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March 27, 1997 LB 788

SENATOR WESELY: Yes. Mr. President, members of the Legislature, LB 788, I think, is a very good bill, brought by our new colleague, Senator Pederson. What it does is deal with the question of adoption through the Department of Health and Human Services, through that agency, and after the child is adopted, later on the family may find that that child has a medical condition they weren't aware of, or a mental condition as well, and suffer some very heavy financial losses as a result of that. This fear and potential has stopped some from adopting and made others almost bankrupt in a sense because of the costs involved with the adoption process and then the medical care afterwards. So what the bill calls for in the original bill is that if you adopt through the Department of Health and Human Services and you find, within two years after the adoption, that a pre-existing condition had been in place with that child and it comes to fruition, the state will cover the physical/mental treatment for that child. That's what the bill does, and I'd be happy to go to committee amendments now to deal with those, Mr. President.

SENATOR BEUTLER: Senator Wesely, the motion now is the adoption of the committee amendments, which we would ask you to address. (Standing Committee amendment, AM0770 can be found on page 912 of the Legislative Journal.)

SENATOR WESELY: Thank you, Mr. President, members. The committee did consider the bill and had a couple of improvements, I believe, and I ask for adoption of these changes to the bill. Number one, the two year limit was thought not to be adequate, we changed it to three years, and the reason is that sometimes someone may have an illness, but you may not know it for a longer period of time. And we thought about even going beyond three years, but at least three years made sense based on the testimony that we heard. In addition, rather than oblige the state unknowingly as to the costs of covering these children, we now require an assessment be made of these children as to their health status. And what the bill covers will be those physical and mental conditions that were not identified in that health status. So we will check every child to make sure we know their medical condition, the parents adopting them will know, and what we do not find in that health status that will be