

One Hundred Ninth Legislature - First Session - 2025

Introducer's Statement of Intent

LB369

Chairperson: Senator Carolyn Bosn

Committee: Judiciary

Date of Hearing: February 07, 2025

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

LB 369 changes the legal age to make health care decisions from 19 to 18.

At the request of the Department of Correctional Services, it also allows for youths under 19 who are committed to the Department to consent to mental health services, medical care and related services during the period of confinement. There is one DCS-operated facility for minors in Nebraska, the Nebraska Correctional Youth Facility in Omaha. For this population, a minor in custody may need urgent medical care but various circumstances may limit the ability for staff to obtain timely parental consent.

Youth in custody of the Department of Health and Human Services pursuant to a juvenile court order are exempted from the bill. Because Nebraska's statutory age of majority for legal adulthood is 19, including this population would cause complications, altering the role and jurisdiction of the courts and jeopardizing these youths' eligibility for state services. DHHS has the authority to determine appropriate medical and psychiatric services for youths in its care.

Principal Introducer: _____

Senator Megan Hunt