still eligible for EA;
 - f. The household meets relevant income eligibility requirements. The family's gross monthly income must not exceed 185 percent of the ADC payment standard for the family size. The ADC payment standard is \$222 for the first person and \$71 for each additional person included in the household.
3. *Employment Assistance:*
Nebraska's *Employment First* (EF) program provides education, training, employment preparation activities, and supportive services along with other programs and services to recipients of ADC cash assistance. The *Employment First* program is designed to move families, who are receiving ADC cash assistance, quickly into employment so that they may become economically independent. In order to promote job advancement and job retention, supportive services may be provided after the loss of eligibility for ADC cash assistance due to earned income:
- a. Extended supportive services:
Supportive services determined necessary to participate in all approved EF activities included in a participant's Self-Sufficiency Contract may be provided for up to three months, if needed, after the loss of eligibility for ADC cash assistance due to earned income.
 - b. Transitional supportive services:
Supportive services determined necessary and critical for job retention may be provided for up to six months, if needed, after the loss of eligibility for ADC cash assistance due to earned income.
4. *Administrative Expenses:*
Nebraska expends funds to administer Nebraska's assistance programs. These administrative costs support staff and necessary overhead. These qualifying state expenditures are developed through our Cost Allocation Plan.
5. *Information Systems Expenses:*
Nebraska expends funds to provide information systems to provide needed information to staff regarding eligibility, client activities, cash payments and services for families receiving assistance. These qualifying state expenditures are developed through our Cost Allocation Plan.
6. *Child Care Assistance:*

Nebraska's Child Care Assistance program subsidizes child care costs for eligible families. Child care assistance is available at no cost to families receiving ADC cash assistance or whose gross earned and unearned income is at or below 100 percent of the Federal Poverty Level. Families whose incomes are above the current income standard for the full child care subsidy may be eligible for a partial child care subsidy if their gross earned and unearned income is at or below 120 percent of the Federal Poverty Level. Families must also show a need for receiving a child care subsidy, such as, but not limited to, job search, employment, education, training, incapacitated parent, and need to obtain medical care.

7. *Tribal TANF Programs:*

Nebraska provides a fair and equitable share of state MOE funds to Nebraska Tribes in support of their federally approved Tribal TANF programs. DHHS specifies that the state MOE funds provided to the Tribes be used for Tribal cash payments to eligible families. Eligibility is defined in their Tribal Family Assistance Plan (TFAP). DHHS requires the reporting of the use of these funds and the number of families served with these funds.

8. *Early Childhood Grant:*

Nebraska Early Childhood Education (ECE) Grant Program is designed to award state funds to public schools or Educational Service Units (ESUs) to assist in the operation of comprehensive center-based early childhood education programs intended to support the learning and development of children in the birth to kindergarten age range. The projects increased opportunities for at-risk children to participate in early childhood education programs by creating new, expanded, and/or combined programs funded through district, federal, or parent fees, and involved collaboration with Head Start and other community programs. The purpose of Nebraska's Early Childhood Education Grant Program is to provide high quality early childhood education program experiences that assist children to reach their full potential and increase the likelihood of their later success in school.

The ECE grant programs are required to serve children in inclusive classrooms that represent the range of abilities and disabilities of the children and the social, linguistic, and economic diversity of the families in the community. The programs target pre-kindergarten age children:

- a. Whose family income qualifies them for participation in the federal free or reduced lunch program;
- b. Who reside in a home where a language other than spoken English is used as the primary means of communication;
- c. Who were born prematurely or at low birth weight; or
- d. Whose parents are younger than eighteen or who have not completed high school.

In the 2005-2006 year, Nebraska Department of Education (NDE) provided grant funds to 38 districts or Educational Service Units across the state to operate early

childhood education programs. These programs have been funded from one to fourteen years.

9. *Nebraska Earned Income Tax Credit:*

Most states levy state income taxes, but the tax burden on low-income families varies significantly depending on where they live. A growing number of states offset this burden with state earned income tax credits and/or state child and dependent care tax credits. These credits are typically based on provisions in the federal income tax code, but states make all decisions regarding eligibility and benefit levels.

