

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1068

FINAL READING

Introduced by Stinner, 48.

Read first time January 18, 2022

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to public health; to amend sections 71-829 and
- 2 71-830, Reissue Revised Statutes of Nebraska; to change provisions
- 3 of the Behavioral Health Workforce Act relating to legislative
- 4 intent and the Behavioral Health Education Center; to require the
- 5 University of Nebraska to conduct an assessment; to harmonize
- 6 provisions; to repeal the original sections; and to declare an
- 7 emergency.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-829, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-829 (1) The Legislature hereby finds and declares that:

4 (a) Ninety-five percent of counties in Nebraska are classified as
5 behavioral health profession shortage areas by the federal Health
6 Resources and Services Administration and the Nebraska Department of
7 Health and Human Services;

8 (b) There are severe behavioral health workforce shortages in rural
9 and underserved areas of the state which negatively impact access to
10 appropriate behavioral health services for Nebraska residents; and

11 (c) Nebraska must act to address immediate needs and implement long-
12 term strategies to alleviate education, recruitment, and retention
13 challenges in the behavioral health field.

14 ~~The Legislature finds that there are insufficient behavioral health~~
15 ~~professionals in the Nebraska behavioral health workforce and further~~
16 ~~that there are insufficient behavioral health professionals trained in~~
17 ~~evidence-based practice. This workforce shortage leads to inadequate~~
18 ~~accessibility and response to the behavioral health needs of Nebraskans~~
19 ~~of all ages: Children; adolescents; and adults. These shortages have led~~
20 ~~to well-documented problems of consumers waiting for long periods of time~~
21 ~~in inappropriate settings because appropriate placement and care is not~~
22 ~~available. As a result, mentally ill patients end up in hospital~~
23 ~~emergency rooms which are the most expensive level of care or are~~
24 ~~incarcerated and do not receive adequate care, if any.~~

25 ~~As the state moves from institutional to community-based behavioral~~
26 ~~health services, the behavioral health services workforce shortage is~~
27 ~~increasingly felt by the inability to hire and retain behavioral health~~
28 ~~professionals in Nebraska. In Laws 2004, LB 1083, the Legislature pledged~~
29 ~~to "promote activities in research and education to improve the quality~~
30 ~~of behavioral health services, the recruitment and retention of~~
31 ~~behavioral health professionals, and the availability of behavioral~~

1 ~~health services". The purpose of the Behavioral Health Workforce Act is~~
2 ~~to realize the commitment made in LB 1083 to improve community-based~~
3 ~~behavioral health services for Nebraskans and thus focus on addressing~~
4 ~~behavioral health issues before they become a crisis through increasing~~
5 ~~the number of behavioral health professionals and train these~~
6 ~~professionals in evidence-based practice and alternative delivery methods~~
7 ~~which will improve the quality of care, including utilizing the existing~~
8 ~~infrastructure and telehealth services which will expand outreach to more~~
9 ~~rural areas in Nebraska.~~

10 Sec. 2. Section 71-830, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 71-830 (1) The Behavioral Health Education Center is created and
13 shall be administered by the University of Nebraska Medical Center.

14 (2) The center shall:

15 (a)(i) Provide funds for up to ten ~~two~~ additional medical residents,
16 physician assistants, or psychiatric nurse practitioners in a Nebraska-
17 based psychiatry program each year ~~starting in 2010 until a total of~~
18 ~~eight additional psychiatry residents are added in 2013.~~ The center shall
19 provide psychiatric ~~residency~~ training experiences that serve rural
20 Nebraska and other underserved areas. As part of the ~~his or her~~ residency
21 training experience ~~experiences~~, each center-funded resident, physician
22 assistant, or psychiatric nurse practitioner shall participate in the
23 rural training for a minimum of three months ~~one year~~. A minimum of three
24 ~~two~~ of the ten ~~eight~~ center-funded residents, physician assistants, or
25 psychiatric nurse practitioners shall be active in the rural training
26 each year; ~~and~~

27 (ii) Provide funds for up to twelve ~~five~~ one-year doctoral-level
28 psychology internships in Nebraska ~~within twelve months after July 18,~~
29 ~~2014, and every year thereafter and increase the number of interns in the~~
30 ~~program to ten within thirty-six months after July 18, 2014.~~ The interns
31 shall be placed in communities so as to increase access to behavioral

1 health services for patients residing in rural and underserved areas of
2 Nebraska; and

3 (iii) Provide funds for up to ten one-year mental health therapist
4 internships or practicums in Nebraska. The trainees shall be placed in
5 rural and underserved communities in order to increase access to
6 behavioral health services for patients residing in such areas of
7 Nebraska;

8 (b) Focus on the training of behavioral health professionals in
9 telehealth techniques, including taking advantage of a telehealth network
10 that exists, and other innovative means of care delivery in order to
11 increase access to behavioral health services for all Nebraskans;

12 (c) Analyze the geographic and demographic availability of Nebraska
13 behavioral health professionals, including psychiatrists, social workers,
14 community rehabilitation workers, psychologists, substance abuse
15 counselors, licensed mental health practitioners, behavioral analysts,
16 peer support providers, primary care physicians, nurses, nurse
17 practitioners, pharmacists, and physician assistants;

18 (d) Prioritize the need for additional professionals by type and
19 location;

20 (e) Establish learning collaborative partnerships with other higher
21 education institutions in the state, hospitals, law enforcement,
22 community-based agencies, school districts, and consumers and their
23 families in order to develop evidence-based, recovery-focused,
24 interdisciplinary curricula and training for behavioral health
25 professionals delivering behavioral health services in community-based
26 agencies, hospitals, and law enforcement. Development and dissemination
27 of such curricula and training shall address the identified priority
28 needs for behavioral health professionals; ~~and~~

29 (f) Establish and operate six ~~Beginning in 2011, develop two~~
30 ~~interdisciplinary behavioral health training sites each year until a~~
31 ~~total of six sites have been developed.~~ Four of the six sites shall be in

1 counties with a population of fewer than fifty thousand inhabitants. Each
2 site shall provide annual interdisciplinary training opportunities for a
3 minimum of six ~~three~~ behavioral health professionals; and -

4 (g) Educate behavioral health providers and facilities to integrate
5 behavioral health care into primary care practice and licensed health
6 care facilities in order to place well-trained behavioral health
7 providers into primary care practices, behavioral health practices, and
8 rural hospitals for the purpose of increasing access to behavioral health
9 services.

10 (3) No later than December 1 of every odd-numbered year, the center
11 shall prepare a report of its activities under the Behavioral Health
12 Workforce Act. The report shall be filed electronically with the Clerk of
13 the Legislature and shall be provided electronically to any member of the
14 Legislature upon request.

15 Sec. 3. The University of Nebraska shall conduct an assessment of
16 the environmental and human health effects of toxic chemicals. The
17 assessment shall include:

18 (1) An evaluation of adverse long-term environmental, ecological,
19 and human health effects of the chemicals released during (a) the
20 production of ethanol made from grain or seed treated with pesticide and
21 (b) the storage of byproducts created by the production of ethanol made
22 from grain or seed treated with pesticide; and

23 (2) An assessment of the effects of polluted ground water, soil, and
24 air relating to any ethanol production facility.

25 Sec. 4. Original sections 71-829 and 71-830, Reissue Revised
26 Statutes of Nebraska, are repealed.

27 Sec. 5. Since an emergency exists, this act takes effect when
28 passed and approved according to law.