

One Hundred Seventh Legislature - Second Session - 2022

Introducer's Statement of Intent

LB859

Chairperson: Senator John Arch

Committee: Health and Human Services

Date of Hearing:

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

LB 859 seeks to require all local public health departments to obtain approval from the Nebraska Department of Health and Human Services (DHHS) before implementing directed health measures (DHM's) pertaining to an epidemic or pandemic. By doing so, this would bring continuity of DHM's across the state for the citizens of Nebraska.

Currently, only a local health department organized as a city-county health department located in a county with a population greater than 200,000 people can implement DHM's without the approval of DHHS.

This exception has caused divisions among local communities located in such a jurisdiction and caused inconsistencies among Nebraska counties. Many people believe that this unique power allowed overreaching DHM's encroach upon the personal liberty of citizens.

In addition, the bill requires the board of health of such district to have a public hearing, with a 10-day notice, prior to enacting rules and regulations.

Principal Introducer: _____

Senator Robert Clements