To be eligible to claim the Nebraska EITC you must:

- Be a resident of the State of Nebraska, and
- Be eligible for and claim the federal EITC on your federal tax return.

For the 2006 tax year, this state-level EITC provides an additional 8% above and beyond what you may claim for your federal EITC for those who are eligible. This tax credit is now refundable, which means it will first be used to lower or eliminate any state income tax you might owe and if the credit is larger than what you owe in state tax the amount will be refunded to you.

Income eligibility criteria

Income eligibility rules same as federal EITC	Yes (2006)
Income limit for 1-parent family w/ 2 or more qualifying children	\$36,347/year (2006)

Benefit level

Refundable credit available	Yes (2006)
Percent of federal EITC	8% (2006)
Max benefit for family w/ 2 or more qualifying children	\$363/year (2006)

10. *Nebraska Child and Dependent Care Tax Credit:*

The Child and Dependent Care Tax Credit is a tax benefit that helps families pay for the child care they need in order to work or look for work. The credit is also available to families that must pay for the care of a spouse or an adult dependent who is incapable of caring for himself or herself.

Income eligibility criteria

Income eligibility rules same as for federal credit	Yes (2006)
Income limit for family w/ 2 or more qualifying children	No limit (2006)

Eligible expenses

Child care expenses eligible by same rules as federal credit Yes (2006)

Benefit level

Refundable credit available Yes (2006)

Benefit structure Credit of 25-100% of federal credit, depending on income (2006)

Max benefit for family w/ 2 or more qualifying children \$2,100/year (2006)

11. *Tobacco Free Nebraska:*

The Tobacco Free Nebraska (TFN) movement includes many statewide partners. All are dedicated to reducing tobacco use among young people, eliminating exposure to secondhand smoke, and helping people quit.

Local tobacco prevention coalitions, schools, and non-profits like the American Cancer Society, American Lung Association, and American Heart Association often partner with TFN. Health care providers and educators, law enforcement, teachers, and community leaders work as well to address this serious health issue.

Since 2000, the Tobacco Free Nebraska (TFN) program has received various levels of funding in order to do its work.

As of 2004, state funding has been relatively stable. At that time, the Nebraska Unicameral allocated \$2.5 million annually to TFN from the tobacco master settlement agreement.

The \$2.5 million, plus \$1 million from the Centers for Disease Control and Prevention funds TFN. The program works to:

- Help people quit,
- Eliminate exposure to secondhand smoke,
- Keep youth from starting,
- Reach underserved populations.

In order to meet these goals, there are several parts of TFN including:

- School, community, and outreach programs,
- Sponsoring the Nebraska Tobacco Quitline,
- Youth empowerment, and
- Media efforts to keep youth from starting to use tobacco and raise awareness about the health effects of secondhand smoke.

12. *Respite Service for Children:*

The Nebraska Department of Health and Human Services, Office of Home and Community-Based Services offers respite service to caregivers who need a temporary break from care giving so they can come back refreshed and ready to provide good care again. Respite service pays someone to come into the home, take care of a child with disabilities or special needs, and give the primary caregiver a temporary break. This would include adult children caring for siblings with disabilities or special needs and parents of children with disabilities or special needs.

This program pays for respite services (someone to come into the home to care for a child with a disability or special needs to give the primary caregiver a temporary break). It is for people who are not receiving the service from another government program.

Caregivers who need a temporary break from providing care to persons of any age with special needs. Examples of special needs are developmental and physical limitations, emotional or behavioral disorders, chronic illness, Alzheimer's disease and related health concerns, or persons at risk of abuse and neglect.

Eligibility is based on income guidelines. However, if you have expenses directly related to the disability, these can usually be subtracted from the counted income. The person applying must have a caregiver. The program will provide up to \$125 per client each month

Lifespan Respite Subsidy Program - Income Guidelines

The Lifespan Respite Subsidy Program serves clients whose monthly, adjusted gross income is at or below 310% of the Federal Poverty Guidelines. If eligible, the program will provide a payment for respite services up to \$125 per client per month. Benefits may be saved for use up to three months.

