

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
NOTICE OF PUBLIC HEARING

January 25, 2023  
1:00 p.m. Central Time  
Nebraska State Office Building – Lower Level A  
301 Centennial Mall South, Lincoln, Nebraska  
Phone call information: 888-820-1398; Participant code: 3213662#

The purpose of this hearing is to receive comments on proposed changes to Title 395, Chapter 10 of the Nebraska Administrative Code (NAC) – *Young Adult Voluntary Services and Support Bridge to Independence*. The proposed changes remove duplicate statutory language from the regulations; update definitions; update eligibility and citizenship requirements; establish Nebraska resident requirements; clarify the number of job search hours; add military housing as an approved housing or living arrangement; update the requirement of Department supervision from once every 30 days to once a month; remove direction to agency staff; update terminology, section headings, and formatting; and restructure the regulatory chapter.

Authority for these regulations is found in Neb. Rev. Stat. § 81-3117(7).

Interested persons may provide written comments by mail, fax, or email, no later than the day of the hearing to: DHHS Legal Services, PO Box 95026, Lincoln, NE 68509-5026, (402) 742-2382 or [dhhs.regulations@nebraska.gov](mailto:dhhs.regulations@nebraska.gov), respectively.

In order to encourage participation in this public hearing, a phone conference line will be set up for any member of the public to call in and provide oral comments. Interested persons may provide verbal comments by participating via phone conference line by calling 888-820-1398; Participant code: 3213662#.

A copy of the proposed changes is available online at <http://www.sos.ne.gov>, or by contacting DHHS at the mailing address or email above, or by phone at (402) 471-8417. The fiscal impact statement for these proposed changes may be obtained at the office of the Secretary of State, Regulations Division, 1201 N Street, Suite 120, Lincoln, NE 68508, or by calling (402) 471-2385.

Auxiliary aids or reasonable accommodations needed to participate in a hearing can be requested by calling (402) 471-8417. Individuals who are deaf or hard of hearing may call DHHS via the Nebraska Relay System at 711 or (800) 833-7352 TDD at least 2 weeks prior to the hearing.

## FISCAL IMPACT STATEMENT

Agency: <b>Department of Health and Human Services</b>	
Title: Title 395 NAC 10	Prepared by: Andrew Keck
Chapter: 10	Date prepared: 12/10/22
Subject: Bridge to Independence	Telephone: 531-207-2770

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Increased Costs	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Decreased Costs	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Increased Revenue	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Decreased Revenue	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Indeterminable	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )

Provide an Estimated Cost & Description of Impact:

State Agency: There is no anticipated fiscal impact to the Department of Health and Human Services.

Political Subdivision: N/A.

Regulated Public: N/A.

If indeterminable, explain why: N/A.

MAY 17, 2014 NEBRASKA DEPARTMENT OF YAVSS  
MANUAL LETTER #31-2014 HEALTH AND HUMAN SERVICES 395 NAC 10-001

CHAPTER 10  
YOUNG ADULT VOLUNTARY SERVICES AND SUPPORT  
BRIDGE TO INDEPENDENCE

DRAFT NEBRASKA DEPARTMENT OF  
08-18-2022 HEALTH AND HUMAN SERVICES 395 NAC 10

TITLE 395 CHILDREN AND FAMILY SERVICES: PROTECTION AND SAFETY

CHAPTER 10 YOUNG ADULT VOLUNTARY SERVICES AND SUPPORT BRIDGE TO  
INDEPENDENCE

~~10-001 GENERAL BACKGROUND001. SCOPE AND AUTHORITY. These regulations are authorized by and implement the Young Adult Bridge to Independence Act, Nebraska Revised Statute (Neb. Rev. Stat.) §§ 43-4501 to 43-4514.~~

~~10-001.01 Legal Basis: These regulations are authorized by and implement the Young Adult Voluntary Services and Support Act (YAVSSA), Neb. Rev. Stat. §§ 43-4501 to 43-4514. Applicable federal authority includes but is not limited to the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), which amended Titles IV-B and IV-E of the Social Security Act.~~

~~10-001.02 Purpose and Scope: This chapter governs the administration of the Young Adult Voluntary Services and Support Act, also referred to as Bridge to Independence.~~

