

COMMITTEE STATEMENT

LB 819

HEARING DATE: March 11, 1999
January 19, 2000 (**Rehearing**)

COMMITTEE ON: Health and Human Services

TITLE: (Jensen) Adopt the Uniform Facility Licensing Act

ROLL CALL VOTE – FINAL COMMITTEE ACTION

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

7 Yes Senator Jensen, Byars, Suttle, Thompson, Tyson, Price,
and Dickey

No

Present, not voting

Absent

PROPOSERS	REPRESENTING
Senator Jim Jensen	Introducer
Richard Nelson	Department of Health and Human Services, Regulation and Licensure
Helen Meeks	Department of Health and Human Services, Regulation and Licensure
Deb Thomas	NE Health Care Association
Roger Keetle	NE Association of Hospitals and Health Systems
REHEARING	January 19, 2000
Senator Jim Jensen	Introducer
Richard Nelson	Department of Health and Human Services, Regulation and Licensure
Allison Jorgensen	NE Pharmacists Association
Dave Merrill	Region V Services
Jane Elliott	NE Health Care Association
OPPONENTS	REPRESENTING
David Buntain	NE Medical Association

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REHEARING	January 19, 2000
Ron Jensen	NE Association of Homes and Services for the Aging
David Buntain	NE Medical Association
Roger Keetle	NE Association of Hospitals and Health Systems
NEUTRAL	REPRESENTING
Ron Jensen	NE Association of Homes and Services for the Aging
REHEARING	January 19, 2000
Jim Cunningham	NE Catholic Conference
Robin Linafelter	NE Association of Independent Ambulatory Centers

SUMMARY OF PURPOSE AND/OR CHANGES:

LB 819 establishes the Uniform Facility Licensing Act. The bill establishes four new categories of facility licensure, based on the type of treatment or care provided by the facility: (1) hospital, (2) residential care and treatment facilities, (3) ambulatory facilities, and (4) assisted living facilities. The new categories replace approximately 21 existing licensure categories.

The bill authorizes the adoption and promulgation of rules and regulations to establish subcategories within each category of licensure based on the following criteria: (1) the length of time involved in or duration of the treatment or care provided, (2) the complexity of the treatment or care, (3) the vulnerability of the recipient of the treatment or care, (4) the degree of risk to the recipient of the treatment or care, and (5) the specific type of treatment or care being provided to recipients.

LB 819 establishes regulatory standards and establishes processes for (1) initial and renewal licenses, (2) license denial, (3) opening and closing facilities, and (4) disciplinary action against licensed facilities.

The bill provides for the development of regulations relating to monitoring, inspecting and evaluating facilities.

The bill provides a funding mechanism for state licensing activities, identifies facilities and activities that may be excluded from licensure, and sets out criteria for the waiver of regulations.

The bill provides for the appointment of an advisory board for each licensure category. Such boards will provide recommendations on rules and regulations, disciplinary actions or other issues as determined by the Director of Regulation and Licensure.

The bill also updates terminology and makes other technical changes.

EXPLANATION OF AMENDMENTS, IF ANY:

The committee amendment becomes the bill. The amendment is an update and revision of current law relating to the licensure of health care facilities and health care services in sections 71-2017 to 71-2029 and related sections. The amendment (1) names and adopts the Health Care Facility Licensure Act (the act) and incorporates the new act by reference in related sections; (2) revises and harmonizes the definitions of health care facilities and health care services currently found in section 71-2017.01; (3) adds adult day services, respite care services, and pharmacies as health care facilities or health care services that will require licensure under the new act as of 1-1-02; (4) changes license fee provisions to require an annual base fee of \$50 for all health care facilities and health care services, and a variable fee of up to \$1,000 for hospitals, nursing facilities, intermediate care facilities, intermediate care facilities for the mentally

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retarded, skilled nursing facilities, and assisted living facilities and up to \$500 for all other health care facilities and health care services, based on certain objective and relevant criteria; (5) adds provisions relating to provisional licensure; (6) provides for temporary suspension or limitation of a license; and (7) outright repeals various duplicative or conflicting sections of current law.

Senator Jim Jensen, Chairperson