13. *Child Welfare:*

The Nebraska Department of Health and Human Services is committed to developing and implementing a comprehensive statewide approach to providing child welfare and Juvenile services. These services are provided within statutory mandates while promoting and supporting community and family responsibility. The following represents the Department's role:

- Protect children by assessing for safety and risk to the child, and by providing for necessary intervention, when indicated.
- Help to preserve families and enhance family strengths and functioning by:
 - 1) Actively engaging families in the decision-making process,
 - 2) Assessing needs,
 - 3) Linking with appropriate resources (formal and informal), and
 - 4) Providing the needed services.
- Provide permanence for children who can't return to their biological families by assessing their needs and providing the appropriate services.

- Help to integrate services locally by working with local service providers and other community systems.
- Mobilize resources locally and statewide by collecting information on the needs of children and families, assessing this information, and deploying staff to help communities bring about needed changes.
- Provide necessary support to staff that will help to bring about the identified outcomes for the child welfare and Juvenile services programs of the Department.
- Provide rehabilitative services through institutional and community-based programs to youth committed to HHS-OJS to help youth become law-abiding and productive citizens.
- Plan, coordinate and evaluate to provide the most effective and efficient use of resources to benefit children, families and staff.

The Nebraska Department of Health and Human Services is mandated to serve children who are abused or neglected or come into the system through the court system.

Nebraska's Child Welfare system provides services to children and families that are funded by state child welfare funds. Nebraska will claim as MOE funds state child welfare funds used to provide services to children in home and those temporarily absent from the home. Temporary absence from the home is defined as up to 12 months with a reunification goal in the plan. The following non-assistance services include qualifying state expenditures:

- a. Medical/Mental Health/Substance Abuse:
 - 1) Out of Home Treatment.
 - 2) Interpreter.
 - 3) Psychotherapy family/group/individual.
 - 4) Psychotherapy Consultation.
 - 5) Assessment Drug/Alcohol.
 - 6) Chemical Dependency Treatment.
 - 7) Emergency Shelter Care.
- b. Child Care: The Child Care and Development Fund (CCDF) program funds are used when the service is eligible for this type of funding, otherwise Child Welfare funds are used in situations including but not limited to the following:
 - 1) Child care may be approved for brief periods of time, consisting of a few hours, to provide supervision for a ward when the foster parent must be absent in order to meet the needs of another ward in his/her care.
 - 2) Pre-school child care may be provided for the purpose of improving socialization skills.
- c. Transportation:
 - 1) Commercial.
 - 2) Motor Vehicle Private.

3) Family Visitation.

d. Educational Services:

- 1) Drivers Education Classes.
- 2) Tuition.
- 3) Student Fees.
- 4) Academic Tutoring/Academic Tutoring in Home.
- 5) Parent Education.

e. Medical Services: These are only authorized and paid through the Child Welfare system when the youth or family does not meet Medicaid/Magellan medical necessity. This is usually for adults who may not be Medicaid eligible or Court Ordered services where the youth or family does not meet the criteria for Medical Necessity:

- 1) Family Assessment.
- 2) Parenting assessment.
- 3) Pretreatment Assessment.
- 4) Psychological Assessment.
- 5) Special Needs Counseling.
- 6) Residential Evaluation.
- 7) Bonding and Attachment.
- 8) Counseling.
- 9) Environmental Modifications.
- 10) Ambulance.
- 11) Dental.
- 12) Hospital Care Acute.
- 13) Medical Surgical out Patient.
- 14) Mental Behavioral Out Patient.
- 15) Office Examination/Treatment.
- 16) Orthodontics.
- 17) Prescription supplies.
- 18) Psychological Hospital care.
- 19) Visual.
- 20) Wheelchair Accessory.
- 21) Funeral Cost.

f. Community Based Services:

- 1) Family Support Services.
- 2) Mentoring Support Service.
- 3) Escort Services.
- 4) Escort Additional Staffing.
- 5) Visitation Supervision/Monitor.
- 6) Visitation Services.
- 7) Intensive Family Preservation.
- 8) Home Based Family Therapy.
- 9) Respite Care.

g. Mediation/Facilitation Services:

- 1) Family Group Conferencing.

