

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 297

Introduced by Hartnett, 45; Byars, 30

Read first time January 13, 2003

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Developmental Disabilities Services Act;
2 to amend sections 83-1201, 83-1203, and 83-1216, Reissue
3 Revised Statutes of Nebraska; to define a term; to change
4 provisions relating to receipt of services; to harmonize
5 provisions; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-1201, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 83-1201. Sections 83-1201 to 83-1226 and section 3 of
4 this act shall be known and may be cited as the Developmental
5 Disabilities Services Act.

6 Sec. 2. Section 83-1203, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 83-1203. For purposes of the Developmental Disabilities
9 Services Act, the definitions found in sections 83-1204 to 83-1208
10 and section 3 of this act shall be used.

11 Sec. 3. Graduation from high school means completion of
12 secondary education but need not include receiving a regular high
13 school diploma.

14 Sec. 4. Section 83-1216, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 83-1216. (1) Beginning July 1, 1995, persons determined
17 to be eligible for specialized services (a) who on or after
18 September 6, 1993, graduate from high school, reach the age of
19 twenty-one years, or (b) who were are currently receiving services
20 on the effective date of this act shall receive services in
21 accordance with the Developmental Disabilities Services Act.
22 Persons determined to be eligible for specialized services who
23 graduate from high school shall receive services in accordance with
24 the act until they reach the age of twenty-one years.

25 (2) ~~On or after July 1, 1995, the~~ The department shall
26 provide, directly or by contract, service coordination to each
27 person found to be eligible for services.

28 (3) It is the intent of the Legislature that beginning

1 July 1, 2000, all persons determined to be eligible for services
2 shall receive services in accordance with the act. ~~On or before~~
3 ~~December 1, 1991, the department shall submit a report to the~~
4 ~~Legislature and the Governor as to the number of persons~~
5 ~~anticipated to be served, what services would be needed, how the~~
6 ~~services would be developed, and the cost of serving all eligible~~
7 ~~persons.~~

8 (4) It is the intent of the Legislature that the
9 Department of Health and Human Services take all possible steps to
10 maximize funding in order to implement subsections (1) and (2) of
11 this section prior to the date these subsections become
12 entitlements. It is the intent of the Legislature that funding
13 sources within the Department of Health and Human Services, the
14 State Department of Education, specifically including the Division
15 of Rehabilitation Services, and other agencies be utilized to the
16 maximum extent possible.

17 Sec. 5. Original sections 83-1201, 83-1203, and 83-1216,
18 Reissue Revised Statutes of Nebraska, are repealed.