

AMENDMENTS TO LB867

Introduced by Health and Human Services.

1 1. Strike the original sections and insert the following new
2 sections:

3 **Section 1.** Section 30-38,113, Revised Statutes Cumulative
4 Supplement, 2024, is amended to read:

5 30-38,113 (1) Each state agency that provides governmental benefits
6 to individuals of any age with disabilities through means-tested
7 programs, including the medical assistance program, shall adopt and
8 promulgate rules and regulations that:

9 (a) Are not more restrictive than existing federal law, regulations,
10 or policies with regard to the treatment of a special needs trust,
11 including a trust defined in 42 U.S.C. 1396p(c)(2) and 42 U.S.C. 1396p(d)
12 (4);

13 (b) Are not more restrictive than any state law regarding trusts,
14 including any state law relating to the reasonable exercise of discretion
15 by a trustee, guardian, or conservator in the best interests of the
16 beneficiary;

17 (c) Do not require disclosure of a beneficiary's personal or
18 confidential information without the consent of the beneficiary;

19 (d) Allow an individual account in a pooled special needs trust to
20 be funded without financial limit;

21 ~~(e) Allow an individual to establish or fund an individual account~~
22 ~~in a pooled special needs trust without an age limit or a transfer~~
23 ~~penalty;~~

24 (e) ~~(f)~~ Allow an individual to fund a special needs trust for the
25 individual's child with disabilities without a transfer penalty and
26 regardless of the child's age; and

27 (f) ~~(g)~~ Allow all legally assignable income or resources to be

1 assigned to any special needs trust without limit.

2 (2) Nothing in this section may be interpreted to require a court
3 order to authorize the funding of, or a disbursement from, a special
4 needs trust.

5 **Sec. 2.** Section 38-131, Revised Statutes Supplement, 2025, is
6 amended to read:

7 38-131 (1) An applicant for a ~~an initial~~ license to practice as a
8 registered nurse, a licensed practical nurse, a physical therapist, a
9 physical therapy assistant, a psychologist, an advanced emergency medical
10 technician, an emergency medical technician, an audiologist, a speech-
11 language pathologist, a licensed independent mental health practitioner,
12 an occupational therapist, an occupational therapy assistant, a
13 dietitian, a certified social worker, a certified master social worker, a
14 licensed clinical social worker, a paramedic, a physician, an osteopathic
15 physician, a physician or osteopathic physician who is an applicant for a
16 temporary educational permit, a physician or osteopathic physician who is
17 an applicant for a temporary visiting faculty permit, a physician
18 assistant, a dentist, a dental hygienist, an optometrist, a podiatrist, a
19 veterinarian, an advanced practice registered nurse-nurse practitioner,
20 an advanced practice registered nurse-certified nurse midwife, or an
21 advanced practice registered nurse-certified registered nurse anesthetist
22 shall be subject to a criminal background check. Except as provided in
23 subsection (4) of this section, such an applicant for a ~~an initial~~
24 license shall submit a full set of fingerprints to the Nebraska State
25 Patrol for a criminal history record information check. The applicant
26 shall authorize release of the results of the national criminal history
27 record information check by the Federal Bureau of Investigation to the
28 department. The applicant shall pay the actual cost of the fingerprinting
29 and criminal background check.

30 (2) The Nebraska State Patrol is authorized to submit the
31 fingerprints of such applicants to the Federal Bureau of Investigation

1 and to issue a report to the department that includes the criminal
2 history record information concerning the applicant. The Nebraska State
3 Patrol shall forward submitted fingerprints to the Federal Bureau of
4 Investigation for a national criminal history record information check.
5 The Nebraska State Patrol shall issue a report to the department that
6 includes the criminal history record information concerning the
7 applicant.

8 (3) This section shall not apply to a dentist who is an applicant
9 for a dental locum tenens under section 38-1122, to a physician or
10 osteopathic physician who is an applicant for a physician locum tenens
11 under section 38-2036, or to a veterinarian who is an applicant for a
12 veterinarian locum tenens under section 38-3335.

13 (4) A physician or osteopathic physician who is an applicant for a
14 temporary educational permit shall have ninety days from the issuance of
15 the permit to comply with subsection (1) of this section and shall have
16 such permit suspended after such ninety-day period if the criminal
17 background check is not complete or revoked if the criminal background
18 check reveals that the applicant was not qualified for the permit.

19 (5) The department and the Nebraska State Patrol may adopt and
20 promulgate rules and regulations concerning costs associated with the
21 fingerprinting and the national criminal history record information
22 check.

23 (6) For purposes of interpretation by the Federal Bureau of
24 Investigation, the term department in this section means the Division of
25 Public Health of the Department of Health and Human Services.

26 **Sec. 3.** Section 43-2624, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 43-2624 The Department of Health and Human Services shall award
29 grants to persons, community-based organizations, or schools needing
30 assistance to start or improve a child care program or needing assistance
31 to provide staff training for a child care program. ~~No grant shall exceed~~

1 ~~ten thousand dollars.~~ A recipient of a grant shall not be eligible for a
2 grant more than once in a three-year period. Child care grants shall be
3 awarded on the basis of need for the proposed services in the community.
4 Grants shall be given only to grantees who do not discriminate against
5 children with disabilities or children whose care is funded by any state
6 or federal funds. When considering grant applications of equal merit, the
7 department shall award the grant to the applicant which has not
8 previously received a grant from the Child Care Grant Fund. The
9 department may award grants in excess of the appropriation for this
10 program by spending available federal funds allowed for such grants.

11 **Sec. 4.** Section 43-3342.04, Revised Statutes Supplement, 2025, is
12 amended to read:

13 43-3342.04 (1) The Title IV-D Division shall establish a Customer
14 Service Unit. In hiring the initial staff for the unit, a hiring
15 preference shall be given to employees of the clerks of the district
16 court. The duties of the Customer Service Unit include, but are not
17 limited to:

18 (a) Providing account information as well as addressing inquiries
19 made by customers of the State Disbursement Unit; and

20 (b) Administering two statewide toll-free telephone systems, one for
21 use by employers and one for use by all other customers, to provide
22 responses to inquiries regarding income withholding, the collection and
23 disbursement of support order payments made to the State Disbursement
24 Unit, and other child support enforcement issues, including establishing
25 a call center with sufficient telephone lines, a voice response unit, and
26 adequate personnel available during normal business hours to ensure that
27 responses to inquiries are made by the division's personnel or the
28 division's designee.