~~10-002. DEFINITIONS. The following definitions apply:~~

~~Bridge to Independence means the program provided under Young Adult Voluntary Extended Services and Support Act described in this chapter. This term is used interchangeably with Young Adult Services and Support (YAVSS).~~

~~002.01 Case management CASE MANAGEMENT. means sSupport provided by the Department to a young adult to complement his / or her own efforts toward self-sufficiency.~~

~~Department means the Nebraska Department of Health and Human Services.~~

~~002.02 Foster care maintenance payment FOSTER CARE MAINTENANCE PAYMENT. means aA financial payment made to or on behalf of a young adult to cover the cost the young adult's basic needs. Foster care maintenance payments under Bridge to Independence shall remain at least at the rate set immediately prior to the young adult's exit from foster care.~~

~~002.03~~ ~~Host home~~ **HOST HOME**. means ~~a~~**A** setting in which a young adult resides in the home of an adult or family (who may or may not be related to the young adult), shares basic facilities, and agrees to basic expectations as established by the host home, young adult, and the Department.

~~002.04~~ ~~Independence Coordinator~~ **INDEPENDENCE COORDINATOR**. means ~~a~~**A** Department employee who is responsible for providing case management to a young adult.

~~002.05~~ ~~Medical assistance program~~ **MEDICAL ASSISTANCE PROGRAM**. means ~~t~~**T**he medical assistance program established by Neb. Rev. Stat. § 68-903, which is also known as Nebraska Medicaid.

~~002.06~~ ~~Part-time enrollment~~ **PART-TIME ENROLLMENT**. means ~~e~~**E**nrollment in an education program for at least 6 credit hours per semester.

~~002.07~~ ~~Post-secondary education~~ **POST-SECONDARY EDUCATION**. means ~~e~~**E**ducation beyond secondary education including, ~~but not limited to~~ university, college, vocational or trade schools, and other settings of higher education.

~~Public benefits mean public assistance including, but not limited to, the following: aid to dependent children, supplemental security income, social security disability income, social security survivor benefits, the Special Supplemental Nutrition Program for Women, Infants, and Children, the Supplemental Nutrition Assistance Program, developmentally disabled program, and low income home energy assistance program.~~

~~002.08~~ ~~Secondary education~~ **SECONDARY EDUCATION**. means ~~h~~**H**igh school or a program leading to an equivalent to a high school diploma ~~(examples include, but are not limited to, a public or private high school, a college preparatory school, a GED program, an independent study program, or home schooling).~~

~~Voluntary services and support agreement means a voluntary placement agreement as defined in 42 U.S.C. § 672(f) between the Department and a young adult as his or her own guardian.~~

~~Young adult means an individual who has attained nineteen years of age but who has not attained twenty-one years of age and who is an applicant for or participant in the Bridge to Independence program.~~

~~10-003.~~ **ELIGIBILITY REQUIREMENTS:** In order to participate in Bridge to Independence, the following elements of eligibility must be met:

- ~~(A)1.~~ ~~Prior abuse/neglect juvenile adjudication (see section 10-003.01)~~ **Individual eligibility as established by Neb. Rev. Stat. § 43-4504 and the requirements of this chapter;**
- ~~(B)2.~~ ~~Citizenship/Lawful presence (see section 10-003.02)~~ **United States Citizenship or lawful presence as established by this chapter;**
- ~~(C)3.~~ ~~Educational or employment conditions (see section 10.003.03);~~
- ~~(D)4.~~ ~~Placement and living arrangement (see section 10.003.04); and~~
- ~~(E)5.~~ ~~Voluntary Services and Support Agreement (see section 10.003.05).~~

~~10-003.01 Adjudication or Equivalent Requirement: In order to be eligible for Bridge to Independence, a young adult must have previously been adjudicated to be a juvenile described in subdivision (3) (a) of Neb. Rev. Stat. § 43-247 or the equivalent under tribal law and:~~

- ~~1. upon attaining nineteen years of age, was in an out of home placement or had been discharged to independent living; or~~
- ~~2. With respect to whom a kinship guardianship assistance agreement was in effect pursuant to 42 U.S.C. 673 if the young adult had attained sixteen years of age before the agreement became effective or with respect to whom a state funded guardianship assistance agreement was in effect if the young adult had attained sixteen years of age before the agreement became effective.~~