- 2) Expedited Family Group Conferencing.
 - 3) Mediation and Facilitation.
- h. Legal Support:
- 1) Court Testimony.
 - 2) Expert Testimony.
 - 3) Legal Fees.

COMPENDIUM OF PERFORMANCE MEASUREMENT ACTIVITIES

1. All outcome (goal, result) statements currently developed.

Employment First Vision:

People receiving temporary welfare assistance will overcome poverty by achieving an optimal level of sustained employment; successful employment will be supported by an integrated, multifaceted service delivery system that is family focused, easily accessed, highly responsive, and tailored to individual need and circumstance.

Employment First Philosophical Underpinnings:

- *Employment First* benefits and services should be temporary for most clients and designed to assist clients to transition to employment.
- *Employment First* policies, procedures and processes should support the values of work, family, opportunity and personal responsibility.
- *Employment First* services should be family centered, recognizing that the client is the decision-maker within program parameters.
- The strengths of clients and communities should serve as the foundation of *Employment First* self-sufficiency plans. Empowerment of clients should be the goal.
- *Employment First* should be based on a partnership among Health and Human Services staff, clients and the community.
- Personnel of all levels should have an understanding of and commitment to the collaborative process.
- *Employment First* services should enhance the dignity of clients and reinforce the personal responsibility of clients.

Employment First Philosophy:

Inherent within the philosophical beliefs of the *Employment First* program are the core values that most individuals are capable of being economically independent and have a personal responsibility to support their children; that work provides financial and emotional rewards; that public assistance is a temporary measure; and that the Department along with the families will work in partnership to meet the families goal of achieving their highest level of economic independence.

Employment First Goal:

The primary purpose of *Employment First* is to provide temporary, transitional support for Nebraska families so that the provision of training, education and employment preparation will assist them in attaining their maximum level of economic independence possible within two years. Nebraska is dedicated to

improving the standard of living and quality of life for each family living in the State that has had to turn to public assistance to help support their family in times of need. We will accomplish this by promoting personal responsibility and empowering parents to support their families.

Employment First Objective:

To provide the programs and services necessary to help clients get higher paying jobs with benefits; increase their opportunities; develop their job advancement capabilities; improve the quality of life for their families; reduce family stress; to be more successful at parenting and building healthy families; integrate with their communities; increase the rate of school completion for their children; preventing teen pregnancy and increasing the time before second births; and end long term welfare dependency and multigenerational dependency.

2. All performance measures/performance indicators that have been developed to measure each outcome/goal/result.
 - a. Federal data reports (i.e. caseload reduction, participation rate, entered employment rate, job retention rate, reasons for case closure, earnings gain, teen birth rate, etc.). The only federal standard established is for the participation rate.
 - b. Federal High Performance Bonus measurements (achievement and improvement in the Job Entry Rate, Success in the Workforce Rate - a combination of the job retention rate and earnings gain rate, Family Formation and Stability, Medicaid/SCHIP Enrollment, Food Stamps, and Child Care Subsidies). No federal standard established.
 - c. Federal MOE expenditure report.
 - d. Federal TANF expenditure report.

3. All performance measures/performance indicators that have been developed even in the absence of outcomes/goals/results.
 - a. Contractor's reports on various performance standards achievements.
 - b. Nebraska Adolescent Pregnancy Network's Goals and Objectives report.
 - c. Welfare in Nebraska report.
 - d. Institute for Social and Economic Development 1997 evaluation of the Employment First program (two reports).
 - e. American Institute for Full Employment 2000 evaluation of the Employment First program.
 - f. Mathematica Policy Research, Inc. 1999 report on implementing welfare reform in Nebraska.
 - g. Mathematica Policy Research, Inc. 2001 evaluation of the Employment First program (two phases).
 - h. Mathematica Policy Research, Inc. 2002 evaluation on the Employment First program's preparation of clients for work and addressing their obstacles.