29 (2) The physical location of the Customer Service Unit shall be in
30 Nebraska and ~~shall result in the hiring of a number of new employees or~~
31 ~~contractor's staff equal to at least one-fourth of one percent of the~~

1 ~~labor force in the county or counties in which the Customer Service Unit~~
2 ~~is located.~~ Customer service staff responsible for providing account
3 information related to the State Disbursement Unit may be located at the
4 same location as the State Disbursement Unit.

5 **Sec. 5.** Section 43-4413, Revised Statutes Cumulative Supplement,
6 2024, is amended to read:

7 43-4413 (1) There is hereby established a child welfare practice
8 model work group. The work group may include, but is not limited to:

9 (a) The Director of Behavioral Health of the Division of Behavioral
10 Health or the director's designee;

11 (b) The Director of Children and Family Services of the Division of
12 Children and Family Services or the director's designee;

13 (c) The Director of Disability and Aging ~~Developmental Disabilities~~
14 of the Division of Disability and Aging ~~Developmental Disabilities~~ or the
15 director's designee;

16 (d) The Director of Medicaid and Long-Term Care of the Division of
17 Medicaid and Long-Term Care or the director's designee;

18 (e) The Director of Public Health of the Division of Public Health
19 or the director's designee;

20 (f) The Commissioner of Education or the commissioner's designee;

21 (g) The State Court Administrator;

22 (h) A representative of the state judicial branch to be appointed by
23 the Chief Justice; and

24 (i) Representatives from each federally recognized Indian tribe
25 within the State of Nebraska, appointed by each tribe's Tribal Council or
26 Executive Committee.

27 (2) The work group shall develop a practice and finance model for
28 child welfare system transformation in Nebraska, with consultation from
29 key stakeholders, judges from separate juvenile courts and judges of
30 county courts sitting as juvenile courts, private child welfare
31 providers, individuals with lived experience in the child welfare system,

1 the Nebraska Children's Commission, the Inspector General of Nebraska
2 Child Welfare, the Foster Care Review Office, child advocacy centers, law
3 enforcement, and county attorneys. The practice and finance model shall
4 include, but not be limited to:

5 (a) Development of a statewide mission and vision for the child
6 welfare system in Nebraska;

7 (b) Development of values and practice priorities for the child
8 welfare system in Nebraska;

9 (c) Development of statewide program goals and a practice and
10 finance model for child welfare system case management and service
11 delivery;

12 (d) Development of engagement strategies to support community
13 involvement in child welfare system transformation;

14 (e) Development of strategies that strengthen relationships across
15 the court system, probation, executive branch agencies, the State
16 Department of Education, and community partners;

17 (f) Development of strategies that support integration across
18 agencies;

19 (g) Development of accountabilities across the entire child welfare
20 system;

21 (h) Evaluation of the state's Title IV-E claiming practices and
22 identification of appropriate steps to optimize federal reimbursement for
23 child welfare system expenditures;

24 (i) Opportunities and financial mechanisms for providers to pilot
25 innovative solutions to meet program goals; and

26 (j) Development of a strategy for data collection and outcome
27 monitoring.

28 (3) The work group shall provide monthly updates to the strategic
29 leadership group.

30 **Sec. 6.** Section 43-4504, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 43-4504 The bridge to independence program is available, on a
2 voluntary basis, to a young adult:

3 (1) Who has attained the age of eligibility;

4 (2) Who was adjudicated to be a juvenile described in:

5 (a) Subdivision (3)(a) of section 43-247 or the equivalent under
6 tribal law and (i) who, upon attaining the age of eligibility, was in an
7 out-of-home placement or had been discharged to independent living or
8 (ii) with respect to whom a kinship guardianship assistance agreement or
9 an adoption assistance agreement was in effect pursuant to 42 U.S.C. 673,
10 if the young adult had attained sixteen years of age before the agreement
11 became effective, or with respect to whom a state-funded guardianship
12 assistance agreement or a state-funded adoption assistance agreement was
13 in effect if the young adult had attained sixteen years of age before the
14 agreement became effective;

15 (b) Subdivision (8) of section 43-247 or the equivalent under tribal
16 law if the young adult's guardianship or state-funded adoption assistance
17 agreement was disrupted or terminated after he or she had attained the
18 age of sixteen years and (i) who, upon attaining the age of eligibility,
19 was in an out-of-home placement or had been discharged to independent
20 living or (ii) with respect to whom a kinship guardianship assistance
21 agreement or an adoption assistance agreement was in effect pursuant to
22 42 U.S.C. 673, if the young adult had attained sixteen years of age
23 before the agreement became effective, or with respect to whom a state-
24 funded guardianship assistance agreement or a state-funded adoption
25 assistance agreement was in effect if the young adult had attained
26 sixteen years of age before the agreement became effective; or

27 (c) Subdivision (1), (2), or (3)(b) of section 43-247 and (i) after
28 January 1, 2025, upon one day prior to attaining nineteen years of age or
29 the age of majority under relevant tribal law, was in a court-ordered
30 out-of-home placement and (ii) such placement had been authorized or
31 reauthorized in the six months prior to the juvenile attaining nineteen

1 years of age or the age of majority under relevant tribal law in a court
2 order finding that it would be contrary to the welfare of the juvenile to
3 remain in or return to the juvenile's family home;

4 (3) Who is:

5 (a) Completing secondary education or an educational program leading
6 to an equivalent credential;

7 (b) Enrolled in an institution which provides postsecondary or
8 vocational education;

9 (c) Employed for at least eighty hours per month;

10 (d) Participating in a program or activity designed to promote
11 employment or remove barriers to employment; or

12 (e) Incapable of doing any of the activities described in
13 subdivisions (3)(a) through (d) of this section due to a medical
14 condition, which incapacity is supported by regularly updated information
15 in the case plan of the young adult;

16 (4) Who is a Nebraska resident, except that this requirement shall
17 not disqualify a young adult who was a Nebraska resident but was placed
18 outside Nebraska pursuant to the Interstate Compact for the Placement of
19 Children; and

20 (5) Who does not meet the level of care for a nursing facility as
21 defined in section 71-424, for a skilled nursing facility as defined in
22 section 71-429, or for an intermediate care facility for persons with
23 developmental disabilities as defined in section 71-421.

