

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 111

Introduced by Gloor, 35.

Read first time January 06, 2011

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to mental health boards; to amend section 71-915,
- 2 Reissue Revised Statutes of Nebraska; to change the
- 3 membership of mental health boards; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-915, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 71-915 (1) The presiding judge in each district court
4 judicial district shall create at least one but not more than three
5 mental health boards in such district and shall appoint sufficient
6 members and alternate members to such boards. Members and alternate
7 members of a mental health board shall be appointed for four-year
8 terms. The presiding judge may remove members and alternate members
9 of the board at his or her discretion. Vacancies shall be filled for
10 the unexpired term in the same manner as provided for the original
11 appointment. Members of the mental health board shall have the same
12 immunity as judges of the district court.

13 (2) Each mental health board shall consist of an attorney
14 licensed to practice law in this state and any two of the following
15 but not more than one from each category: A physician, a
16 psychologist, ~~a psychiatric social worker,~~ a psychiatric nurse, a
17 clinical social worker, a licensed independent mental health
18 practitioner who is not a social worker, or a layperson with a
19 demonstrated interest in mental health and substance dependency
20 issues. The attorney shall be chairperson of the board. Members and
21 alternate members of a mental health board shall take and subscribe
22 an oath to support the United States Constitution and the
23 Constitution of Nebraska and to faithfully discharge the duties of
24 the office according to law.

25 (3) The mental health board shall have the power to issue

1 subpoenas, to administer oaths, and to do any act necessary and
2 proper for the board to carry out its duties. No mental health board
3 hearing shall be conducted unless three members or alternate members
4 are present and able to vote. Any action taken at any mental health
5 board hearing shall be by majority vote.

6 (4) The mental health board shall prepare and file an
7 annual inventory statement with the county board of its county of all
8 county personal property in its custody or possession. Members of the
9 mental health board shall be compensated and shall be reimbursed for
10 their actual and necessary expenses by the county or counties being
11 served by such board. Compensation shall be at an hourly rate to be
12 determined by the presiding judge of the district court, except that
13 such compensation shall not be less than fifty dollars for each
14 hearing of the board. Members shall also be reimbursed for their
15 actual and necessary expenses, not including charges for meals.
16 Mileage shall be determined pursuant to section 23-1112.

17 Sec. 2. Original section 71-915, Reissue Revised Statutes
18 of Nebraska, is repealed.