- i. Mathematica Policy Research, Inc. 2002 evaluation of employment experiences and challenges among urban and rural welfare clients in Nebraska, opportunities for improving the Employment First program.
- j. Mathematica Policy Research, Inc. evaluation of Employment First rural welfare-to-work strategies, 2002-2007.
- k. Welfare Peer Technical Assistance Network.
- l. TANF Annual Report to Congress.
- m. Multitudes of reports and surveys using Nebraska data conducted by major research groups on many facets of the welfare reform law, it's implementation and affects on families and children.
- m. Custom reports on recidivism, welfare recycling, long term receipt, cost per client, demographics of cases, contract costs and performance, educational attainment, caseload trends, budget expenditures, types of expenditures, etc.

CERTIFICATIONS AND ASSURANCES

- Nebraska will operate a statewide program which provides temporary financial assistance for needy families with minor children and a mandatory work program known as the *Employment First* Program.
- Nebraska will operate a Child Support Enforcement Program as outlined under the State Plan approved under Part D.
- Nebraska will operate a Foster Care and Adoption Assistance program under the State Plan approved under part E and the State will take such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under the State Plan under Title XIX.
- Nebraska will operate these programs under the administrative direction of the Nebraska Department of Health and Human Services.
- Nebraskans were provided the opportunity to review and inspect this State TANF Plan and submit comments during a 45-day public comment period prior to the submission of this State TANF Plan. Comments were accepted by written or electronic mailings during the time period of November 17, 2007 through December 31, 2007.
- Nebraska will serve all political subdivisions in the State fairly and equitably.
- Nebraska is committed to the continued recognition of the sovereignty of the Indian Nations and we will provide each member of an Indian Tribe, who is domiciled within Nebraska and is not eligible for assistance under a Tribal Family Assistance Plan approved under section 412, with equitable access to assistance under this Plan.
- Nebraska has established and is enforcing standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks and the use of political patronage.
- Nebraska will continue to offer services, where appropriate, to those who are victims of domestic violence and has taken every step possible to insure that the programs administered by the State do not place individuals at further risk of such violent behavior, sexual abuse or extreme cruelty. Nebraska will:
 - Screen and identify individuals receiving ADC cash assistance under this part for

- domestic violence, sexual abuse or being subject to extreme cruelty while maintaining the confidentiality of those individuals;
- Refer such individuals to counseling and appropriate services;
 - Waive the work program requirements and time limits (for up to six month or longer, if necessary), child support cooperation requirements in cases where compliance with such requirements would make it more difficult for individuals receiving ADC cash assistance under this part to escape domestic violence, be unfairly penalized, or put at greater risk of further domestic violence.

Nebraska assures that the following provisions of law will apply to programs and activities funded under this program:

The Age Discrimination Act of 1975
Section 504 of the Rehabilitation Act of 1973
The Americans with Disabilities Act of 1990
Title VI of the Civil Rights Act of 1964

Nebraska shall make available to the public a copy this State TANF Plan. The State TANF Plan will be posted on the Nebraska Department of Health and Human Services web site. Those who do not have internet access can receive an electronic copy or a hardcopy of the State TANF Plan by calling toll free or writing the Nebraska Department of Health and Human Services, Division of Children and Family Services, Economic Assistance and Child Support Enforcement.

Certified by the Chief Executive Officer of the State of Nebraska.

Date

The Honorable Dave Heineman, Governor
State of Nebraska

Attachment A

Midcourse Review of Nebraska 2010 Health Goals and Objectives

Healthy People 2010 Goal

The national Healthy People goal for 2010 is to improve pregnancy planning and spacing and prevent unintended pregnancy.

Background

Despite technology that would allow couples to have considerable control over their fertility, about one-half of all pregnancies in the United States are currently unintended. Family planning efforts can aid in achieving planned, wanted pregnancies and preventing unintended pregnancies.

Unintended pregnancies are those not wanted at the time of conception or not wanted at all. Many teen pregnancies are unintended. Consequences of unintended pregnancy can be serious and costly. Socially, the costs can be measured in unintended births, reduced educational attainment and employment opportunity, greater welfare dependency, and increased potential for child abuse and neglect. Medically, unintended pregnancy is serious in terms of a lost opportunity to prepare for a healthy pregnancy, an increased chance of infant and maternal illness,.

