

COMMITTEE STATEMENT

LB 594

HEARING DATE: February 10, 1999

COMMITTEE ON: Health and Human Services

TITLE: (Health and Human Services Committee) Change provisions for child abuse, child care, juvenile justice, pharmacy, hospice, and enforcement provisions

ROLL CALL VOTE – FINAL COMMITTEE ACTION

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

6 Yes Senators Jensen, Byars, Dierks, Price, Suttle, Thompson

No

Present, not voting

1 Absent Senator Tyson

PROPONENTS

Senator Jim Jensen

Bob Hallstrom

Darcy Baehr

Charles Palleson

Richard P. Nelson

Roger Keetle

REPRESENTING

Principal Introducer

NE Pharmacists Association

NE Retail Federation

NE Medical Association

HHS Regulation & Licensure

NE Association of Hospitals

OPPONENTS

None

REPRESENTING

NEUTRAL

None

REPRESENTING

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SUMMARY OF PURPOSE AND/OR CHANGES:

LB 594 is the annual Health and Human Services System "cleanup bill."

Section 1. Allows child abuse investigation teams to develop protocols that include procedures for working with multi-problem delinquent youth.

Section 2. Relating to child support orders. Allows the entry of a foreign support order, requires full faith and credit for liens arising by operation of law against real and personal property in this state when the entity seeking enforcement complies with procedures provided.

Section 3. Requires the juvenile justice system to promote prevention efforts that are community based, stress the offender's responsibility to victims and community, recognize the importance of meeting the educational needs of juveniles, and emphasize parental involvement and accountability.

Section 4. Provides for rescission of a notarized acknowledgment of paternity within the earlier of 60 days or after date of administrative or judicial proceeding relating to the child.

Sections 5-9, 23-29, and 37 transfers responsibility for child care licensing and regulation from the Department of Health and Human Services (HHS) to the Department of Health and Human Services Regulation and Licensure (HHS R&L), deletes a reference to license suspension (sec. 25), changes provisions relating to sanitation and physical well being standards inspections (sec. 26), availability of immunization records and related reports and audits of such records and reports (sec. 27-28), provides that a license may be suspended or revoked upon charges of violations (sec. 29), and harmonizes provisions.

Sections 10-16 relate to the License Suspension Act, defines "director" as "the director of HHS or his or her designee." Provides for notice to a license holder who is delinquent in complying with a support order that the license holder may come into compliance by paying current support, if a current support obligation exists.

Sections 17-22, 30, and 40 relate to the practice of pharmacy. Defines "pharmacy technician," provides ratio of pharmacy technicians to assist one pharmacist, deletes definition of "supportive pharmacy personnel." Changes "supportive pharmacy personnel" to "pharmacy technician." Outright repeals sections relating to supportive pharmacy personnel. Requires the Attorney General to initiate criminal proceedings against a pharmacy technician, public health clinic worker, or dialysis drug or device distributor who knowingly performs tasks or functions that require the expertise or professional judgment of a pharmacist, or against a pharmacist who knowingly permits the same.

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Section 31 deletes a reference to holding oneself out as a hospice or as providing hospice services, and prohibits the provision of hospice services unless appropriately licensed to provide such services under the Hospice Licensure Act.

Sections 32-36 relate to the State Trauma Systems Board and regional trauma systems boards. Provides that the director of Regulation and Licensure shall appoint chairpersons of such boards, and requires transfer agreements between different levels of trauma centers.

Section 38 adds the Director of Regulation or his or her designee to the Geographic Information Systems (GIS) steering committee, and increases the number of members on such committee from 18 to 19.

EXPLANATION OF AMENDMENTS, IF ANY:

The committee amendment: (1) adds an emergency clause, and makes sections relating to the transfer of child care licensing and regulation from HHS to HHS R&L effective July 1, 1999; (2) provides that the acceptable ratio of pharmacy technicians to be supervised by one pharmacist be determined by rules and regulations of HHS R&L, based on certain named criteria; and (3) provides that the chairpersons of the state and regional trauma systems boards be elected by such boards and not appointed by the Director of Regulation and Licensure.

Senator Jim Jensen, Chairperson