~~10-003.021 Citizenship/Lawful Presence Requirements: CITIZENSHIP REQUIREMENTS. In order to participate in Bridge to Independence, a young adult must be a citizen of the United States or an alien lawfully present in the United States who is eligible to receive assistance under Section 472(a)(4) of the Social Security Act. qualified alien as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). When a non-citizen applies for Bridge to Independence the applicant's qualified alien status must be verified through the Systemic Alien Verification for Entitlements (SAVE) program operated by the Citizenship and Immigration Services. At the time of application, the young adult making the application must sign a Department approved attestation form, confirming citizenship or qualified alien status.~~

~~10-003.02A Exception: If a young adult does not meet the citizenship/lawful presence requirement but may be eligible for special immigrant juvenile status as defined in 8 U.S.C. § 1401(a)(27)(J) or other immigration relief, the Department may assist the young adult in obtaining the necessary state court findings and then applying for special immigrant juvenile status or applying for other immigration relief that the young adult may be eligible for, subject to the following:~~

- ~~1. The Department cannot provide legal advice to a young adult;~~
- ~~2. A young adult is responsible for any filing fees, court costs, attorney's fees, other costs associated with such action; and~~
- ~~3. The Department will not pay for any associated costs to obtain residency status.~~

~~003.02 NEBRASKA RESIDENT REQUIREMENT. In order to participate in Bridge to Independence, a young adult must be a resident of Nebraska. The Department will determine whether a young adult is a Nebraska resident using the criteria set forth in this section.~~

~~003.02(A) LIVING IN NEBRASKA. A young adult living in the state of Nebraska voluntarily with the intent of making Nebraska his or her home will be considered a Nebraska resident.~~

~~003.02(B) LIVING OUTSIDE NEBRASKA. A young adult living outside the state of Nebraska may be deemed to be a Nebraska resident if the young adult:~~

- ~~(i) Is temporarily absent from the state as the result of enrollment in post-secondary Education, a trade school, or the Job Corps, and the young adult intends to return to Nebraska when the purpose of the temporary absence has been accomplished;~~

- (ii) Is a member of the United States Armed Forces and he or she is stationed in a state other than Nebraska and the young adult does not claim the other state as his or her residence for voting or tax purposes;
- (iii) Prior to age 19, was placed in another state by the Department as part of a court proceeding filed under the Nebraska juvenile code and the young adult has continuously lived in the state where he or she was placed by the Department; or
- (iv) Prior to age 19, was living in the State of Nebraska when a Federally Recognized Indian Tribe obtained jurisdiction over the young adult due to child abuse or neglect and, prior to the Federally Recognized Indian Tribe's age of majority, the young adult was placed outside of the State of Nebraska by a court order issued by that Tribal Court.

003.02(C) EXCEPTION. A young adult who was a Nebraska resident but was placed outside Nebraska pursuant to the Interstate Compact for the Placement of Children is not subject to the residency requirement.

003.02(D) DETERMINATION OF INTENT. A young adult's intent to make Nebraska his or her home will be evaluated by the Department. The Department may consider whether the young adult has a Nebraska driver's license, a motor vehicle registration in Nebraska, owns or leases property in Nebraska or another state, or has accepted employment in Nebraska or another state.

003.02(D)(i) INCAPABLE OF INDICATING INTENT. A young adult is considered to be incapable of indicating intent if documentation from a medical or mental health professional indicates that the young adult is not capable of indicating intent.

003.02(D)(ii) RESIDENCY DETERMINATION. A young adult who is incapable of indicating intent is considered to be a resident of the state in which the young adult is living, unless the young adult was placed out of state as part of a court proceeding filed under the Nebraska juvenile code and the young adult has continuously lived in the state where he or she was placed by the Department, in which case the young adult will be considered a resident of Nebraska.

~~10-0023.03~~ 10-003.03 Educational or Employment Conditions: EDUCATIONAL OR EMPLOYMENT CONDITIONS. A young adult must meet at least one of the participation requirements described in ~~10-003.03A through 10-003.03D~~ this section in order to be eligible for Bridge to Independence:

~~10-003.03(A)~~ 10-003.03(A) Education EDUCATION. To be eligible under the education category, ~~1. The young adult is enrolled at~~ 1. The young adult must have part-time enrollment least part-time (6 credit hours per semester) in a secondary or post-secondary education program.

