

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 943

Introduced by Dorn, 30.

Read first time January 04, 2024

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814,
- 2 section 91; to appropriate additional funds to the Department of
- 3 Health and Human Services for behavioral health aid; to state
- 4 intent; to repeal the original section; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Laws 2023, LB814, section 91, is amended to read:
2 Sec. 91. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
3 Program No. 38 - Behavioral Health Aid

	FY2023-24	FY2024-25
4		
5 <u>GENERAL FUND</u>	<u>87,541,988</u>	<u>90,504,242</u>
6 GENERAL FUND	84,505,211	85,382,211
7 CASH FUND	17,925,000	18,079,500
8 FEDERAL FUND est.	10,504,971	10,504,971
9 <u>PROGRAM TOTAL</u>	<u>115,971,959</u>	<u>119,088,713</u>
10 PROGRAM TOTAL	112,935,182	113,966,682

11 There is included in the appropriation to this program for FY2023-24
12 ~~\$87,541,988~~ ~~\$84,505,211~~ General Funds, \$17,925,000 Cash Funds, and
13 \$10,504,971 Federal Funds estimate for state aid, which shall only be
14 used for such purpose. There is included in the appropriation to this
15 program for FY2024-25 \$90,504,242 ~~\$85,382,211~~ General Funds, \$18,079,500
16 Cash Funds, and \$10,504,971 Federal Funds estimate for state aid, which
17 shall only be used for such purpose.

18 It is the intent of the Legislature that any provider rate increases
19 appropriated in FY2021-22 and FY2022-23 continue in the appropriation to
20 this program and that any provider rate increases appropriated in
21 FY2023-24 and FY2024-25 are in addition to such increases.

22 It is the intent of the Legislature that any appropriation to the
23 department for behavioral health aid and designated as funding to be
24 allocated to a behavioral health region shall be utilized to provide
25 activities pursuant to the approved annual budget of the behavioral
26 health region or additional activities identified through need
27 demonstrated by the region throughout the year.

28 Whenever circumstances occur during the budget year that impact the
29 initial projected behavioral health region budget, the Behavioral Health
30 Regional Governing Board may request a reassignment of funds to
31 accommodate emerging needs identified by the behavioral health region to

1 maximize the ability of the region to implement new behavioral health
2 services and supports or expand capacity in existing services. The
3 Division of Behavioral Health shall approve all such requests which
4 comply with all state and federal requirements. The Division of
5 Behavioral Health shall approve or deny such requests in writing within
6 thirty days.

7 There is included in the amount shown as aid for this program
8 \$3,036,777 General Funds for FY2023-24 for distribution to the six
9 behavioral health regions for the purposes of addressing the movement of
10 individuals in mental health crisis out of emergency rooms within each
11 region, funding crisis stabilization, and funding youth and adult crisis
12 services. There is included in the amount shown as aid for this program
13 \$5,122,031 General Funds for FY2024-25 for distribution to the six
14 behavioral health regions for the purposes of addressing the movement of
15 individuals in mental health crisis out of emergency rooms within each
16 region, funding crisis stabilization, and funding youth and adult crisis
17 services. It is the intent of the Legislature that the funds be
18 distributed to the six behavioral health regions in the following manner:
19 Region 1 - 6.24%; Region 2 - 7.02%; Region 3 - 15.47%; Region 4 - 12.98%;
20 Region 5 - 24.16%; and Region 6 - 34.13%.

21 There is included in the amount shown as aid for this program for
22 FY2023-24 \$6,500,000 Cash Funds for state aid for the distribution of
23 national opioid settlement funds, which shall only be used for such
24 purpose. There is included in the amount shown as aid for this program
25 for FY2024-25 \$6,500,000 Cash Funds for state aid for the distribution of
26 national opioid settlement funds, which shall only be used for such
27 purpose.

28 There is included in the amount shown as aid for this program
29 \$6,500,000 Cash Funds for FY2023-24 and \$6,500,000 Cash Funds for
30 FY2024-25 from the Nebraska Health Care Cash Fund to be used for
31 community-based mental health and substance abuse services, including

1 intermediate-level residential mental health services. It is the intent
2 of the Legislature that these funds shall be distributed to each of the
3 six behavioral health regions based upon a formula determined by the
4 Department of Health and Human Services.

5 There is included in the amount shown as aid for this program
6 \$1,500,000 Cash Funds for FY2023-24 and \$1,500,000 Cash Funds for
7 FY2024-25 from the Nebraska Health Care Cash Fund to be used for the cost
8 of maintenance and treatment of persons in emergency protective custody
9 under the Nebraska Mental Health Commitment Act.

10 Sec. 2. Original Laws 2023, LB814, section 91, is repealed.

11 Sec. 3. Since an emergency exists, this act takes effect when
12 passed and approved according to law.