

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 2

FINAL READING

Introduced by Executive Board: Engel, 17, Chairperson

Read first time January 6, 2005

Committee: Placed on General File

A BILL

1 FOR AN ACT relating to health care facilities; to amend section
2 71-428, Revised Statutes Supplement, 2004; to correct
3 an internal reference that includes outright repealed
4 sections; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-428, Revised Statutes Supplement,
2 2004, is amended to read:

3 71-428. (1) Respite care service means a person or
4 any legal entity that provides short-term temporary care on an
5 intermittent basis to persons with special needs when the person's
6 primary caregiver is unavailable to provide such care.

7 (2) Respite care service does not include:

8 (a) A person or any legal entity which is licensed under
9 the Health Care Facility Licensure Act and which provides respite
10 care services at the licensed location;

11 (b) A person or legal entity which is licensed to provide
12 child care to thirteen or more children under the Child Care
13 Licensing Act or which is licensed as a group home or child-caring
14 agency under sections 71-1901 to ~~71-1906.03~~71-1906.01;

15 (c) An agency that recruits, screens, or trains a person
16 to provide respite care;

17 (d) An agency that matches a respite care service or
18 other providers of respite care with a person with special needs,
19 or refers a respite care service or other providers of respite
20 care to a person with special needs, unless the agency receives
21 compensation for such matching or referral from the service or
22 provider or from or on behalf of the person with special needs;

23 (e) A person who provides respite care to fewer than
24 eight unrelated persons in any seven-day period in his or her home
25 or in the home of the recipient of the respite care; or

26 (f) A nonprofit agency that provides group respite care
27 for no more than eight hours in any seven-day period.

28 Sec. 2. Original section 71-428, Revised Statutes

1 Supplement, 2004, is repealed.