24 **Sec. 7.** Section 68-927, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 68-927 For purposes of sections 68-926 to 68-933:

27 (1) Coordinate benefits means:

28 (a) Provide to the department information regarding the licensed
29 insurer's or self-funded insurer's existing coverage for an individual
30 who is eligible for a state benefit program; and

31 (b) Meet payment obligations;

1 (2) Coverage information means health information possessed by a
2 licensed insurer or self-funded insurer that is limited to the following
3 information about an individual:

- 4 (a) Eligibility for coverage under a health plan;
- 5 (b) Coverage of health care under the health plan; or
- 6 (c) Benefits and payments associated with the health plan;

7 (3) Health plan means any policy of insurance issued by a licensed
8 insurer or any employee benefit plan offered by a self-funded insurer
9 that provides for payment to, or on behalf of, an individual as a result
10 of an illness, disability, or injury or change in a health condition and
11 includes a service benefit plan, managed care organization, pharmacy
12 benefit manager, or another party that is legally responsible by law,
13 contract, or agreement for payment of a claim for a health care item or
14 service;

15 (4) Individual means a person covered by a state benefit program,
16 including the medical assistance program, or a person applying for such
17 coverage;

18 (5) Licensed insurer means any insurer, except a self-funded
19 insurer, including a fraternal benefit society, producer, or other person
20 licensed or required to be licensed, authorized or required to be
21 authorized, or registered or required to be registered pursuant to the
22 insurance laws of the state; and

23 (6) Self-funded insurer means any employer or union who or which
24 provides a self-funded employee benefit plan.

25 **Sec. 8.** Section 68-928, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 68-928 (1) Except as provided in subsection (2) of this section, at
28 the request of the department, a licensed insurer or a self-funded
29 insurer shall provide coverage information to the department without an
30 individual's authorization for purposes of:

31 (a) Determining an individual's eligibility for state benefit

1 programs, including the medical assistance program; or

2 (b) Coordinating benefits with state benefit programs.

3 Such information shall be provided within thirty days after the date
4 of request unless good cause is shown. Requests for coverage information
5 shall specify individual recipients for whom information is being
6 requested.

7 (2)(a) Coverage information requested pursuant to subsection (1) of
8 this section regarding a limited benefit policy shall be limited to
9 whether a specified individual has coverage and, if so, a description of
10 that coverage, and such information shall be used solely for the purposes
11 of subdivision (1)(a) of this section.

12 (b) For purposes of this section, limited benefit policy means a
13 policy of insurance issued by a licensed insurer that consists only of
14 one or more, or any combination of the following:

15 (i) Coverage only for accident or disability income insurance, or
16 any combination thereof;

17 (ii) Coverage for specified disease or illness; or

18 (iii) Hospital indemnity or other fixed indemnity insurance.

19 (3) An entity that issues a health plan shall:

20 (a) Respond to a request by the department regarding a claim for
21 payment for a health care item or service submitted not later than three
22 years after the date of the provision of such health care item or
23 service; and

24 (b) Not deny a claim submitted by the department solely on the basis
25 of the date of submission, the type or format of the claim form, or a
26 failure to present proper documentation at the point-of-sale, if (i) the
27 claim is submitted by the department within the three-year period
28 beginning on the date that the health care item or service was provided,
29 and (ii) an action by the department to enforce its rights with respect
30 to such claim is commenced within six years after the date of the claim's
31 submission. Such information shall be provided to the department within

1 thirty days after the date of its request unless good cause is shown. A
2 request for coverage information shall specify the individual for whom
3 information is being requested.

4 **Sec. 9.** Section 68-1006, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 68-1006 The amount of assistance to the aged, blind, or disabled
7 shall be based on the need of the individual and the circumstances
8 existing in each case. When permitted by the federal old age and
9 survivors insurance act, any accumulations of increased benefits under
10 such act may be disregarded when determining need. ~~Payments shall be made~~
11 ~~by state warrant directly to each recipient.~~

12 **Sec. 10.** Section 68-1007, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 68-1007 In determining need for assistance to the aged, blind, or
15 disabled, the Department of Health and Human Services shall take into
16 consideration all other income and resources of the individual claiming
17 such assistance, as well as any expenses reasonably attributable to the
18 earning of any such income, except as otherwise provided in this section.
19 In making such determination with respect to any individual who is blind,
20 there shall be disregarded the first eighty-five dollars per month of
21 earned income plus one-half of earned income in excess of eighty-five
22 dollars per month and, for a period not in excess of twelve months, such
23 additional amounts of other income and resources, in the case of an
24 individual who has an approved plan for achieving self-support, as may be
25 necessary for the fulfillment of such plan. ~~In making such determination~~
26 ~~with respect to an individual who has attained age sixty-five, or who is~~
27 ~~permanently and totally disabled, and is claiming aid to the aged, blind,~~
28 ~~or disabled, the department shall disregard earned income at least to the~~
29 ~~extent such income was disregarded on January 1, 1972, as provided in 42~~
30 ~~U.S.C. 1396a(f).~~

31 **Sec. 11.** Section 68-1530, Revised Statutes Supplement, 2025, is

1 amended to read:

2 68-1530 (1) The Department of Health and Human Services shall apply
3 for a three-year medicaid waiver under section 1915(c) of the federal
4 Social Security Act to administer a family support program which is a
5 home and community-based services program as provided in this section.

6 (2)(a) The Advisory Committee on Developmental Disabilities created
7 in section 83-1212.01 shall assist in the development and guide the
8 implementation of the family support program. The family support program
9 shall be administered by the Division of Disability and Aging
10 ~~Developmental Disabilities~~ of the Department of Health and Human
11 Services.

12 (b) It is the intent of the Legislature that any funds distributed
13 to Nebraska pursuant to section 9817 of the federal American Rescue Plan
14 Act of 2021, Public Law 117-2, be used to eliminate unmet needs relating
15 to home and community-based services for persons with developmental
16 disabilities as much as is possible.

17 (c) If funds are distributed to Nebraska pursuant to section 9817 of
18 the federal American Rescue Plan Act of 2021, it is the intent of the
19 Legislature that such funds distributed to Nebraska should at least
20 partially fund the family support program if doing so is in accordance
21 with federal law, rules, regulations, or guidance.

22 (3) The family support program shall:

23 (a) Offer an annual capped budget for long-term services and
24 supports of ten thousand dollars for each eligible applicant;

25 (b) Offer a pathway for medicaid eligibility for disabled children
26 by disregarding parental income and establishing eligibility based on a
27 child's income and assets;

28 (c) Allow a family to self-direct services, including contracting
29 for services and supports approved by the division; and

30 (d) Not exceed eight hundred fifty participants.

