

AMENDMENTS TO LB 246

1 1. Strike original section 2 and insert the following
2 new sections:

3 "Section 1. Section 71-434, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 71-434. (1) Licensure activities under the Health Care
6 Facility Licensure Act shall be funded by license fees. An
7 applicant for an initial or renewal license under section 71-433
8 shall pay a license fee as provided in this section.

9 (2) License fees shall include a base fee of fifty
10 dollars and an additional fee based on:

11 (a) Variable costs to the department of inspections,
12 architectural plan reviews, and receiving and investigating
13 complaints, including staff salaries, travel, and other similar
14 direct and indirect costs;

15 (b) The number of beds available to persons residing at
16 the health care facility;

17 (c) The program capacity of the health care facility or
18 health care service; or

19 (d) Other relevant factors as determined by the
20 department.

21 Such additional fee shall be no more than ~~one~~ two
22 thousand six hundred dollars for ~~an assisted-living facility,~~ a
23 hospital or a health clinic operating as an ambulatory surgical
24 center, no more than two thousand dollars for an assisted-living

1 facility, a health clinic providing hemodialysis or labor and
2 delivery services, an intermediate care facility, an intermediate
3 care facility for the mentally retarded, a nursing facility, or a
4 skilled nursing facility, no more than one thousand dollars for
5 home health agencies, hospice services, and centers for the
6 developmentally disabled, and no more than ~~five~~ seven hundred
7 dollars for all other health care facilities and health care
8 services.

9 (3) If the licensure application is denied, the license
10 fee shall be returned to the applicant, except that the department
11 may retain up to twenty-five dollars as an administrative fee and
12 may retain the entire license fee if an inspection has been
13 completed prior to such denial.

14 (4) The department shall also collect the fee provided in
15 subsection (1) of this section for reinstatement of a license that
16 has lapsed or has been suspended or revoked. The department shall
17 collect a fee of ten dollars for a duplicate original license.

18 (5) The department shall adopt and promulgate rules and
19 regulations for the establishment of license fees under this
20 section.

21 (6) The department shall remit all license fees collected
22 under this section to the State Treasurer for credit to the
23 Department of Health and Human Services Regulation and Licensure
24 Cash Fund. License fees collected under this section shall only be
25 used for activities related to the licensure of health care
26 facilities and health care services.

27 Sec. 3. Original sections 71-434 and 71-6054, Reissue

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- 1 Revised Statutes of Nebraska, are repealed."
- 2 2. Renumber the remaining section accordingly.