~~a-003.03(A)(i)~~ a-003.03(A)(i) ENROLLMENT. A young adult who is on semester, summer, or other break, but was enrolled the previous semester and will be enrolled after the break, is considered to be enrolled in school.

~~b-003.03(A)(ii) EQUIVALENT PROGRAM.~~ A secondary or post-secondary education program that is equivalent to ~~6 credit hours per semester~~ part-time enrollment may be accepted if agreed to by the Department and the young adult.

~~2.—The young adult is enrolled at least part-time (6 credit hours per semester) in a post-secondary education program.~~

~~a.—A young adult who is on semester, summer, or other break, but was enrolled the previous semester and will be enrolled after the break, is considered enrolled in school.~~

~~b.—A post-secondary education program equivalent to 6 credit hours per semester may be accepted if agreed to by the Department and the young adult.~~

~~3.—A young adult enrolled in an education program less than part-time must participate in or attend another program or activity as described in 10-003.03C for a minimum of 20 hours per month.~~

~~10-003.03(B) Employment: EMPLOYMENT.~~ To be eligible under the employment category, the young adult must be Employed for at least eighty hours per month. The employment requirement may be satisfied through one or more places of employment, so long as the young adult meets the minimum of eighty hours per month.

~~10-003.03(C) Participating in Programs or Activities Designed to Promote Employment or Remove Barriers to Employment: BARRIERS PROGRAMS.~~ To be eligible under this category, the following must be met:

~~1-003.03(C)(i) PARTICIPATE IN PROGRAM.~~ A young adult ~~may participate~~ must be participating in ~~other~~ programs or activities that improve, enhance, or teach job-related skills applicable to the workplace or careers. These types of programs and activities include, ~~but are not limited to:~~

~~a-(1)~~ Activities and classroom instruction on career awareness, exploration, and preparation such as those provided through the local workforce centers;

~~b-(2)~~ Internships, job shadowing, on-the-job training positions and volunteer projects;

~~c-(3)~~ Supported employment;

~~d-(4)~~ Apprenticeship programs;

~~e-(5)~~ Programs such as Job Corps or other young adult initiatives that improve workplace knowledge and skills;

~~(6)~~ Enrollment in an education program less than part-time;

~~f-(7)~~ Job Search; or

~~g-(8)~~ Other programs or activities as agreed to by the Department and the young adult.

~~2-003.03(C)(ii) REQUIRED HOURS.~~ A young adult must participate in a program or activity or a combination of programs or activities described in ~~item 1, above, in this section~~ for a minimum of 40 hours a month. Job search activities may account for no more than 20 hours of the 40 hours required each month.

~~10-003.03(D) Incapable of Participation: INCAPABLE OF PARTICIPATION. To be eligible under this category, A young adult who is incapable of doing any of the activities described in 10-003.03A through 10-003.03C due to a medical condition will be deemed to meet the educational or employment conditions. must be incapable of participating in the education, employment, or barriers program activities set forth in this chapter due to a medical condition.~~

~~10-003.03(E) Transitioning Between Participation Activities: TRANSITIONING BETWEEN ELIGIBILITY CATEGORIES. If a young adult is no longer engaged in one of the educational, employment, or work-related programs/ or activities necessary to meet participation eligibility requirements, the young adult may become eligible under a different category. The young adult has must meet eligibility requirements within 30 days or the Department may terminate the young adult from the program. in which to begin participation in another education, employment or work-related program/or activity.~~

~~10-003.04 Housing or Living Arrangement Requirements: HOUSING OR LIVING ARRANGEMENT REQUIREMENTS. In order to be eligible for the Bridge to Independence program, a young adult must agree to give the Department continued care and placement responsibility by the Department. Young adults participating in Bridge to Independence may must reside in-state or out-of-state in one of the following housing or living arrangements that have been approved by the Department:~~

