

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 690
Final Reading

Introduced by Bolz, 29; Harms, 48.

Read first time January 08, 2014

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health and human services; to provide duties
2 for the Department of Health and Human Services; to
3 require application for a federal grant as prescribed; to
4 create and provide duties for a task force; to provide a
5 termination date; and to declare an emergency.

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

1 Section 1. (1) The Department of Health and Human
2 Services shall apply to the United States Department of Health and
3 Human Services for a grant under the State Balancing Incentive
4 Payments Program enacted in section 10202 of the federal Patient
5 Protection and Affordable Care Act. Funds from the grant shall be
6 used to develop a comprehensive and coordinated system of home and
7 community-based long-term care services. The department shall file
8 the grant application not later than July 31, 2014, and the
9 application shall meet the requirements of section 10202 of the
10 federal Patient Protection and Affordable Care Act.

11 (2) On or before December 1, 2014, the Department of
12 Health and Human Services shall report electronically to the Health
13 and Human Services Committee of the Legislature on the status of the
14 grant application.

15 Sec. 2. (1) The Aging Nebraskans Task Force is created.
16 The purpose of the task force is to develop and facilitate
17 implementation of a statewide strategic plan for addressing the needs
18 of the aging population in the state. The task force shall provide a
19 forum for collaboration among state, local, community, public, and
20 private stakeholders in long-term care programs.

21 (2)(a) The executive committee of the task force shall
22 include as voting members the chairperson of the Health and Human
23 Services Committee of the Legislature, a member of the Appropriations
24 Committee of the Legislature appointed by the Executive Board of the
25 Legislative Council, a member of the Health and Human Services

1 Committee of the Legislature appointed by the Executive Board of the
2 Legislative Council, a member of the Legislature's Planning Committee
3 appointed by the Executive Board of the Legislative Council, and an
4 at-large member appointed by the Executive Board of the Legislative
5 Council. The voting members of the executive committee shall choose a
6 chairperson and vice-chairperson from among the voting members.

7 (b) The chief executive officer of the Department of
8 Health and Human Services or his or her designee and the Chief
9 Justice of the Supreme Court or his or her designee shall be
10 nonvoting, ex officio members of the executive committee of the task
11 force.

12 (c) The remaining four members of the task force shall be
13 nonvoting members appointed by the executive committee of the task
14 force through an application and selection process, representing
15 stakeholders in the long-term care system and may include a
16 representative of the Division of Medicaid and Long-Term Care
17 Advisory Committee on Aging, representatives of health care
18 providers, elder law attorneys, representatives of the long-term care
19 ombudsman program, health care economists, geriatric specialists,
20 family caregivers of seniors in at-home care, providers of services
21 to the elderly, seniors currently or previously in institutional
22 care, and aging advocacy organizations.

23 (3) The executive committee of the task force shall
24 advise the task force regarding the interaction among the three
25 branches of government related to long-term care programs and

1 services. The members of the executive committee shall each represent
2 his or her own branch of government, and no member of the executive
3 committee shall participate in actions that could be deemed to be the
4 exercise of the duties and prerogatives of another branch of
5 government or that improperly delegate the powers and duties of any
6 branch of government to another branch of government.

7 (4) The task force shall work with administrators of area
8 agencies on aging, nursing home and assisted-living residence
9 providers, hospitals, rehabilitation centers, managed care companies,
10 senior citizen centers, community stakeholders, advocates for elder
11 services and programs, the Center for Public Affairs Research of the
12 College of Public Affairs and Community Service at the University of
13 Nebraska at Omaha, and seniors statewide to establish effective
14 community collaboration for informed decisionmaking that supports the
15 provisions of effective and efficient long-term care services.

16 (5) The task force shall create a statewide strategic
17 plan for long-term care services in Nebraska which shall consider,
18 but not be limited to:

19 (a) Promotion of independent living through provision of
20 long-term care services and support that enable an individual to live
21 in the setting of his or her choice;

22 (b) Provision of leadership to support sound fiscal
23 management of long-term care budgets so that Nebraska will be able to
24 meet the increasing demand for long-term care services as a growing
25 portion of the state's population reaches the age of eighty years;

1 (c) Expedited creation of workforce development and
2 training programs specific to the needs of and in response to
3 Nebraska's growing aging population;

4 (d) The identification of gaps in the service delivery
5 system that contribute to the inefficient and ineffective delivery of
6 services; and

7 (e) Development of a process for evaluating the quality
8 of residential and home and community-based long-term care services
9 and support.

10 Sec. 3. On or before December 15, 2014, the Aging
11 Nebraskans Task Force shall present electronically to the Legislature
12 a report of recommendations for the statewide strategic plan
13 described in section 2 of this act. The Department of Health and
14 Human Services shall also annually report electronically to the
15 Legislature the percentage growth of medicaid spending for people
16 over sixty-five years of age for no fewer than five years following
17 acceptance of the application to the State Balancing Incentive
18 Payments Program pursuant to section 1 of this act.

19 Sec. 4. The Aging Nebraskans Task Force terminates on
20 June 30, 2016, unless extended by the Legislature.

21 Sec. 5. Since an emergency exists, this act takes effect
22 when passed and approved according to law.