31 (4) The department, in consultation with the advisory committee,

1 shall adopt and promulgate rules and regulations for the implementation
2 of the family support program to be set at an intermediate care facility
3 institutional level of care to support children with intellectual and
4 developmental disabilities and their families. Such rules and regulations
5 shall include, but not be limited to:

6 (a) Criteria for and types of long-term services and supports to be
7 provided by the family support program;

8 (b) The method, as provided in section 68-1532, for allocating
9 resources to family units participating in the family support program;

10 (c) Eligibility determination, including, but not limited to, a
11 child's maximum income and assets;

12 (d) The enrollment process;

13 (e) Limits on benefits; and

14 (f) Processes to establish quality assurance, including, but not
15 limited to, measures of family satisfaction.

16 (5) The division shall administer the family support program within
17 the limits of the appropriations by the Legislature for such program.

18 (6) Until December 31, 2027, the division shall submit an annual
19 report electronically to the Legislature on the family support program.
20 The report shall include:

21 (a) The distribution of available funds, the total number of
22 children and families served, and the status of the waiting list for the
23 comprehensive waiver and other applicable waivers;

24 (b) A summary of any grievances filed by family units pertaining to
25 the family support program, including any appeals and a description of
26 how such grievances were resolved;

27 (c) The number and demographics of children with disabilities and
28 their families who applied under the family support program but who were
29 not found eligible and the reason such children and their families were
30 not found eligible;

31 (d) Quality assurance activities and the results of annual measures

1 of family satisfaction; and

2 (e) Recommendations to innovate the family support program, improve
3 current programming, and maximize limited funding, including, but not
4 limited to, the potential utilization of other medicaid pathways or
5 medicaid waivers that could help increase access to medicaid and long-
6 term services and supports for children with disabilities or special
7 health care needs.

8 **Sec. 12.** Section 71-561, Revised Statutes Cumulative Supplement,
9 2024, is amended to read:

10 71-561 Sections 71-561 to 71-567 and section 18 of this act shall be
11 known and may be cited as the Aging, Alzheimer's, and Disease ~~and Other~~
12 Dementia Support Act.

13 **Sec. 13.** Section 71-563, Revised Statutes Cumulative Supplement,
14 2024, is amended to read:

15 71-563 For purposes of the Aging, Alzheimer's, and Disease ~~and Other~~
16 Dementia Support Act:

17 (1) Council means the Aging, Alzheimer's, and Dementia ~~Alzheimer's~~
18 Disease and Other Dementia Advisory Council; and

19 (2) Department means the Department of Health and Human Services.

20 **Sec. 14.** Section 71-564, Revised Statutes Cumulative Supplement,
21 2024, is amended to read:

22 71-564 (1) The Aging, Alzheimer's, and Dementia ~~Alzheimer's Disease~~
23 and Other Dementia Advisory Council is created and shall include:

24 (a) Seventeen ~~Twelve~~ voting members appointed by the Governor. The
25 voting members shall consist of: (i) An individual living with
26 Alzheimer's disease or another dementia or a family member of such an
27 individual; (ii) an individual who is the family caregiver of an
28 individual living with Alzheimer's disease or another dementia; (iii) an
29 individual who is a medical professional with experience diagnosing and
30 treating Alzheimer's disease or other dementia ~~represents nursing homes~~;
31 (iv) an individual who represents assisted-living facilities; (v) an

1 individual who is a representative of a long-term care or community-based
2 aging organization ~~represents providers of adult day care services; (vi)~~
3 an individual who conducts research related to Alzheimer's disease or
4 other dementia or represents an advocacy organization focused on dementia
5 ~~represents home care providers; (vii) an individual with experience or~~
6 expertise regarding the needs of individuals with intellectual and
7 developmental disabilities who are aging or living with dementia; (viii)
8 an individual at large representing those who are aging; (ix) an
9 individual or an advocate with experience or expertise in aging and
10 special populations; and (x) one representative from each of the eight
11 planning-and-service areas as designated in the Nebraska Community Aging
12 Services Act ~~a medical professional who has experience diagnosing and~~
13 ~~treating Alzheimer's disease; (viii) an individual who conducts research~~
14 ~~regarding Alzheimer's disease or other dementia; (ix) an individual who~~
15 ~~represents a leading, nationwide organization that advocates on behalf of~~
16 ~~individuals living with Alzheimer's disease or other dementia; (x) an~~
17 ~~individual who represents an area agency on aging; (xi) an individual~~
18 ~~representing an organization that advocates for older adults; and (xii)~~
19 ~~an individual with experience or expertise in the area of the specific~~
20 ~~needs of individuals with intellectual and developmental disabilities and~~
21 ~~Alzheimer's disease or other dementia; and~~

22 (b) Five nonvoting members. The nonvoting members shall consist of:
23 (i) The Director of Public Health or the director's designee; (ii) the
24 Director of Disability and Aging Medicaid and Long-Term Care or the
25 director's designee; (iii) the administrator ~~a representative of the~~
26 State Unit on Aging or the administrator's designee of the Division of
27 Medicaid and Long-Term Care ~~designated by the Director of Medicaid and~~
28 Long-Term Care; (iv) a representative of the Nebraska Workforce
29 Development Board ~~designated by the board; and (v) the state long-term~~
30 care ombudsman or the ombudsman's designee.

31 (2) The terms of the initial members shall begin on the date of the

1 first meeting as called by the Director of Public Health and (a) one-
2 third shall serve for two-year terms, (b) one-third shall serve for
3 three-year terms, and (c) one-third shall serve for four-year terms,
4 including the chairperson and vice-chairperson. Thereafter all members
5 shall serve four-year terms. Members may not serve more than two
6 consecutive four-year terms. Vacancies shall be appointed by the Governor
7 in the same manner as described in subdivision (1)(a) of this section.

8 (3) Members of the council shall select the chairperson and vice-
9 chairperson who shall not be employees of the state and may serve in such
10 role for up to four consecutive years. The Director of Public Health or
11 the director's designee shall call and preside over the first meeting
12 until a chairperson is selected. Thereafter, the council shall meet at
13 least quarterly at the call of the chairperson. A majority of the voting
14 members shall constitute a quorum for the conduct of meetings.

15 (4) The council shall hold meetings at least once every calendar
16 quarter.

17 (5) Members shall serve on the council without compensation but
18 shall be compensated for expenses incurred for such service as provided
19 in sections 81-1174 to 81-1177.

20 (6) The department shall provide staff and support to the council as
21 necessary to assist the council in the performance of its duties.

22 **Sec. 15.** Section 71-565, Revised Statutes Cumulative Supplement,
23 2024, is amended to read:

24 71-565 (1) The purpose of the council shall be to examine (a) the
25 needs of aging individuals and individuals living with Alzheimer's
26 disease or other dementia, (b) the services available in the state for
27 those individuals and their family caregivers, and (c) the ability of
28 health care providers and facilities to meet the current and future needs
29 of such individuals.

