

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB417

Hearing Date: Wednesday February 01, 2017
Committee On: Health and Human Services
Introducer: Riepe
One Liner: Change and eliminate provisions relating to public health and welfare

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Kolterman, Howard, Erdman, Crawford, Linehan, Riepe, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:
Senator Merv Riepe
Courtney Phillips

Representing:
Introducer
DHHS

Opponents:
Senator Bob Krist
Michael Chittenden
Kathy Hoell
Melodie Bellamy
Jamie Vetter
Ivy Svoboda
Sarah Helvey
Julia Tse
Brad Meurrens
Mary Angus

Representing:
Self
Arc of Nebraska
Nebraska Statewide Independent Living Council
Nebraska County Attorney's Association
Family Advocacy Network
Nebraska Alliance of Child Advocacy Centers
Nebraska Appleseed
Voices for Children in Nebraska
Disability Rights Nebraska
ADAPT Nebraska

Neutral:

Representing:

Summary of purpose and/or changes:

Provides technical changes to existing statutes relating to health and human services, operational efficiencies and improvements within the Department. Provides technical changes to the behavioral health peer support program, reporting requirements, Quality Review Team under the Developmental Disabilities Services Act, nursing assistant statutes, vital records and senior companion volunteers. LB 417 eliminates the Alternative Response pilot program and permits the Department of Health and Human Services to continue using Alternative Response.

SECTION BY SECTION:

Section 1: Amends Section 28-308 to strike "retired" from senior volunteer programs.

Section 2: Amends Section 28-372 to replace "nursing assistant" with "nurse aide".

Section 3: Amends Section 28-712 to allow the Department of Health and Human Services to continue the alternative response program. Replaces alternative response implementation plan with alternative response program. Removes outdated language on demonstration project locations. Removes evaluation requirements, notice requirements and eliminates requirement of providing copy of rules and regulations to the Nebraska Children's Commission.

Section 4: Amends Section 28-712.01 to update the alternative response language from demonstration project to program.

Section 5: Amends Section 38-101 to update statute numbers found the Uniform Credentialing Act.

Section 6: Amends Section 38-123 to eliminate "written" from the notice requirement to applicants or credential holders of his/her last address of record in the Uniform Credentialing Act.

Section 7: Amends Section 43-296 to eliminate outdated language regarding reporting requirements involving juvenile associations.

Section 8: Amends Section 43-4331 to update alternative response demonstrations projects to program.

Section 9: Amends Section 68-908 to mandate the Department of Health and Human Services submit a report of an annual summary and analysis of the Medicaid program to the Governor and the Legislature electronically no later than December 1 of each year. Eliminates the Department's reporting requirements to the Medicaid Reform Council and Medicaid Reform Council reporting requirements.

Section 10: Amends Section 68-909 to eliminate the Medicaid reporting requirement on rules and regulations, state plan amendments and waivers to Governor, Legislature and Medicaid Reform Council.

Section 11: Amends Section 68-949 to eliminate outdated reporting requirements regarding Medicaid Reform Council.

Section 12: Amends Section 71-806 to require the Behavioral Health Division to establish standards for peer services, including standards for training programs and for training, certification of and service delivery by individuals.

Section 13: Amends Section 71-810 to eliminate the behavioral health reporting requirement involving the occupancy rate of licensed psychiatric hospital beds. Removes the requirement for the Behavioral Health Division to establish and maintain a data and information system for all persons receiving state funded behavioral health services. Removes reporting requirements.

Section 14: Amends Section 71-1904 to eliminate the reporting requirements of the waiver of requirements for relative foster care.

Section 15: Amends Section 71-3405 to update alternative response demonstrations projects to program in the Child and Maternal Death Review Act.

Section 16: Amends Section 71-6038 to replace "nursing assistant" with "nurse aide".

Section 17: Amends Section 71-6039 to replace "nursing assistant" with "nurse aide". Requires no person shall act as a nurse aide in a facility or a distinct part of a facility that provides care in health care facilities.

Section 18: Amends Section 71-6039.06 to replace "nursing assistant" with "nurse aide" in the Licensure Assistance Program.

Section 19: Amends Section 71-6603 to replace "nursing assistant" with "nurse aide".

Section 20: Amends Section 81-221- to remove the term, "companion" from "senior companion volunteer services".

Section 21: Amends Section 81-2273 to remove the term, "companion", from the Nebraska Senior Companion Volunteer Program Act.

Section 22: Amends Section 81-2274 to change the purpose of the now named, Nebraska Senior Volunteer Program Act, to provide volunteer community service opportunities for older persons following priorities outlined in the federal Older Americans Act 1965.

Section 23: Amends Section 81-2275 to eliminate and change definitions in the now named, Nebraska Senior Volunteer Program Act.

Section 24: Amends Section 81-2279 to eliminate mandate to provide senior volunteers with accommodations including transportation expenses, meals and physical exam. Eliminates senior volunteer accommodations for accident and liability insurance and stipend. Requires a senior volunteer to receive motor vehicle accident and liability insurance coverage.

Section 25: Amends Section 81-2281 to mandate the Department to make aging services annual grants in an amount not to exceed twenty-five thousand dollars. Changes grant and application language.

Section 26: Amends Section 81-2283 to update the name of the Nebraska Senior Volunteer Program Act in the rules and regulations statute.

Section 27: Amends Section 83-1212.01 to require the Advisory Committee on Developmental Disabilities to oversee the implementation of the quality assurance plan described in Section 28.

Section 28: Amends Section 83-1213 to mandate the Department develop a quality assurance plan to promote and monitor quality relating to services for persons with developmental disabilities. Such plan may rely on internally or externally developed performance and outcome measures. Such plan shall lead to continual learning and adjustments and improvements to the system of such services. Removes language relating to quality review teams.

Section 29. Operative dates.

Section 30: Repeals Sections 13-308, 28-372, 38-101, 38-123, 43-296, 68-949, 71-6038, 71-6039.06, 71-6603, 81-2210, 81-2273, 81-2274, 81-2275, 81-2279, 81-2281, 81-2283, 83-1212.01, 83-1213, 68-908, 68-909, 71-806, 71-810, 71-1904 and 71-6039.

Section 31: Repeals Sections 28-712, 28-712.01, and 43-4331, and 71-3405.

Section 32: Repeals Sections 81-2233, 81-2276, 81-2277, 81-2278, and 81-2280.

Section 33: Emergency clause.

Explanation of amendments:

AM 579 accomplishes the following:

Strikes Sections 3, 4, 8 and 15 to remove alternative response.

Strikes Sections 27 and 28 to remove implementation of the quality assurance plan and language regarding quality review teams.

Merv Riepe, Chairperson