Progress Toward Healthy People 2010 Objectives

National

Of the ten Family Planning objectives and sub-objectives shared by Nebraska and the nation, two sub-objectives were met for the U.S. The proportion of sexually active high school students (males and females) who used condoms the last time they had sexual intercourse increased enough to meet the 2010 target rates.

Improvement was noted for five objectives or sub-objectives. The teen pregnancy rate was down nationwide. The proportion of high school students (males and females) who had never engaged in sexual intercourse increased, as did the proportion of each gender who had not engaged in intercourse before age 15 years.

On the other hand, the proportion of births that occurred within 24 months of a previous birth increased. The proportion of females of childbearing age (15 to 44 years) who would be at risk for unintended pregnancy but used contraception decreased. Current data were unavailable to assess progress in decreasing the proportion of pregnancies that are unintended.

Nebraska

In Nebraska, none of the Family Planning objectives have been met so far. Progress was made toward two objectives/sub-objectives. The teen pregnancy rate decreased and the proportion of sexually active male high school students who used condoms the last time they had sexual intercourse increased from the baseline.

However, movement away from the 2010 target rates occurred for four of the ten Family Planning objectives. The proportion of births occurring within 24 months of a previous birth increased slightly. Smaller proportions of male and female high school students reported that they had never had sexual intercourse, while fewer female high school students stated that their partner used a condom the last time they had intercourse.

Data are unavailable to assess progress in decreasing the proportion of pregnancies that are unintended. Nebraska data are also unavailable to track the proportion of high school students who did not have sexual intercourse before age 15 years. Due to a change in survey methodology, current data on proportion of females of childbearing age who would be at risk for unintended pregnancy but used contraception are not comparable to the baseline prevalence estimates.

Intended Pregnancies

The first Family Planning objective seeks to increase the proportion of pregnancies that are intended to at least 70 percent nationwide and to at least 80 percent in Nebraska (Table 8). In 1995, an estimated 51 percent of pregnancies in the U.S. were intended, while 63 percent of pregnancies in Nebraska in 1999 were intended. Unfortunately, more recent data are unavailable to assess progress toward the national and state objectives.

Time Interval Between Births

Another Family Planning objective is to reduce the proportion of mothers whose most recent live birth occurred within 24 months of a previous live birth to no more than 6 percent in the U.S. overall and to no more than 12 percent in Nebraska. Nationwide, the proportion of births spaced this closely increased by 64 percent, from 11 percent in 1995 to 18 percent in 2002. In Nebraska, nearly one-fourth (24.5 percent) of all mothers' most recent birth occurred within 24 months of a previous birth in 2004. However, this rate increased only slightly compared to the 1999 baseline (Figure 58).

In Nebraska, the proportion of mothers with their most recent birth occurring within 24 months of a previous birth was highest among Native Americans in 2003 (39.6 percent). This rate had also increased by 25 percent from the 1999 rate (Figure 59). African Americans also recorded a slightly higher rate (28.7 percent) than the average for all mothers. Among Asian Americans (23.0 percent) and Hispanic Americans (22.1 percent), current rates were down somewhat from the baseline and were lower than rates for mothers in the other racial/ethnic groups.

Contraceptive Use Among Females of Childbearing Age

Nebraska and the nation have both established an objective that aims to increase the proportion of females aged 15 to 44 who would be at risk of unintended pregnancy but use contraception. The U.S. target rate is 100 percent, while the Nebraska target rate is 95 percent (Table 8). Definitions and data collection differ between the state and the U.S., so data are not necessarily comparable, although current rates are similar. Nationally, the proportion of adult females (or their partners) using contraception decreased from 93 percent in 1995 to 89 percent in 2002.

In Nebraska, the 1999 baseline is not comparable to 2004 data, due to a 2002 change in the categories of respondents asked this question and the definition of "at-risk".

Currently, the BRFSS questions are asked of non-pregnant women aged 18 to 44 years and men aged 18 to 59 years. The definition of “at-risk” excludes women who had a hysterectomy, had a same-sex partner, who want a pregnancy, or who were not sexually active. It also excludes male respondents whose partner is now pregnant or who want a pregnancy. Based on these criteria, 87.5 percent of at-risk respondents used contraception to avoid unintended pregnancy in 2004.

