

LEGISLATIVE BILL 753

Approved by the Governor April 26, 1971

Introduced by Thomas C. Kennedy, 21st District

AN ACT to amend sections 71-2002 and 71-2005, Reissue Revised Statutes of Nebraska, 1943, relating to public health and welfare; to redefine certain terms; to enlarge the Advisory Council on Hospital and Medical Facilities; to provide for additional qualifications for such council members; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-2002, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-2002. As used in sections 71-2001 to 71-2016 unless the context otherwise requires:

(1) Director shall mean the Director of Health of the State of Nebraska;

(2) The federal act shall mean but is not restricted to, PL 88-156, PL 88-164, PL 88-581, PL 88-443, and other measures of similar intent which have been, or may in the future be, passed by the Congress of the United States;

(3) The Surgeon General shall mean the Surgeon General of the Public Health Service of the United States or such other federal office or agency responsible for the administration of the Hospital Survey and Construction Act, 42 United States Code 291 and amendments thereto;

(4) Hospital includes, but is not restricted to, facilities or parts of facilities, which provide space for public health centers, mental health clinics, and general, tuberculosis, mental, long-term care, and other types of hospitals, and related facilities, such as homes for the aged or infirm, laboratories, out-patient departments, nurses' home and educational facilities and central service facilities operated in connection with hospitals;

(5) Public health center shall mean a publicly owned facility for providing public health services,

including related facilities such as laboratories, clinics, and administrative offices operated in connection with public health centers; and

(6) Nonprofit hospital shall mean any hospital owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

Sec. 2. That section 71-2005, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-2005. The Governor shall appoint an Advisory Council on Hospital and Medical Facilities to advise and consult with the Department of Health in carrying out the administration of sections 71-2001 to 71-2016. The council shall consist of the director and ~~ten~~ twelve members. The director shall serve as chairman ex officio. The other members shall include representatives of nongovernment organizations or groups, and of state agencies, concerned with the operation, construction, or utilization of hospitals and medical facilities and representatives particularly concerned with education or training of health profession personnel, with representatives of the consumers of such services selected from among persons familiar with the need for such services in urban or rural areas being not less than one half the appointed membership. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. The terms of office of the members first taking office shall expire, as designated at the time of appointment, three at the end of the first year, four at the end of the second year, and three at the end of the third year, after the date of appointment. Council members, while serving on business of the council, shall receive compensation at the rate of twenty dollars per day and shall also be entitled to receive actual and necessary travel and subsistence expenses while so serving away from their places of residence. The council shall meet as frequently as the director deems necessary but not less than once each year. Upon request by five or more members, it shall be the duty of the director to call a meeting of the council.

Sec. 3. That original sections 71-2002 and 71-2005, Reissue Revised Statutes of Nebraska, 1943, are

repealed.