

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB1051

Chairperson: Senator Laura Ebke

Committee: Judiciary

Date of Hearing: February 22, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Statutes provide that a caregiver may not arbitrarily deny a family member visitation with an adult resident of a health care facility, home or residential dwelling. Statutes also allow family members to file a petition in county court when they have been denied visitation.

LB1051 sets forth county court procedures and practices relating to the filing of these petitions, including guidance on factors to consider when determining whether visitation has been arbitrarily denied. It also provides definitions for "caregiver," "guardian ad litem," "isolation," and "visitor."

The changes in LB1051 are intended to provide clarity to courts, petitioners and others regarding the petition process. The changes are also intended to harmonize the petition process with other existing statutes and rules set forth by the courts.

Principal Introducer: _____

Senator Patty Pansing Brooks