

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 865

Introduced by DeBoer, 10.

Read first time January 07, 2022

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to child care; to amend section 43-536,
- 2 Revised Statutes Cumulative Supplement, 2020; to change provisions
- 3 relating to a market survey; to state intent regarding
- 4 appropriations; to repeal the original section; and to declare an
- 5 emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-536, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 43-536 (1) In determining the rate of reimbursement for child care,
4 the Department of Health and Human Services shall conduct a market rate
5 survey of the child care providers in the state. The department shall
6 adjust the reimbursement rate for child care every odd-numbered year at a
7 rate not less than the sixtieth percentile and not to exceed the seventy-
8 fifth percentile of the current market rate survey, except that (a) ~~(1)~~
9 nationally accredited child care providers may be reimbursed at higher
10 rates, (b) ~~(2)~~ an applicable child care or early childhood education
11 program, as defined in section 71-1954, that is participating in the
12 quality rating and improvement system and has received a rating of step
13 three or higher under the Step Up to Quality Child Care Act may be
14 reimbursed at higher rates based upon the program's quality scale rating
15 under the quality rating and improvement system, and (c) ~~(3)~~ for the
16 fiscal year beginning on July 1, 2017, such rate may not be less than the
17 fiftieth percentile or the rate for the immediately preceding fiscal
18 year, ~~and~~ for the fiscal year beginning on July 1, 2018, such rate may
19 not be less than the sixtieth percentile for the last three quarters of
20 the fiscal year or the rate for the fiscal year beginning on July 1,
21 2016, and for the fiscal year beginning on July 1, 2022, and the fiscal
22 year beginning July 1, 2023, such rate may not be less than the seventy-
23 fifth percentile.

24 (2) It is the intent of the Legislature to appropriate XXXX from
25 Federal Funds for FY2022-23 to the Department of Health and Human
26 Services for the child care subsidy program established under section
27 68-1202. The Federal Funds to be appropriated pursuant to this section
28 are from the funds allocated to the State of Nebraska from the federal
29 Coronavirus State Fiscal Recovery Fund pursuant to the federal American
30 Rescue Plan Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901.

31 Sec. 2. Original section 43-536, Revised Statutes Cumulative

1 Supplement, 2020, is repealed.

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