



*an independent voice for  
all Nebraska's children*

7521 Main Street, Suite 103  
Omaha, NE 68127

402.597.3100 P  
402.597.2705 F

[www.voicesforchildren.com](http://www.voicesforchildren.com)

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**Voices**  
FOR AMERICA'S CHILDREN

March 17, 2009

To: Members of the Judiciary Committee

From: Kathy Moore, Executive Director

**Re: Testimony in Support of LB 122  
Clarification to the Child Abuse & Neglect Registry**

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Voices for Children in Nebraska supports LB 122 which would clarify classifications on the child abuse and neglect registry. Currently, there exists a significant amount of confusion surrounding the name given to one of the categories within the Central Register – the “inconclusive” category. The dictionary defines “inconclusive” as “leading to no conclusion or definite result.” In the Central Register, however, “inconclusive” means that the Protection & Safety Division of HHS found evidence of abuse or neglect was by a preponderance of the evidence, but the court intervention did not occur. When a potential employer or a parent seeking child care calls the Hotline for verification, you can see that the use of the term “inconclusive” can be extremely misleading. LB 122 changes the name of the category from “inconclusive” to “agency substantiated.” The requirement that evidence of abuse or neglect can be found by a preponderance of the evidence remains unchanged.

Without this change, Voices for Children fears that employers and the public are accessing the Central Register and, upon finding an “inconclusive” classification are hiring individuals or utilizing services for their children without inquiring further into the matter. As a result, children and youth across this state potentially face a situation of being cared for by an individual with a history of abuse or neglect. With the terminology changed to “agency substantiated,” employers will at least be put on notice that further investigation needs to occur.

The lack of clarity in the Central Register is an issue that Voices for Children has been concerned about for over a decade. We brought legislation in the late eighties and early nineties that was ahead of its time. We believe that terminology in the Central Register needs to be changed to reflect definitions that are understandable within the legal community and the public domain.

LB 122 is a relatively simple but critical change to adequately protect Nebraska’s children. This bill will eliminate confusion and restore confidence and consistency in the Central Register. We urge you to advance this important legislation.