

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1233

Introduced by Hansen, 16; Ballard, 21.

Read first time January 21, 2026

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to developmental disabilities; to adopt the
- 2 Developmental Disabilities Provider Excessive Training and Cost
- 3 Reduction Act.
- 4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 5 of this act shall be known and may be
2 cited as the Developmental Disabilities Provider Excessive Training and
3 Cost Reduction Act.

4 **Sec. 2.** The purpose of the Developmental Disabilities Provider
5 Excessive Training and Cost Reduction Act is to prohibit the department
6 from imposing unnecessarily costly training requirements on employees of
7 providers and to ensure that training requirements imposed by the
8 department are focused solely on ensuring the health, safety, and welfare
9 of the individuals served by providers. The Developmental Disabilities
10 Provider Excessive Training and Cost Reduction Act further ensures that
11 such training requirements are appropriate, competitively priced, and
12 meet all federal requirements for the provision of developmental
13 disabilities services.

14 **Sec. 3.** For purposes of the Developmental Disabilities Provider
15 Excessive Training and Cost Reduction Act:

16 (1) Department means the Department of Health and Human Services;

17 (2) Employee means an individual employed by a provider, including
18 full-time, part-time, temporary, and contract staff; and

19 (3) Provider means an individual, organization, or entity licensed
20 or certified by the state to provide services to individuals with
21 developmental disabilities.

22 **Sec. 4.** (1) The department shall not require, by rule, regulation,
23 or other guidance or directive, that:

24 (a) An employee of a provider complete training in the use of a
25 physical restraint unless such employee's job duties may reasonably
26 require the employee to physically restrain an individual with
27 developmental disabilities during the course of employment; and

28 (b) Physical restraint training, or related requirements for an
29 employee of a provider, exceed the minimum requirements necessary to
30 comply with applicable federal law or regulations.

31 (2) If the department requires physical restraint training, by rule,

1 regulation, or other guidance or directive, for an employee of a
2 provider, the department shall offer at least two separate options for
3 fulfilling such training requirements to ensure that training options are
4 cost competitive. At least one such option shall permit a provider to
5 utilize an in-house training program if the program meets the safety and
6 content standards established by federal law and regulations.

7 **Sec. 5.** The Developmental Disabilities Provider Excessive Training
8 and Cost Reduction Act shall apply to all training requirements for
9 employees of providers whether currently in place or issued, renewed, or
10 enforced by the department on or after the effective date of this act.