- ~~1-(i) Licensed foster care facility, including licensed group home, or licensed child-caring agency, or residential child-caring agency; or~~
  - ~~a. Licensed group home;~~
  - ~~b. Licensed child-caring agency or residential child-caring agency; or~~
- ~~2-(ii) A supervised independent living setting, which may includes but is not limited to:~~
  - ~~a-(1) Single or shared residence, such as an apartment or house;~~
  - ~~b-(2) Host home;~~
  - ~~c-(3) College dormitory or other post-secondary education housing;~~
  - ~~d-(4) Emergency shelter;~~
  - ~~e-(5) Parental home;~~
  - ~~f-(6) Transitional living program;~~
  - ~~(7) Military housing or residence;~~
  - ~~(8) Other supervised independent living setting approved by the Department; or~~
  - ~~g-(9) Institutions in which a young adult is living voluntarily, including:~~
    - ~~i-(a) Licensed mental health treatment facility;~~
    - ~~ii-(b) Licensed substance abuse treatment facility; or~~
    - ~~iii-(c) Other Adult Treatment Facility.~~
  - ~~h. Other supervised independent living setting approved by the Department.~~

~~003.04(A) SUPERVISED INDEPENDENT LIVING SETTING. A young adult residing in an approved supervised independent living setting must be supervised or monitored by a Department employee a minimum of once every 30 days calendar month.~~

~~10-003.04A(B) Changes in Placement or Living Arrangement: CHANGES IN LIVING ARRANGEMENTS. The young adult must report changes in living arrangements must be reported to the assigned Independence Coordinator within 10 business days. and To~~



remain eligible for the Bridge to Independence program, the young adult's new living arrangements must be approved by the Department.

10-003.05 VOLUNTARY SERVICES AND SUPPORT AGREEMENT. Voluntary Services and Support Agreement: A young adult must sign a voluntary services and support agreement on a Department-approved form in order to participate in Bridge to Independence. The agreement is not final until it is signed by both the young adult and an authorized Department representative.

10-003.05(A) AGE AT TIME OF SIGNING. If a voluntary services and support agreement is initially signed when the young adult is under age 19, in order to continue participation in Bridge to Independence, the young adult must re-affirm the voluntary services and support agreement by re-signing it within 30 days after reaching age 19.

10-003.05B ~~By signing a voluntary services and support agreement a young adult agrees to the following:~~

- ~~1. That the Department will have continued placement and care responsibility for the young adult;~~
- ~~2. That the young adult will meet the educational or employment conditions as described in section 10-003.03;~~
- ~~3. That the young adult will cooperate in maintaining regular contact with the Department.~~

10-003.05C ~~The young adult will receive a copy of the voluntary services and support agreement, which will include:~~

- ~~1. Program eligibility requirements;~~
- ~~2. Educational or employment conditions;~~
- ~~3. Services and Supports the young adult will receive through the Bridge to Independence program;~~
- ~~4. The voluntary nature of the young adult participation in Bridge to Independence and the young adult's right to terminate the voluntary services support agreement at any time;~~
- ~~5. The conditions that may result in the termination of the voluntary services support agreement and the young adult's early discharge from the Young Bridge to Independence program;~~
- ~~6. The young adult's right to request an attorney;~~
- ~~7. The young adult's right to request a review hearing with the juvenile court having jurisdiction over the case; and~~
- ~~8. The responsibilities of the Department.~~

10-004. ELIGIBILITY CERTIFICATION AND VERIFICATION. To be eligible for the Bridge to Independence program, a young adult must provide the verification documents required by this section.

10-004.01 Verification of Educational or Employment Conditions: INITIAL VERIFICATION OF EDUCATIONAL OR EMPLOYMENT CONDITIONS. A young adult's educational or

~~employment conditions, as required in section 10-003.03, must be provide the Department with verified verification that he or she meets the educational or employment conditions of eligibility by submitting submission of written documentation as agreed to by the Department and young adult. one or more of the following acceptable documents:~~

