

LEGISLATIVE BILL 895

Approved by the Governor April 07, 2016

Introduced by Coash, 27; Baker, 30; Bolz, 29; Campbell, 25; Crawford, 45; Davis, 43; Fox, 7; Harr, 8; Hilkemann, 4; Howard, 9; Johnson, 23; Kolterman, 24; McCollister, 20; Mello, 5.

A BILL FOR AN ACT relating to the Developmental Disabilities Services Act; to amend section 83-1201, Reissue Revised Statutes of Nebraska; to require a report regarding the Beatrice State Developmental Center and the Bridges program as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

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

Section 1. Section 83-1201, Reissue Revised Statutes of Nebraska, is amended to read:

83-1201 Sections 83-1201 to 83-1226 and section 2 of this act shall be known and may be cited as the Developmental Disabilities Services Act.

Sec. 2. (1) Within the framework of the best interests of persons with developmental disabilities, the department shall prepare a comprehensive plan for the Beatrice State Developmental Center and the Bridges program in Hastings, Nebraska. The plan shall include, but not be limited to:

(a) An analysis of residents of the Beatrice State Developmental Center and the Bridges program in Hastings, Nebraska, on the effective date of this act and their needs and the ability to serve them in the community;

(b) The role of the Beatrice State Developmental Center and the Bridges program in the continuum of services offered to persons with developmental disabilities in Nebraska;

(c) The preferences of residents of the Beatrice State Developmental Center and the Bridges program and their families;

(d) Nationwide trends in facilities like the Beatrice State Developmental Center and the Bridges program;

(e) The cost efficiency of services provided at the Beatrice State Developmental Center and the Bridges program;

(f) An analysis of the facilities at the Beatrice State Developmental Center and the Bridges program on the effective date of this act and the long-term structural needs of the facilities;

(g) Census trends and future needs for services at the Beatrice State Developmental Center and the Bridges program; and

(h) The level of community integration for residents of the Beatrice State Developmental Center and the Bridges program.

(2) The department shall prepare an assessment of the long-term viability of the facilities used to provide services at the Beatrice State Developmental Center and the facilities used to provide services through the Bridges program in Hastings, Nebraska.

(3) The department shall analyze the United States Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999), and provide an analysis of Nebraska's compliance with the decision.

(4) The department shall hold a public hearing to receive input from the public on the Beatrice State Developmental Center and the Bridges program.

(5) The department shall prepare a report including the plan, assessment, analysis, and results of the hearing required by subsections (1) through (4) of this section. The department shall submit the report electronically to the Legislature on or before June 1, 2017.

Sec. 3. Original section 83-1201, Reissue Revised Statutes of Nebraska, is repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.