Teen Pregnancy

A target rate of no more than 18 pregnancies per 1,000 females aged 15 to 17 years has been set for Nebraska. For the U.S., the target rate is no more than 43 pregnancies per 1,000 in this age group. Teen pregnancy rates have declined nationwide and in Nebraska. In the U.S., the 2004 rate of 54 pregnancies per 1,000 females in this age group represents a decrease of 19 percent from the 1996 baseline. In Nebraska, the 2004 rate (23.7 per 1,000) is less than one-half the national rate and was down 14 percent from the 1999 baseline (Figure 60).

Sexual Intercourse Among Adolescents

Three objectives regarding sexual behavior among adolescents have been adopted nationwide and in Nebraska. The first of these seeks to increase the proportion of high school students who have not engaged in sexual intercourse before the age of 15 years. The U.S. target is at least 88 percent for both genders, while the Nebraska target rate is at least 92 percent for males and for females (Table 8).

Nationwide, the proportion of females who have not had sexual intercourse before this age rose from 81 percent in 1995 to 87 percent in 2002. Among male high school students, this rate also increased (from 79 percent in 1995 to 85 percent in 2002). In Nebraska, no current data are available to assess progress. However, the 1999 baseline rates (88 percent of high school girls and 85 percent of high school boys) are similar to the 2002 national rates.

A related 2010 objective, established for the U.S. and for Nebraska, is to increase to 75 percent the proportion of high school students (males and females) who have never engaged in sexual intercourse. Nationally, progress was made toward this objective for both male and female students. Among females, the proportion who had never had sexual intercourse increased from 62 percent in 1995 to 70 percent in 2002. For male high school students, the proportion was up 19 percent (from 57 percent in 1995 to 68 percent in 2002).

In Nebraska, the trend was negative for both male and female high school students (Figures 61 and 62). For both genders in 1999, 62 percent reported they had never engaged in sexual intercourse. The proportion was lower in each of the three YRBS studies conducted after that, with a 2004 prevalence estimate of 59 percent each for males and females.

Condom Use Among Sexually Active Adolescents

The third objective related to adolescent sexual behavior tracks the proportion of sexually active, unmarried high school students who used condoms the last time they had sexual intercourse. For female students, the U.S. objective is to increase the

prevalence of condom use to at least 49 percent, while for males the target rate is at least 79 percent (Table 8). For Nebraska, the target rates are at least 75 percent for female high school students and at least 83 percent for male students. Progress was made nationwide, with both of the U.S. objectives met as of 2002. In 2002, 56 percent of high school girls and 84 percent of high school boys who were sexually active reported using condoms the last time they had intercourse.

In Nebraska, the proportion of girls who reported that their partner used condoms the last time they had intercourse actually decreased somewhat from 59 percent in 1999 to 56 percent in 2005 (Figure 63). Among high school boys, however, the proportion using condoms at last intercourse increased from 63 percent in 1999 to 67 percent in 2005 (Figure 64).

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Family Planning

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Attachment B
Midcourse Review of Nebraska 2010 Health Goals and Objectives

