

# One Hundred Sixth Legislature - Second Session - 2020

## Introducer's Statement of Intent

### LB1043

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**Chairperson: Senator Sara Howard**

**Committee: Health and Human Services**

**Date of Hearing: February 20, 2020**

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

LB 1043 makes several changes to the statutes governing receiverships of health care facilities, including hospitals, clinics, assisted living facilities, nursing and skilled nursing facilities, and ambulatory surgical centers. A receivership is a legal structure created by a court at the request of the Department of Health and Human Services when conditions prescribed in statute exist (for example, the health, safety, or welfare of residents or patients is in immediate danger or the facility is operating without a license).

LB 1043 expedites the end of the receivership. Currently, the receiver has 12 months to terminate the receivership before the court is required to hold a hearing on the facility's fate. The bill shortens this to 6 months. The bill also requires that closure or sale generally occur within 60 days of the court order.

The bill further ensures that the court and the Department have sufficient information to oversee the receiver and the facility during the receivership. It limits the number of facilities for which a person may serve as receiver, no more than 5 facilities at once, without court approval. Lastly, LB 1043 creates flexibility as to where receivership petitions may be filed, so that petitions involving multiple facilities owned by the same person can be brought in a single district court, regardless of the facilities' locations. Currently, receivership petitions can only be filed in the county where the facility is located. The bill allows petitions to be filed in Lancaster County as an alternative.

**Principal Introducer:** \_\_\_\_\_

Senator Ben Hansen