

LEGISLATIVE BILL 1012

Approved by the Governor May 19, 1971

Introduced by Committee on Appropriations, Richard D. Marvel, 33rd District, Chairman; Herb Nore, 22nd District; Fern Hubbard Orme, 29th District; Robert L. Clark, 47th District; Elmer Wallwey, 17th District

AN ACT to amend sections 83-376 and 83-380, Revised Statutes Supplement, 1969, relating to state institutions; to provide for payment by counties for care of patients in state institutions as prescribed; to harmonize with previous legislation; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 83-376, Revised Statutes Supplement, 1969, be amended to read as follows:

83-376. When the full cost determined to be necessary for the care, support, maintenance, and treatment of any patient is not paid by the patient or his relatives within thirty days of receipt of such care, (1) the county in which the patient resides shall pay (a) the first fifteen dollars per day of the unpaid cost for each of the first thirty days at the ~~Hastings State--Hospital Regional Center~~, the Lincoln State Hospital Regional Center, the ~~Norfolk State--Hospital Regional Center~~, or the Nebraska Psychiatric Institute, (b) the first ten dollars per day of the unpaid cost for each of the first thirty days at the Beatrice State Home, and (c) the first three dollars per day of the unpaid costs for each day after the first thirty days at any such institution, and (2) the balance of the unpaid cost shall be borne by the state, and (3) the county in which the patient resides shall be credited by the Director of Public Institutions for amounts collected from such patient or his relative in excess of the portion of such costs borne by the state.

Sec. 2. That section 83-380, Revised Statutes Supplement, 1969, be amended to read as follows:

83-380. Enactment of this act shall not affect obligations incurred prior to July 25, 1969, by a patient, his guardian, spouse, child, or parent, or by counties. Within thirty days after ~~July 25, 1969~~ June 30, 1971, the Director of Public Institutions shall

certify to the Director of Administrative Services all amounts not previously certified paid due to each state institution from the several counties having patients chargeable thereto. The Director of Administrative Services shall thereupon notify the county clerk of each county of the amount such county owes. The county board shall add a portion or all of such amount to the next county tax to be levied in the county for the next one to two years at the discretion of the county and pay the total amount into the state treasury no later than June 1, 1973, which amount the State Treasurer shall credit to the General Fund.

Within thirty days after June 30, 1971, and each year thereafter the Director of Public Institutions shall also certify to the Director of Administrative Services all amounts not previously certified due to each state institution from the several counties having patients chargeable thereto. The Director of Administrative Services shall thereupon notify the county clerk of each county of the amount each county owes. The county board shall add to its next levy an amount sufficient to raise the amount certified as due. The county shall pay the amount certified into the state treasury on or before the next June 1 following such certification.

From any county which fails to pay the total amount presently due by June 1, 1973, or the total amount certified as due annually by the next June 1 following certification, as above provided, there shall be withheld by the State Treasurer from the next allocation to such county due from the Governmental Subdivision Fund under the provisions of section 77-27.137, an amount sufficient to equal the amount unpaid from such county which amount shall be deducted from the county's portion and not the municipalities' under section 77-27.138. The State Treasurer shall credit the amount withheld the same as if the county had paid it when due as above provided.

Sec. 3. That original sections 83-376 and 83-380, Revised Statutes Supplement, 1969, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.