

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB34

Hearing Date: Wednesday January 19, 2011
Committee On: Health and Human Services
Introducer: Louden
One Liner: Exempt convents from the Health Care Facility Licensure Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Bloomfield, Campbell, Cook, Gloor, Howard, Krist, Wallman
Nay:
Absent:
Present Not Voting:

Proponents:	Representing:
Senator LeRoy Louden	District #49
Terry Curtiss	Sisters of St. Francis
Sister Sarah Manchester	Sisters of St. Francis

Opponents:	Representing:
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Neutral:	Representing:
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Summary of purpose and/or changes:

The bill exempts convents from the licensure or regulation requirements relating to assisted living facilities, intermediate care facilities, nursing facilities and skilled nursing facilities under the Health Care Facility Licensure Act.

LB 34 defines a convent, under the Health Care Facility Licensure Act exemption, as a facility of a religious order where shelter, food, and care or treatment are provided exclusively to members of the religious order.

Explanation of amendments:

AM 201 changes and clarifies the exemption under LB 34. AM 201 provides a religious exemption to provisions of the Health Care Facility Licensure Act relating to licensure, or regulation, of assisted-living facilities, intermediate care facilities and nursing facilities for a facility that is used as a residence by members of an organization, association, order or society; organized and operated for religious purposes; for such members who, in exercise of their duties in the organization, association, order, or society, are required to participate in congregant living within such facility.

This exception allows the facility that is a primary residence for members of a religious organization, who reside in such facility as their home while fulfilling their religious duties, to be treated in a similar fashion as a family home as the members age. The amendment is narrowly defined as a religious exception for those whose religious duties require congregant living; the facility is a residence only for members of the religious order; and is organized and operated for religious purposes, not for financial gain or profit.

Finally, the amendment strikes the exemption for skilled nursing facilities that was included in the original bill. The exemption, under the Committee Amendment, AM 201, relates to licensure for assisted-living facilities, intermediate care facilities and nursing facilities, but not skilled nursing facilities.

Kathy Campbell, Chairperson