30 (2) The council shall collaborate with the department and other
31 state departments as needed to gather input on issues and strategies that

1 pertain to aging, Alzheimer's disease, and other dementia and identify
2 proactive approaches on public health, workforce, caregiver support, and
3 care delivery. The council shall monitor analysis, policy development,
4 and program implementation related to aging, Alzheimer's disease, and
5 other dementia.

6 **Sec. 16.** Section 71-566, Revised Statutes Cumulative Supplement,
7 2024, is amended to read:

8 71-566 The council shall consider and make findings and
9 recommendations on the following topics:

10 (1) Trends in the state's Alzheimer's disease and other dementia
11 populations and service needs, including:

12 (a) The state's role in providing or facilitating long-term care,
13 family caregiver support, and assistance to those with early-stage or
14 early-onset Alzheimer's disease or other dementia;

15 (b) The state's policies regarding individuals with Alzheimer's
16 disease or other dementia;

17 (c) The fiscal impact of Alzheimer's disease and other dementia on
18 publicly funded health care programs; and

19 (d) The establishment of a surveillance system to better determine
20 the number of individuals diagnosed with Alzheimer's disease or other
21 dementia and to monitor changes to such numbers;

22 (2) Existing resources, services, and capacity relating to the
23 diagnosis and care of individuals living with Alzheimer's disease or
24 other dementia, including:

25 (a) The type, cost, and availability of dementia care services;

26 (b) The availability of health care workers who can serve people
27 with dementia, including, but not limited to, neurologists,
28 geriatricians, and direct care workers;

29 (c) Dementia-specific training requirements for public and private
30 employees who interact with people living with Alzheimer's disease or
31 other dementia which shall include, but not be limited to, long-term care

1 workers, case managers, adult protective services, law enforcement, and
2 first responders;

3 (d) Home and community-based services, including respite care for
4 individuals exhibiting symptoms of Alzheimer's disease or other dementia
5 and their families;

6 (e) Quality care measures for home and community-based services and
7 residential care facilities; and

8 (f) State-supported Alzheimer's disease and other dementia research
9 conducted at universities located in this state; ~~and~~

10 (3) Policies and strategies that address the following:

11 (a) Increasing public awareness of Alzheimer's disease and other
12 dementia;

13 (b) Educating providers to increase early detection and diagnosis of
14 Alzheimer's disease and other dementia;

15 (c) Improving the health care received by individuals diagnosed with
16 Alzheimer's disease or other dementia;

17 (d) Evaluating the capacity of the health care system in meeting the
18 growing number and needs of those with Alzheimer's disease and other
19 dementia;

20 (e) Increasing the number of health care professionals necessary to
21 treat the growing aging and Alzheimer's disease and dementia populations;

22 (f) Improving services provided in the home and community to delay
23 and decrease the need for institutionalized care for individuals with
24 Alzheimer's disease or other dementia;

25 (g) Improving long-term care, including assisted living, for those
26 with Alzheimer's disease or other dementia;

27 (h) Assisting unpaid Alzheimer's disease or dementia caregivers;

28 (i) Increasing and improving research on Alzheimer's disease and
29 other dementia;

30 (j) Promoting activities to maintain and improve brain health;

31 (k) Improving the collection of data and information related to

1 Alzheimer's disease and other dementia and the resulting public health
2 burdens;

3 (1) Improving public safety and addressing the safety-related needs
4 of those with Alzheimer's disease or other dementia;

5 (m) Addressing legal protections for, and legal issues faced by,
6 individuals with Alzheimer's disease or other dementia; and

7 (n) Improving the ways in which the government evaluates and adopts
8 policies to assist individuals diagnosed with Alzheimer's disease or
9 other dementia and their families; -

10 (4) The collection of facts and statistics and special studies of
11 the conditions and problems pertaining to the employment, health,
12 financial status, recreation, social adjustment, or other conditions and
13 problems relating to the general welfare of aging individuals of the
14 state;

15 (5) State and local agencies serving aging individuals for purposes
16 of coordinating such agencies' activities, and reports from the various
17 state agencies and institutions relating to matters within the
18 jurisdiction of the council;

19 (6) The latest developments of research, studies, and programs being
20 conducted throughout the nation relating to the problems and needs of
21 aging individuals;

22 (7) The mutual exchange of ideas and information relating to aging
23 individuals among federal, state, and local governmental agencies,
24 private organizations, and individuals; and

25 (8) Cooperation with federal, state, and local agencies or private
26 organizations in administering and supervising demonstration programs of
27 services for aging individuals designed to foster continued participation
28 of such individuals in family and community life and to prevent, insofar
29 as possible, the onset of dependency and the need for long-term
30 institutional care.

31 **Sec. 17.** Section 71-567, Revised Statutes Cumulative Supplement,

1 2024, is amended to read:

2 71-567 (1)(a) No later than December 31, 2024, the council shall
3 compile the findings and recommendations ~~under the Alzheimer's Disease~~
4 ~~and Other Dementia Support Act~~ and submit them as a State Alzheimer's
5 Plan to the Legislature and the Governor.

6 (b) No later than December 31, 2028, and every ~~Every~~ four years
7 thereafter, the council shall issue an updated State Alzheimer's Plan
8 addressing the items in sections 71-565 and 71-566 and any other issues
9 the council deems necessary and relevant toward addressing Alzheimer's
10 disease and dementia in Nebraska.

11 (2) By October 1 of each year after the creation of the State
12 Alzheimer's Plan, the council shall electronically submit to the
13 Legislature and the Governor an annual report on the status of
14 implementation of the State Alzheimer's Plan recommendations and any
15 barriers to implementation.

16 **Sec. 18.** The Aging, Alzheimer's, and Dementia Advisory Council Fund
17 is created. The fund shall consist of federal funds and grants or gifts
18 for the purposes authorized by the Aging, Alzheimer's, and Dementia
19 Support Act. Expenditures from the fund shall be subject to any
20 conditions agreed upon for receiving such funds, grants, or gifts. Such
21 funds, grants, or gifts shall be remitted to the State Treasurer for
22 credit to the fund. Any money in the fund available for investment shall
23 be invested by the state investment officer pursuant to the Nebraska
24 Capital Expansion Act and the Nebraska State Funds Investment Act.

