



Ninety-Ninth Legislature - Second Session - 2006
Committee Statement
LB 844

Hearing Date: January 19, 2006

Committee On: Health and Human Services

Introducer(s): (Byars, Howard, Johnson, Connealy, Cornett, Flood, Aguilar, Combs, Kruse, Dw. Pedersen, D. Pederson, Price, Schrock)

Title: Adopt the Health and Human Services System Act

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

5 Yes Senator Jensen, Cunningham, Erdman, Johnson and Howard

No

Present, not voting

2 Absent Senator Byars and Stuthman

Proponents:

Senator Byars
Senator Howard
Topher Hanson
Dave Holmquist
Rebecca Gould

Dave Merrill
Terry Werner

Kathy Bigsby Moore
Susan Hale
Roger Keetle
Judy Halstead
David Buntain

Representing:

Introducer
District 9
Centerpointe Inc.
American Cancer Society
Nebraska Appleseed Center for the Law and
Public Interest
Region V Services
National Association of Social Workers,
Nebraska Chapter
Voices for Children in Nebraska
Center for People in Need
Nebraska Hospital Association
Lincoln/Lancaster Public Health Department
Nebraska Medical Association

Opponents:

Representing:

Neutral:

Eric Evans
Dick Nelson

Representing:

Nebraska Advocacy Services, Inc.
Nebraska Health and Human Services System

Summary of purpose and/or changes: LB 844 reorganizes the administration of publicly funded health and human services programs and services in Nebraska. Section 1 adopts the Health and Human Services System Act (act) to replace the Nebraska Health and Human Services System Act (Neb. Rev. Stat. §§71-3001 to 71-3307).

Section 2 provides legislative intent to “complete the restructuring of the health and human services system in Nebraska” and establishes policy for the system.

Section 3 provides purposes of the act.

Section 4 provides that, effective January 1, 2007, all programs and services of the Department of Health and Human Services, the Department of Health and Human Services Regulation and Licensure, and the Department of Health and Human Services Finance and Support be transferred to the one agency known as the Department of Health and Human Services System (DHHSS or department).

Section 5 requires the Governor to appoint the Director of the Health and Human Services System and provides duties for the director.

Section 6 requires the director to appoint an assistance director who is responsible for support services necessary to operate the health and human services system. For budgetary and support purposes, the services area administrators and the Health and Human Services System Partnership Council will be under the assistance director.

Section 7 requires the director to appoint services area administrators.

Section 8 provides for a system advocate position, provides duties for the position, and requires the establishment of a toll-free telephone number and the submission of quarterly reports to the director and the Partnership Council.

Sections 9 to 12 establish the Health and Human Services System Partnership Council (partnership council or council) and provide purposes and duties for the council. Membership on the partnership council must be at least 7 but no more than 15. Members are nominated by the Health and Human Services Committee of the Legislature and the Governor, and appointed by the Governor with the consent of a majority of the Legislature. Members of the council serve staggered three-year terms. Members may receive a per diem of up to \$40 and must be reimbursed for necessary expenses.

Sections 13 to 19 establish the following six divisions within the Department of Health and Human Services System, each administered by a chief deputy director, and provide duties for the divisions: (1) the behavioral health services division; (2) the finance division, (3) the protection and safety division, (4) the public health division, (5) the regulation and credentialing division, and (6) the services division.

Section 20 provides powers and duties for the Department of Health and Human Services System.

Section 21 provides for the adoption and promulgation of rules and regulations relating to standards and procedures for access to and security of confidential information among the divisions within the health and human services system and within each division.

Section 22 establishes the Health and Human Services System Cash Fund and requires the transfer of money in the Department of Health and Human Services Cash Fund, the Department of Health and Human Services Regulation and Licensure Cash Fund, and the Department of Health and Human Services Finance and Support Cash Fund to such fund on January 1, 2007.

Section 23 authorizes the creation of petty cash funds by the Director of the Health and Human Services System.

Sections 24 to 27 provide for the preservation of rules and regulations, contracts, etc. and the transfer of property, employees, etc. to the Department of Health and Human Services System from the Department of Health and Human Services, the Department of Health and Human Services Regulation and Licensure, and the Department of Health and Human Services Finance and Support.

Section 28 requires the Health and Human Services Committee of the Legislature to prepare an amendment “to transfer the powers and duties of the Department of Health and Human Services, the Department of Health and Human Services Finance and Support, and the Department of Health and Human Services Regulation and Licensure to the Department of Health and Human Services System. The amendment shall specify, when necessary, which division will be responsible for specific statutory duties.”

Sections 29 to 31 harmonize existing sections with new provisions of the act. Section 32 provides an operative date of July 1, 2007. The bill repeals original sections (sec. 33) and outright repeals several sections (sec. 34)

Explanation of amendments, if any: The committee amendment (AM 2328) becomes the bill. The amendment requires the Governor to appoint a chief administrative officer for the Nebraska Health and Human Services System, and deletes references to the Policy Secretary. The amendment has an operative date of January 1, 2007.

Senator Jim Jensen, Chairperson