

LEGISLATIVE BILL 788

Approved by the Governor May 9, 1997

Introduced by D. Pederson, 42; Bromm, 23; Bruning, 3; Engel, 17; Hillman, 48; Matzke, 47

AN ACT relating to adoption; to amend section 43-117, Revised Statutes Supplement, 1996; to provide payment for medical expenses for certain adopted children; to require medical assessments; and to repeal the original section.

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

Section 1. Section 43-117, Revised Statutes Supplement, 1996, is amended to read:

43-117. (1) The Department of Health and Human Services may make payments as needed in behalf of a ward of the department with special needs after the legal completion of his or her adoption. Such payments to adoptive parents may include maintenance costs, medical and surgical expenses, and other costs incidental to the care of the child. Payments for maintenance and medical care shall terminate on or before the child's twentieth birthday.

(2) The Department of Health and Human Services shall pay the treatment costs for the care of an adopted minor child which are the result of an illness or condition if within three years after the decree of adoption is entered the child is diagnosed as having a physical or mental illness or condition which predates the adoption and the child was adopted through the department, the department did not inform the adopting parents of such condition prior to the adoption, and the condition is of such nature as to require medical, psychological, or psychiatric treatment and is more extensive than ordinary childhood illness.

(3) The Department of Health and Human Services shall conduct a medical assessment of the mental and physical needs of any child to be adopted through the department.

Sec. 2. Original section 43-117, Revised Statutes Supplement, 1996, is repealed.