- ~~1. For young adults participating in an education program:
  - a. Current post-secondary transcripts that include number of hours completed; or
  - b. Proof of enrollment in secondary or post-secondary education for the current semester that includes the number of hours enrolled; or
  - c. Current High School class schedule; or
  - d. GED class or testing schedules; or
  - e. Letters of acceptance to a college, vocational or technical school (including a start date), or other qualified program such as GED programs. Letters of acceptance are only considered acceptable documentation if the young adult has not yet enrolled but intends to enroll prior to the next semester or term; or
  - f. Current Individual Educational Plan (IEP); or
  - g. Proof of enrollment in on-line distance learning classes; or
  - h. An approved Education and Training Voucher (ETV) application; or
  - i. Other documentation as agreed by the Department and the young adult.~~
- ~~2. For young adults participating in employment:
  - a. Current pay stub(s); or
  - b. Other documentation as agreed to by the Department and the young adult.~~
- ~~3. For young adults participating in programs or activities to promote employment or remove barriers to employment:
  - a. Written acknowledgement from an instructor or other staff that the young adult has enrolled or participated in a program or activity (with dates included); or
  - b. Current classroom or testing schedules related to any of the programs or activities described in 10-003.03C; or
  - c. Schedules or logs demonstrating participation in an internship, job shadowing, on-the-job training, or volunteer projects, which are signed or acknowledged by an instructor or staff; or
  - d. Certification or other proof of attendance at job readiness programs; or
  - e. Other documentation as agreed to by the Department and the young adult.~~
- ~~4. For young adults who are incapable of meeting the educational or employment conditions:
  - a. A statement from one or more medical professionals that documents the young adult's condition; or
  - b. Determination of a disability from Social Security Administration; or
  - c. Determination of a developmental disability by the Department's Division of Developmental Disabilities; or
  - d. Other documentation as agreed to by the Department and the young adult~~

~~10-004.02 Ongoing Verification of Eligibility ON-GOING VERIFICATION OF ELIGIBILITY.~~ The Department may request verification of a young adult's eligibility at any time. The Department will issue all verification requests in writing to the address of the current living arrangement approved by the Department. A young adult's eligibility will be subject to review at least once every six months.

~~10-004.02A Eligibility Reviews: Eligibility for a young adult participating in Bridge to Independence will be reviewed every six months.~~

~~10-004.02B(A) Acceptable Documentation for Eligibility Reviews: ACCEPTABLE DOCUMENTATION FOR ELIGIBILITY REVIEWS.~~ Upon receipt of an on-going verification request from the Department, the young adult will ~~will~~ must provide the Department with the type of ~~same~~ documentation previously agreed upon between the young adult and the Department that is required for initial to determine eligibility. The young adult may provide different documentation than had been previously provided if the new documentation is agreed to by to by both the young adult and the Department.

~~10-004.02C(B) Duty to Respond to Verification Requests: DUTY TO RESPOND TO VERIFICATION REQUESTS.~~ A young adult ~~must provide verification of continued eligibility will have no later than~~ 30 days after the written verification request is mailed to provide issued to the young adult. If the Department cannot verify if a young adult continues to meet the eligibility criteria, the Department may pursue termination from the program. ~~verification for continued eligibility.~~

~~10-004.03 Duty to Report Changes: DUTY TO REPORT CHANGES.~~ A young adult has a duty to report any changes that may affect eligibility. ~~The report shall be made to the assigned Independence Coordinator~~ within 10 business days of the change. Failure to timely report may affect eligibility.

~~10-005 SERVICES: Extended services and support provided under the Bridge to Independence program include:~~

~~10-005.01 Medical Care Under the Medical Assistance Program: A young adult who is enrolled in the Bridge to Independence program will receive medical assistance through Nebraska Medicaid, if eligible. The Department will assist the young adult in applying for the medical assistance program.~~

~~10-005.02 Housing and Support~~

- ~~1. Housing or living arrangements for a young adult will comply with section 10-003.04;~~
- ~~2. Financial support for a young adult will be in the form of continued foster care maintenance payments, as follows:~~
  - ~~a. Foster care maintenance payments for a young adult residing in a foster care facility will be sent to the foster care facility;~~
  - ~~b. For a young adult residing in a supervised independent living setting, all or part of the foster care maintenance payments may be sent directly to the young~~

~~adult or may be sent to an entity providing housing or services to the young adult or a third-party payee or other intermediary.~~

~~10-005.03 Case Management: CASE MANAGEMENT. Case Management services will be provided as outlined in Neb. Rev. Stat. § 43-4505. includes assistance with the following:~~

~~Obtaining employment or other financial support;~~

- ~~a. The Department does not guarantee employment and does not provide direct financial support other than monthly maintenance payment or other funding through other Department programs in which the young adult qualifies for in his or her own right.~~

~~Obtaining a government-issued identification card;~~

- ~~a. If the Department has not previously provided the young adult with a certified birth certificate and/or social security card within the past 12 months, the Department shall do so one time for each document at no cost to the young adult.~~
- ~~b. If the Department has previously provided a certified birth certificate and/or social security card to the young adult within the past 12 months, the Department will assist the young adult to obtain a replacement certificate or card but the young adult is responsible for any associated fees.~~
- ~~c. The Department will assist the young adult in obtaining other government-issued identification cards, such as a driver's license or state identification card. The young adult is responsible for any associated fees.~~

