

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 487
Final Reading

Introduced by Wightman, 36; Krist, 10.

Read first time January 23, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health care; to amend section 71-5829.03,
2 Reissue Revised Statutes of Nebraska; to change
3 certificate of need provisions; and to repeal the
4 original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-5829.03, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 71-5829.03 Except as provided in section 71-5830.01, no
4 person, including persons acting for or on behalf of a health care
5 facility, shall engage in any of the following activities without
6 having first applied for and received the necessary certificate of
7 need:

8 (1) The initial establishment of long-term care beds or
9 rehabilitation beds except as permitted under subdivisions (4) and
10 (5) of this section;

11 (2) An increase in the long-term care beds of a health
12 care facility by more than ten long-term care beds or more than ten
13 percent of the total long-term care bed capacity of such facility,
14 whichever is less, over a two-year period;

15 (3) An increase in the rehabilitation beds of a health
16 care facility by more than ten rehabilitation beds or more than ten
17 percent of the total rehabilitation bed capacity of such facility,
18 whichever is less, over a two-year period;

19 (4) Any initial establishment of long-term care beds
20 through conversion by a hospital of any type of hospital beds to
21 long-term care beds if the total beds converted by the hospital are
22 more than ten beds or more than ten percent of the total bed capacity
23 of such hospital, whichever is less, over a two-year period;

24 (5) Any initial establishment of rehabilitation beds
25 through conversion by a hospital of any type of hospital beds to

1 rehabilitation beds if the total beds converted by the hospital are
2 more than ten beds or more than ten percent of the total bed capacity
3 of such hospital, whichever is less, over a two-year period; or

4 (6) Any relocation of rehabilitation beds in Nebraska
5 from one health care facility to another health care facility, except
6 that no certificate of need is required for relocation or transfer of
7 rehabilitation beds from a health care facility to another health
8 care facility owned and operated by the same entity.

9 Sec. 2. Original section 71-5829.03, Reissue Revised
10 Statutes of Nebraska, is repealed.