Table 8

Objective		UNITED STATES				U.S. 2010 Objective	NEBRASKA				NE 2010 Objective
		Baseline		Current			Baseline		Current		
		Year	Rate	Year	Rate		Year	Rate	Year	Rate	
#9-1	Percent of pregnancies that are intended (women aged 15-44 years) Data not available by race or ethnicity	1995	51	No New Data Available		70	1999	63	Data Not Available		80
#9-2	Percent of births occurring within 24 months of a previous birth	1995	11	2002	18	6	1999	23.3	2004	24.5	12.0
	White	1995	10	2002	18	6	1999	22.8	2004	24.1	12.0
	African American	1995	14	2002	19	6	1999	27.0	2004	28.7	12.0
	Native American	1995	NA	2002	NA	6	1999	31.8	2004	39.6	12.0
	Asian American	1995	NA	2002	NA	6	1999	27.2	2004	23.0	12.0
	Hispanic American	1995	14	2002	17	6	1999	24.8	2004	22.1	12.0
#9-3	Percent of females aged 15-44 at risk of unintended pregnancy (and their partners) who use contraception Data not available by race or ethnicity in Nebraska	1995	93	2002	89	100	1999	86.1	2004	87.5	95
#9-7	Rate of pregnancy/1,000 females aged 15-17 years (live births + fetal deaths) Data not available by race or ethnicity in Nebraska	1996	67	2000	54	43	1999	27.5	2004	23.7	18
#9-8	Percent of adolescents in grades 9-12 who have never engaged in sexual intercourse before age 15 years	1995	81	2002	87	88	1999	88	Data Not Available		92
	9-8a. Females	1995	81	2002	87	88	1999	88	Data Not Available		92
	9-8b. Males	1995	79	2002	85	88	1999	85	Data Not Available		92
#9-9	Percent of adolescents in grades 9-12 who have never engaged in sexual intercourse	1995	62	2002	70	75	1999	62	2005	59	75
	9-9a. Females	1995	62	2002	70	75	1999	62	2005	59	75
	9-9b. Males	1995	57	2002	68	75	1999	62	2005	59	75
#9-10	Percent of sexually active, unmarried adolescents aged 15-17 years in grades 9-12 who used condoms at last intercourse	1995	39	2002	56	49	1999	59	2005	56	75
	9-10e. Females	1995	39	2002	56	49	1999	59	2005	56	75
	9-10f. Males	1995	70	2002	84	79	1999	63	2005	67	83
Data Sources:				Additional Notes:							
#9-1	U.S.--National Survey of Family Growth, CDC; National Vital Statistics System (NVSS), CDC. Nebraska--BRFSS Family Planning Module, HHSS.	Intended pregnancies include births that were wanted at the time of conception (i.e., those resulting from pregnancies that happened at the "right" time, later than wanted, or those answering "didn't care"). All Women aged 18 to 44 who were currently pregnant or had been pregnant within the past five years were asked how they felt about becoming pregnant just before their last or current pregnancy. Those who reported they wanted to be pregnant then or sooner were considered to have an intended pregnancy.									
#9-2	U.S.--National Survey of Family Growth, CDC. Nebraska--Vital Statistics, HHSS.	Percent of females aged 15 to 44 years whose most recent live birth occurred within 24 months of a previous live birth. Percent of females giving birth whose most recent live birth occurred within 24 months of a previous live birth.									
#9-3	U.S.--National Survey of Family Growth, CDC. Nebraska--BRFSS, HHSS.	Percent of "at-risk" females currently using a method of contraception other than withdrawal. "At-risk" females are those who had intercourse in the three months prior to the survey who were not pregnant, nor seeking pregnancy, not post-partum, nor (themselves or partner) surgically or nonsurgically sterile. Unintended pregnancies are those not wanted at the time of conception or not wanted at all. CHANGE IN DATA. In 1999, rate is percent of "at-risk" females (age 18-44) currently using a method of contraception. "At-risk" females excludes women who were not sexually active, who wanted to become pregnant, who had a same-sex partner, or who had a hysterectomy. In 2002, the definition changed. Questions were asked of non-pregnant women aged 18-44 and men aged 18-59. "At-risk" excludes females who had a hysterectomy, had a same-sex partner, who want a pregnancy, or who were not sexually active. It also excludes male respondents whose partner is now pregnant or who want a pregnancy.									
#9-7	U.S.--National Survey of Family Growth, CDC; National Vital Statistics System (NVSS), CDC. Surveillance Data, CDC. Nebraska--Vital Statistics, HHSS.										
#9-8	U.S.--National Survey of Family Growth, CDC. Nebraska--Youth Risk Behavior Surveillance System (YRBS), HHSS.										
#9-9	U.S.--National Survey of Family Growth, CDC. Nebraska--Youth Risk Behavior Surveillance System (YRBS), HHSS.										
#9-10	U.S.--National Survey of Family Growth, CDC. Nebraska--Youth Risk Behavior Surveillance System (YRBS), HHSS.	"Sexually active" is defined as having sexual intercourse in the three months prior to the interview. "Sexually active" is defined as having sexual intercourse in the three months prior to the interview.									