25 **Sec. 19.** Section 71-814, Revised Statutes Supplement, 2025, is
26 amended to read:

27 71-814 (1) The State Advisory Committee on Mental Health and
28 Substance Use Services is created. Members of the committee shall have a
29 demonstrated interest and commitment and specialized knowledge,
30 experience, or expertise relating to the provision of mental health
31 services in the State of Nebraska. The committee shall consist of twenty-

1 three members appointed by the Governor as follows: (a) One regional
2 governing board member, (b) one regional administrator, (c) twelve
3 consumers of behavioral health services or their family members, (d) two
4 providers of behavioral health services, (e) two representatives from the
5 State Department of Education, including one representative from the
6 Division of Vocational Rehabilitation of the State Department of
7 Education, (f) three representatives from the Department of Health and
8 Human Services representing mental health, social services, and medicaid,
9 (g) one representative from the Nebraska Commission on Law Enforcement
10 and Criminal Justice, and (h) one representative from the Housing Office
11 of the Community and Rural Development Division of the Department of
12 Economic Development.

13 (2) The committee shall be responsible to the division and shall (a)
14 serve as the state's mental health planning council as required by Public
15 Law 102-321, (b) conduct regular meetings, (c) provide advice and
16 assistance to the division relating to the provision of mental health
17 services and, beginning July 1, 2026, substance use disorder services in
18 the State of Nebraska, including, but not limited to, the development,
19 implementation, provision, and funding of organized peer support
20 services, (d) promote the interests of consumers and their families,
21 including, but not limited to, their inclusion and involvement in all
22 aspects of services design, planning, implementation, provision,
23 education, evaluation, and research, (e) provide reports as requested by
24 the division, and (f) engage in such other activities as directed or
25 authorized by the division.

26 (3) Beginning July 1, 2026, the State Advisory Committee on Mental
27 Health and Substance Use Services shall also perform the duties of the
28 State Advisory Committee on Substance Abuse Services.

29 **Sec. 20.** Section 71-2226, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 71-2226 The Department of Health and Human Services is authorized to

1 have a state CSF program to protect the health and welfare of the
2 citizens of Nebraska by providing nutritious foods donated for such
3 program by the United States Department of Agriculture, nutrition
4 education, and such other benefits as are available to ~~women, infants,~~
5 ~~children,~~ and elderly persons in Nebraska who are low income and
6 vulnerable to malnutrition as long as federal funds are available from
7 the CSF program and are granted to the department.

8 To the extent consistent with state law, the Department of Health
9 and Human Services may establish, operate, and maintain the program in a
10 way that will qualify it to receive federal funds and that is uniform
11 with United States Department of Agriculture's standards, enter into
12 agreements with the federal government to establish a CSF program, adopt
13 and promulgate rules and regulations to implement a CSF program which are
14 consistent with federal regulations and such other rules and regulations
15 as may be necessary to implement the CSF program, and enter into such
16 other agreements as may be necessary to implement the program within this
17 state.

18 **Sec. 21.** Section 71-7450, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 71-7450 (1) Licensure activities under the Wholesale Drug
21 Distributor Licensing Act shall be funded by license fees. An applicant
22 for an initial or renewal license under the act shall pay a license fee
23 as provided in this section.

24 (2) License fees shall include (a) a base fee of fifty dollars and
25 (b) an additional fee of not more than five hundred dollars based on
26 variable costs to the department of inspections and of receiving and
27 investigating complaints, other similar direct and indirect costs, and
28 other relevant factors as determined by the department.

29 (3) If the licensure application is denied, the license fee shall be
30 returned to the applicant, except that the department may retain up to
31 twenty-five dollars as an administrative fee and may retain the entire

1 license fee if an inspection has been completed prior to such denial.

2 (4) The department shall also collect a fee for reinstatement of a
3 license that has lapsed or has been suspended or revoked. The department
4 shall collect a fee of ten dollars for a duplicate original license.

5 (5) The department shall remit all license fees collected under this
6 section to the State Treasurer for credit to the Health and Human
7 Services Cash Fund. License fees collected under this section shall only
8 be used for activities related to the licensure of wholesale drug
9 distributors or for the payment of expenses related to the prescription
10 drug monitoring system created under section 71-2454 , ~~except for the~~
11 ~~transfer of funds provided for under subsection (6) of this section.~~

12 ~~(6) The State Treasurer shall transfer three million seven hundred~~
13 ~~thousand dollars from the Health and Human Services Cash Fund to the~~
14 ~~General Fund on or before June 30, 2018, on such dates and in such~~
15 ~~amounts as directed by the budget administrator of the budget division of~~
16 ~~the Department of Administrative Services. It is the intent of the~~
17 ~~Legislature that the transfer to the General Fund in this subsection be~~
18 ~~from funds credited to the Wholesale Drug Distributor Licensing subfund~~
19 ~~of the Health and Human Services Cash Fund.~~

20 **Sec. 22.** Section 81-6,122, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 81-6,122 (1) The Department of Health and Human Services shall, in
23 collaboration with the Department of Correctional Services, the
24 Department of Economic Development, the Department of Labor, the
25 Department of Transportation, the Department of Veterans' Affairs, the
26 State Department of Education, the University of Nebraska, and the Equal
27 Opportunity Commission, develop a comprehensive strategic plan for
28 providing services to qualified persons with disabilities in the most
29 integrated community-based settings pursuant to the Olmstead decision.

30 (2) The chief executive officer of the Department of Health and
31 Human Services shall convene a team to:

1 (a) Develop the strategic plan described in subsection (1) of this
2 section;

3 (b) Appoint and convene a stakeholder advisory committee to assist
4 in the review and development of the strategic plan, such committee
5 members to include a representative from the State Advisory Committee on
6 Mental Health and Substance Use Services, the Advisory Committee on
7 Developmental Disabilities, the Nebraska Statewide Independent Living
8 Council, the Nebraska Planning Council on Developmental Disabilities, the
9 Division of Rehabilitation Services in the State Department of Education,
10 the Public Service Commission, the Commission for the Deaf and Hard of
11 Hearing, the Commission for the Blind and Visually Impaired, a housing
12 authority in a city of the first or second class and a housing authority
13 in a city of the primary or metropolitan class, the Assistive Technology
14 Partnership, the protection and advocacy system for Nebraska, an
15 assisted-living organization, the behavioral health regions, mental
16 health practitioners, developmental disability service providers, an
17 organization that advocates for persons with developmental disabilities,
18 an organization that advocates for persons with mental illness, an
19 organization that advocates for persons with brain injuries, and an area
20 agency on aging, and including two persons with disabilities representing
21 self-advocacy organizations, and, at the department's discretion, other
22 persons with expertise in programs serving persons with disabilities;

23 (c) Arrange for consultation with an independent consultant to
24 assist with the continued analysis and revision of the strategic plan and
25 determine whether the benchmarks, deadlines, and timeframes are in
26 substantial compliance with the strategic plan;

27 (d) Provide continuing analysis of the strategic plan and a report
28 on the progress of the strategic plan and changes or revisions to the
29 Legislature by December 15, 2021, and every three years thereafter; and

30 (e) Provide the completed strategic plan to the Legislature and the
31 Governor by December 15, 2019.