~~Opening and maintaining a bank account;~~

- ~~a. The young adult is responsible for any associated fees.~~

~~Obtaining appropriate community resources, including health, mental health, developmental disability, and other disability services and support;~~

- ~~a. The young adult is responsible for any premiums, copayments, share of cost, or other costs related to accessing the above-listed services. The Department will assist the young adult in applying for and accessing the services described above.~~

~~When appropriate, satisfying any juvenile justice system requirements and assisting with sealing the young adult's juvenile court record if the young adult is eligible under Neb. Rev. Stat. § 43-2,108.01;~~

- ~~a. The Department cannot provide legal advice to the young adult.~~
- ~~b. The young adult is responsible for any filing fees, court costs, attorney's fees, other costs associated with such action.~~
- ~~c. The young adult is responsible for any fines, restitution, or other penalties related to juvenile justice cases.~~

~~Completing secondary education;~~

- ~~a. The young adult is responsible for any associated costs.~~

~~Applying for admission and aid for postsecondary education or vocational courses;~~

- ~~a. The young adult is responsible for application fees, tuition, course fees, and other associated costs.~~

~~Obtaining the necessary state court findings and then applying for immigration relief that the young adult may be eligible for (See section 10-002.02A for special immigrant juvenile status);~~

- ~~a. The Department cannot provide legal advice to the young adult.~~
- ~~b. The young adult is responsible for any application or filing fees, court costs, attorney's fees, other costs associated with such action.~~

~~Creating a health care power of attorney in compliance with the federal Patient Protection and Affordable Care Act, Public Law 111-148;~~

- ~~a. The Department cannot provide legal advice to the young adult.~~
- ~~b. The young adult is responsible for any attorney's fees or other costs associated with establishing a health care power of attorney.~~

~~Obtaining a copy of health and education records of the young adult;~~

- ~~a. The young adult is responsible for any associated costs.~~

~~Applying for any public benefits or benefits that the young adult may be eligible for or may be due through his or her parents or relatives, including, but not limited to, aid to dependent children, supplemental security income, social security disability insurance, social security survivors benefits, the Special Supplemental Nutrition Program for Women, Infants, and Children, the Supplemental Nutrition Assistance Program, and low-income home energy assistance programs;~~

- ~~a. The Department does not guarantee eligibility for any public benefits, including those administered by the Department. The Department will assist the young adult in applying for the public benefits as described above.~~

~~Maintaining relationships with individuals who are important to the young adult, including searching for individuals with whom the young adult has lost contact;~~

- ~~a. The young adult is responsible for any associated costs.~~

~~Accessing information about maternal and paternal relatives, including any siblings;~~

- ~~a. The Department may only disclose information as allowed under state and federal law. Participation in the Bridge to Independence program does not~~

~~entitle the young adult to access information to which he or she would not be entitled if he or she were not enrolled in the Bridge to Independence program.~~

~~Accessing young adult empowerment opportunities and peer support groups; and~~

~~a. The young adult is responsible for any associated costs.~~

~~Accessing pregnancy and parenting resources and services.~~

~~a. The young adult is responsible for any premiums, copayments, share of cost, or other costs related to accessing pregnancy and parenting resources and services. The Department will assist the young adult in applying for and accessing the services described above.~~

~~10-005.041 Excluded Services: EXCLUDED SERVICES. Case management does not include certain functions. The Department will not:~~

- ~~1.(A) Assume responsibility or liability for any losses or damages incurred by a young adult;~~
- ~~2.(B) Sign releases of information or other forms requiring the young adult's consent on behalf of a young adult;~~
- ~~3.(C) Assume responsibility for any contracts entered into by a young adult;~~
- ~~4.(D) Co-sign leases or contracts with a young adult;~~
- ~~(E) Provide legal advice to a young adult;~~
- ~~(F) Be responsible for any filing fees, court costs, attorney's fees, and other costs associated with actions related to obtaining Special Immigrant Juvenile Status or residency status;~~
- ~~(G) Be responsible for application fees, tuition costs, course fees, and other associated education costs; or~~
- ~~(H) Pay any fines, restitution, or other penalties arising out of any court proceeding.~~

