

## LEGISLATIVE BILL 536

Approved by the Governor May 26, 1973

Introduced by Appropriations Committee, Marvel, 33,  
Chmn.; Savage, 10; Nore, 22; Simpson, 46;  
Whitney, 44; S. Marsh, 29; Clark, 47;  
Johnson, 15; Stahmer, 8

AN ACT to amend sections 83-1,147 and 83-305, Reissue Revised Statutes of Nebraska, 1943, and section 83-108, Reissue Revised Statutes of Nebraska, 1943, as amended by section 20, Legislative Bill 563, Eighty-third Legislature, First Session, 1973, relating to state institutions; to provide for nursing and intermediate care facilities as prescribed; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. For purposes of this act, unless the context otherwise requires:

(1) Department shall mean the Department of Public Institutions; and

(2) Facility shall mean a skilled nursing care or intermediate care facility.

Sec. 2. That section 83-108, Reissue Revised Statutes of Nebraska, 1943, as amended by section 20, Legislative Bill 563, Eighty-third Legislature, First Session, 1973, be amended to read as follows:

83-108. The Department of Public Institutions shall have oversight and general control of the Beatrice State Home, the Nebraska Orthopedic Hospital, the Nebraska Veterans' Home, the hospitals for the mentally ill, such skilled nursing care and intermediate care facilities as may be established by the department, the Nebraska Hospital for the Tuberculous, and all charitable institutions.

Sec. 3. That section 83-1,147, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-1,147. There is hereby created within the Department of Public Institutions a Division of Medical Services, which shall:

(1) Administer the clinical programs and services of the Beatrice State Home, the Nebraska Orthopedic Hospital, the Lincoln Regional Center, the Norfolk Regional Center, the Hastings Regional Center, the Nebraska Hospital for the Tuberculous, and such other medical facilities, including skilled nursing care and intermediate care facilities, as may be provided by the department;

(2) Plan, develop, administer, and operate mental health and mental retardation clinics, programs, and services;

(3) Plan, develop and execute the clinical programs and services carried on by the department;

(4) Represent the Department of Public Institutions in its relationship with the University of Nebraska College of Medicine concerning the Nebraska Psychiatric Institute; Provided, that the provisions of this act shall not otherwise alter the terms of the existing relationship between the Department of Public Institutions and the Board of Regents of the University of Nebraska relating to the Nebraska Psychiatric Institute; and

(5) Have such additional responsibilities and perform such additional duties as may be assigned to it by law or by the Director of Public Institutions.

Sec. 4. That section 83-305, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-305. The state hospital established in Lancaster County for the treatment of mental diseases shall be located on the campus known as the Lincoln Regional Center. The state hospital established in Madison County shall be located on the campus known as the Norfolk Regional Center. The state hospital established in Adams County shall be located on the campus known as the Hastings Regional Center. The psychiatric hospital unit established at Omaha shall be known as the Nebraska Esychiatric Institute.

Sec. 5. The department may establish, operate and administer skilled nursing care and intermediate care facilities; Provided, that no such facility shall be established, created or administered without having complied with the laws, rules and regulations establishing standards for construction, maintenance and operation of such facilities and the care of persons in such facilities, and no such facility shall be

established, created or administered without a license pursuant to sections 71-2017 to 71-2029.

Sec. 6. Any person who needs the care provided in a facility shall be eligible for admission to such facility, and admission shall not be restricted to persons who receive services in any other institution operated by the department at the time application is made.

Sec. 7. That original sections 83-1,147 and 83-305, Reissue Revised Statutes of Nebraska, 1943, and section 83-108, Reissue Revised Statutes of Nebraska, 1943, as amended by section 20, Legislative Bill 563, Eighty-third Legislature, First Session, 1973, are repealed.

Sec. 8. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.