1 (3) The reports and completed plan shall be submitted electronically
2 to the Legislature.

3 **Sec. 23.** Section 81-1316, Revised Statutes Supplement, 2025, is
4 amended to read:

5 81-1316 (1) All agencies and personnel of state government shall be
6 covered by sections 81-1301 to 81-1319 and shall be considered subject to
7 the State Personnel System, except the following:

- 8 (a) All personnel of the office of the Governor;
- 9 (b) All personnel of the office of the Lieutenant Governor;
- 10 (c) All personnel of the office of the Secretary of State;
- 11 (d) All personnel of the office of the State Treasurer;
- 12 (e) All personnel of the office of the Attorney General;
- 13 (f) All personnel of the office of the Auditor of Public Accounts;
- 14 (g) All personnel of the Legislature;
- 15 (h) All personnel of the court systems;
- 16 (i) All personnel of the Board of Educational Lands and Funds;
- 17 (j) All personnel of the Public Service Commission;
- 18 (k) All personnel of the Nebraska Brand Committee;
- 19 (l) All personnel of the Commission of Industrial Relations;
- 20 (m) All personnel of the State Department of Education;
- 21 (n) All personnel of the Nebraska state colleges and the Board of
22 Trustees of the Nebraska State Colleges;
- 23 (o) All personnel of the University of Nebraska;
- 24 (p) All personnel of the Coordinating Commission for Postsecondary
25 Education;
- 26 (q) All personnel of the Governor's Policy Research Office;
- 27 (r) All personnel of the Commission on Public Advocacy;
- 28 (s) All agency heads;
- 29 (t)(i) The Director of Behavioral Health of the Division of
30 Behavioral Health; (ii) the Director of Children and Family Services of
31 the Division of Children and Family Services; (iii) the Director of

1 ~~Disability and Aging Developmental Disabilities~~ of the Division of
2 ~~Disability and Aging Developmental Disabilities~~; (iv) the Director of
3 Medicaid and Long-Term Care of the Division of Medicaid and Long-Term
4 Care; and (v) the Director of Public Health of the Division of Public
5 Health;

6 (u) The chief medical officer established under section 81-3115, the
7 Administrator of the Office of Juvenile Services, and the chief executive
8 officers of the Beatrice State Developmental Center, Lincoln Regional
9 Center, Norfolk Regional Center, Hastings Regional Center, Central
10 Nebraska Veterans' Home, Norfolk Veterans' Home, Eastern Nebraska
11 Veterans' Home, Western Nebraska Veterans' Home, and each youth
12 rehabilitation and treatment center;

13 (v) The chief executive officers of all facilities operated by the
14 Department of Correctional Services and the medical director for the
15 department appointed pursuant to section 83-4,156;

16 (w) All personnel employed as pharmacists, physicians,
17 psychiatrists, or psychologists by the Department of Correctional
18 Services;

19 (x) All personnel employed as pharmacists, physicians,
20 psychiatrists, psychologists, service area administrators, or facility
21 operating officers of the Department of Health and Human Services or the
22 Department of Veterans' Affairs;

23 (y) Deputies and examiners of the Department of Banking and Finance
24 and the Department of Insurance as set forth in sections 8-105 and
25 44-119, except for those deputies and examiners who remain in the State
26 Personnel System;

27 (z) All personnel of the Tax Equalization and Review Commission;

28 (aa) The associate director of the Conservation Division of the
29 Nebraska State Historical Society and all personnel employed as a
30 Conservator I or Conservator II of the Conservation Division of the
31 Nebraska State Historical Society;

1 (bb) Assistant directors and deputies of the Nebraska Public
2 Employees Retirement Systems; and

3 (cc) The Chief Water Officer, assistant directors, and deputies of
4 the Department of Water, Energy, and Environment.

5 (2) At each agency head's discretion, up to the following number of
6 additional positions may be exempted from the State Personnel System,
7 based on the following agency size categories:

8	Number of Agency	Number of Noncovered
9	Employees	Positions
10	less than 25	0
11	25 to 100	1
12	101 to 250	2
13	251 to 500	3
14	501 to 1000	4
15	1001 to 2000	5
16	2001 to 3000	8
17	3001 to 4000	11
18	4001 to 5000	40
19	over 5000	50

20 The purpose of having such noncovered positions shall be to allow
21 agency heads the opportunity to recruit, hire, and supervise critical,
22 confidential, or policymaking personnel without restrictions from
23 selection procedures, compensation rules, career protections, and
24 grievance privileges. Persons holding the noncovered positions shall
25 serve at the pleasure of the agency head and shall be paid salaries set
26 by the agency head. An agency with over five thousand employees shall
27 provide notice in writing to the Health and Human Services Committee of
28 the Legislature when forty noncovered positions have been filled by the
29 agency head pursuant to this subsection.

30 (3) No changes to this section or to the number of noncovered

1 positions within an agency shall affect the status of personnel employed
2 on the date the changes become operative without their prior written
3 agreement. A state employee's career protections or coverage by personnel
4 rules and regulations shall not be revoked by redesignation of the
5 employee's position as a noncovered position without the prior written
6 agreement of such employee.

7 **Sec. 24.** Section 81-2205, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-2205 Council ~~Committee~~ shall mean the Aging, Alzheimer's, and
10 Dementia Advisory Council ~~Division of Medicaid and Long-Term Care~~
11 ~~Advisory Committee on Aging.~~

12 **Sec. 25.** Section 81-2212, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 81-2212 The council ~~In addition to duties enumerated in section~~
15 ~~68-1104, the committee~~ shall advise the department regarding:

- 16 (1) The state plan on aging as developed and prepared by the
17 department;
- 18 (2) Policies adopted by the department;
- 19 (3) The needs of the state's older individuals;
- 20 (4) The development of the state plan and policies which affect the
21 state's older individuals;
- 22 (5) Such rules, regulations, and standards as may be adopted by the
23 department; and
- 24 (6) A community aging services budget for submission to the
25 Legislature by the department.

26 The council ~~committee~~ shall also act as a panel for the hearing and
27 resolution of any appeal requested by an area agency on aging should the
28 department disapprove the area plan and budget or amendments as
29 submitted.