~~10-006. TERMINATION. A young adult may be terminated from the Bridge to Independence program as set forth in this chapter.~~

~~10-006.01 Termination Initiated by a Young Adult~~

- ~~1. A termination request initiated by a young adult must be submitted to the Department in writing.~~
- ~~2. If no effective date is specified, termination becomes effective at the end of the calendar month in which it is received by the Department.~~

~~10-006.021 Termination Initiated by the Department TERMINATION INITIATED BY THE DEPARTMENT. The Department may terminate a young adult from the Bridge to Independence program if any of the following occur:~~

~~10-006.02A Grounds for Termination: The Department may terminate a young adult from the Bridge to Independence program if any of the following occur:~~

- ~~1.(A) The young adult fails to meet any of the eligibility requirements;~~
- ~~2. The young adult reaches his or her 21<sup>st</sup> birthday;~~
- ~~3.(B) The young adult is incarcerated or committed to or placed in a residential treatment facility by a court;~~
- ~~4. The young adult dies;~~

- ~~5.(C)~~ The young adult fails to make contact with or respond to contact from with the Independence Coordinator for at least 30 calendar days; ~~or~~  
~~6.(D)~~ The young adult cannot be located for at least 30 calendar days; or  
(E) The young adult moves outside of Nebraska and does not meet the definition of Nebraska resident.

~~10-006.02B Notice of Action:~~ Prior to termination of Bridge to Independence Program, the Department will provide a clear and developmentally appropriate written notice of action to the young adult. This notice will include all information required by Neb. Rev. Stat. § 43-4506. The notice will be sent by certified mail, return receipt requested.

~~10-006.02C Effective Date of Department-Initiated Termination:~~ A termination initiated by the Department will become effective 30 days after a written notice is mailed to the young adult, except in case of the death of the young adult, in which case the termination is effective immediately.

#### 10-007 RE-ENTRY

~~10-007.01 Re-Entry Eligibility:~~ Regardless of the reason for a prior termination of a young adult from the Bridge to Independence program, a young adult may re-enter the Bridge to Independence program at any time before his/her 21<sup>st</sup> birthday, provided he or she meets eligibility requirements at the time of re-entry.

~~10-007.02 Procedure for Re-Entry:~~ In order to re-enter the Bridge to Independence program, a young adult must:

- ~~1. Submit a written re-entry request or application to the Department;~~
- ~~2. Meet all eligibility requirements as described in section 10-003 and provide documentation on current educational or employment conditions as described in section 10-004;~~
- ~~3. Sign a new voluntary services and support agreement with the Department.~~

#### 10-0087. ADMINISTRATIVE APPEALS RIGHT TO APPEAL.

~~10-008.01 Notice of Action:~~ Whenever the Department denies or terminates a young adult from the Bridge to Independence Program, the Department will provide a clear and developmentally appropriate written notice of action to the young adult. This notice will include all information required by Neb. Rev. Stat. § 43-4506. The notice will be sent by certified mail, return receipt requested.

~~10-008.02-007.01 TIME FRAME. Right to Appeal:~~ The young adults has have the right to an administrative appeal if the Department: as allowed by law. The young adult must file a written request to appeal with the Department within 30 days of the date of the Notice of Action which is being appealed. If a timely appeal request is received by the Department, no change in the young adult's enrollment in the Bridge to Independence program will occur while the appeal is pending.

- ~~1. Denies an application for the Bridge to Independence program;~~

- ~~2. Terminates a young adult from the Bridge to Independence program; or~~
- ~~3. Denies a young adult's request for re-entry into the Bridge to Independence program.~~
- ~~4. Any action, inaction, or failure to act with reasonable promptness with regard to assistance or services.~~

~~10-008.03 Procedure and Deadline for Appeal Requests: In order to request an administrative appeal, the young adult must file a written request with the Department within 30 days of the date of the Notice of Action. If a timely appeal request is received by the Department, no change in the young adult's enrollment in the Bridge to Independence program will occur while the appeal is pending.~~

~~10-0078.042 Appeal Process: APPEAL PROCESS. All administrative appeals hearings will be held in accordance with the Administrative Procedure Act., Neb. Rev. Stat. § 84-901 et seq., and 465 NAC 6.~~