

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 821

Introduced by Lautenbaugh, 18.

Read first time January 13, 2014

Committee: Judiciary

A BILL

1 FOR AN ACT relating to public benefits; to amend section 4-110,
2 Reissue Revised Statutes of Nebraska; to provide an
3 exemption for burial or cremation of an unclaimed body;
4 to harmonize provisions; and to repeal the original
5 section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 4-110, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 4-110 Verification of lawful presence in the United
4 States pursuant to section 4-108 is not required for:

5 (1) Any purpose for which lawful presence in the United
6 States is not restricted by law, ordinance, or regulation;

7 (2) Assistance for health care services and products, not
8 related to an organ transplant procedure, that are necessary for the
9 treatment of an emergency medical condition, including emergency
10 labor and delivery, manifesting itself by acute symptoms of
11 sufficient severity, including severe pain, such that the absence of
12 immediate medical attention could reasonably be expected to result in
13 (a) placing the patient's health in serious jeopardy, (b) serious
14 impairment to bodily functions, or (c) serious dysfunction of any
15 bodily organ or part;

16 (3) Burial or cremation of any unclaimed body of an
17 indigent or other person when the disposition of such remains is the
18 responsibility of an agency or a political subdivision of the State
19 of Nebraska;

20 ~~(3)~~(4) Short-term, noncash, in-kind emergency disaster
21 relief;

22 ~~(4)~~(5) Public health assistance for immunizations with
23 respect to diseases and for testing and treatment of symptoms of
24 communicable diseases, whether or not such symptoms are caused by a
25 communicable disease; or

1 ~~(5)~~(6) Programs, services, or assistance necessary for
2 the protection of life or safety, such as soup kitchens, crisis
3 counseling and intervention, and short-term shelter, which (a)
4 deliver in-kind services at the community level, including those
5 which deliver such services through public or private, nonprofit
6 agencies and (b) do not condition the provision of assistance, the
7 amount of assistance provided, or the cost of assistance provided on
8 the income or resources of the recipient.

9 The Legislature finds that unborn children do not have
10 immigration status and therefor are not within the scope of section
11 4-108. Prenatal care services available pursuant to sections 68-915
12 and 68-972 to unborn children, whose eligibility is independent of
13 the mother's eligibility status, shall not be deemed to be tied to
14 the immigration status of the mother and therefor are not included in
15 the restrictions imposed by section 4-108.

16 Sec. 2. Original section 4-110, Reissue Revised Statutes
17 of Nebraska, is repealed.