30 **Sec. 26.** Section 81-2226, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 81-2226 In the event of a documented malfeasance on the part of any
2 area agency on aging in the administration of its area plan, and the
3 failure of the governing unit of the area agency to take corrective
4 action within a reasonable time, the department shall, with the advice of
5 the council committee, terminate funding to the area agency governing
6 unit by disapproving the area plan for that area agency on aging.

7 **Sec. 27.** Section 81-3113, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-3113 The Department of Health and Human Services is created. The
10 department shall have five divisions to be known as (1) the Division of
11 Behavioral Health, (2) the Division of Children and Family Services, (3)
12 the Division of Disability and Aging Developmental Disabilities, (4) the
13 Division of Medicaid and Long-Term Care, and (5) the Division of Public
14 Health.

15 **Sec. 28.** Section 81-3116, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 81-3116 The responsibilities of the divisions created in section
18 81-3113 include, but are not limited to, the following:

19 (1) The Division of Behavioral Health shall administer (a) the state
20 hospitals for the mentally ill designated in section 83-305 and (b)
21 publicly funded community-based behavioral health services;

22 (2) The Division of Children and Family Services shall administer
23 (a) protection and safety programs and services, including child welfare
24 programs and services and the Office of Juvenile Services, (b) economic
25 and family support programs and services, and (c) service areas as may be
26 designated by the chief executive officer or by the Director of Children
27 and Family Services under authority of the chief executive officer ~~,~~
28 ~~except that on and after September 1, 2012, the western, central, and~~
29 ~~northern service areas shall be aligned to be coterminous with the~~
30 ~~district court judicial districts described in section 24-301.02;~~

31 (3) The Division of Disability and Aging Developmental Disabilities

1 shall administer (a) the Beatrice State Developmental Center, (b) aging
2 services, and (c) (b) publicly funded community-based developmental
3 disabilities services;

4 (4) The Division of Medicaid and Long-Term Care shall administer (a)
5 the medical assistance program also known as medicaid, ~~(b) aging~~
6 ~~services~~, and (b) (c) other related programs and services; and

7 (5) The Division of Public Health shall administer (a) preventive
8 and community health programs and services, (b) the regulation and
9 licensure of health-related professions and occupations, and (c) the
10 regulation and licensure of health care facilities and health care
11 services.

12 **Sec. 29.** Section 83-107.01, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 83-107.01 (1) The official names of the state institutions under the
15 supervision of the Department of Health and Human Services shall be as
16 follows: (a) Beatrice State Developmental Center, (b) Lincoln Regional
17 Center, (c) Norfolk Regional Center, and (d) ~~Hastings Regional Center,~~
18 ~~(e) Youth Rehabilitation and Treatment Center-Kearney, and (f) Youth~~
19 ~~Rehabilitation and Treatment Center-Geneva.~~

20 ~~(2)(a) This subsection applies beginning July 1, 2021.~~

21 (2)(a) (b) Except as provided in subdivision (2)(c) (2)(e) of this
22 section, so long as the department operates the Youth Rehabilitation and
23 Treatment Center-Kearney, such institution shall be a single-sex
24 treatment center. It may be used for the treatment of boys or girls but
25 not both simultaneously used for the treatment of boys only.

26 ~~(c) Except as provided in subdivision (2)(e) of this section, so~~
27 ~~long as the department operates the Youth Rehabilitation and Treatment~~
28 ~~Center-Geneva, such institution shall be used for the treatment of girls~~
29 ~~only.~~

30 (b) (d) For any other facility operated and utilized as a youth
31 rehabilitation and treatment center in compliance with state law, the

1 department shall ensure safe and appropriate gender separation.

2 (c) (e) In the event of an emergency, the department may use the
3 Youth Rehabilitation and Treatment Center-Kearney, the Youth
4 Rehabilitation and Treatment Center-Geneva, or another facility operated
5 and utilized as a youth rehabilitation and treatment center in compliance
6 with state law for the treatment of juveniles of both genders for up to
7 seven days. During any such use the department shall ensure safe and
8 appropriate gender separation.

9 (d) (f) For purposes of this section, emergency means a public
10 health emergency or a situation including fire, flood, tornado, natural
11 disaster, or damage to the institution that renders an institution
12 uninhabitable. Emergency does not include inadequate staffing.

13 (3) It is the intent of the Legislature that no institution under
14 the supervision of the Department of Health and Human Services at which
15 the department provides inpatient or subacute substance abuse or
16 behavioral health residential treatment for juveniles under the
17 jurisdiction of a juvenile court shall delay such treatment to a juvenile
18 when such treatment has been determined necessary under subsection (2) of
19 section 43-407 or has been ordered by a juvenile court.

20 **Sec. 30.** Section 83-1201, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 83-1201 Sections 83-1201 to 83-1226 ~~83-1228~~ shall be known and may
23 be cited as the Developmental Disabilities Services Act.

24 **Sec. 31.** Section 83-1204, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 83-1204 Department shall mean the Division of Disability and Aging
27 ~~Developmental Disabilities~~ of the Department of Health and Human
28 Services.

29 **Sec. 32.** Section 83-1206, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 83-1206 Director shall mean the Director of Disability and Aging

1 ~~Developmental Disabilities~~ of the Division of Disability and Aging
2 ~~Developmental Disabilities~~.

3 **Sec. 33.** Original sections 43-2624, 68-927, 68-928, 68-1006,
4 68-1007, 71-2226, 71-7450, 81-6,122, 81-2205, 81-2212, 81-2226, 81-3113,
5 81-3116, 83-107.01, 83-1201, 83-1204, and 83-1206, Reissue Revised
6 Statutes of Nebraska, sections 30-38,113, 43-4413, 43-4504, 71-561,
7 71-563, 71-564, 71-565, 71-566, and 71-567, Revised Statutes Cumulative
8 Supplement, 2024, and sections 38-131, 43-3342.04, 68-1530, 71-814, and
9 81-1316, Revised Statutes Supplement, 2025, are repealed.

10 **Sec. 34.** The following sections are outright repealed: Sections
11 68-1008, 68-1101, 68-1103, 68-1104, 68-1106, 71-1795, 71-1795.02,
12 71-2201, 71-2202, 71-2203, 71-2204, 71-2205, 71-2207, 71-2208,
13 81-3133.02, 81-3134, 83-1216.02, 83-1227, and 83-1228, Reissue Revised
14 Statutes of Nebraska, and section 68-1105, Revised Statutes Cumulative
15 Supplement, 2024.