

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -  
2008**

**COMMITTEE STATEMENT**

**LR283**

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**Hearing Date:** March 27, 2008

**Committee On:** Executive Board of the Legislative Council

**Introducer(s):** (Flood)

**Title:** Create the Developmental Disabilities Special Investigative Committee of the Legislature

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**Roll Call Vote - Final Committee Action:**

Reported to the Legislature for further consideration with amendments

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**Vote Results:**

|                       |   |
|-----------------------|---|
| 9 Yes                 | Senators Chambers, Engel, Erdman, Flood, Janssen, Kopplin, McDonald, Preister, Stuthman |
| 0 No                  |   |
| 0 Absent              |   |
| 0 Present, not voting |   |

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**Proponents:**

Speaker Mike Flood  
John Wyvill

Mike Marvin  
Dave Merrill  
Nancy Webb  
Patty Smith  
Dean Settle

**Representing:**

Introducer  
Director, Division of Developmental Disabilities, DE of Health and Human Services  
NAPE/AFSCME Local 61  
Nebraska Providers' Network (NPN)  
Self  
The Arc  
National Alliance on Mental Illness, Nebraska

Richard Ellis  
Kathy Hoell  
Eric Evans

ADAPT NE  
NE Statewide Independent Living Council  
NE Advocacy Services, Inc.

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**Opponents:**

NONE

**Representing:****Neutral:**

NONE

**Representing:****Summary of purpose and/or change:**

LR 283 references a recent United States Department of Justice report on its investigation of the Beatrice State Developmental Center. This report identified numerous conditions and practices at the Beatrice State Developmental Center that violated the constitutional and federal statutory rights of the facility's residents.

The resolution calls for the Executive Board to appoint a special committee, the *Developmental Disabilities Special Investigative Committee of the Legislature*. The committee is authorized to study the quality of care and related staffing issues at the Beatrice State Developmental Center, the placement and quality of care statewide for the developmentally disabled in Nebraska, and the Department of Health and Human Services with respect to facilities for the developmentally disabled. The committee is to issue a report to the Legislature by December 31, 2008.

**Explanation of amendments, if any:**

Committee Amendment 2582 does the following:

Authorizes the Executive Board to hire outside legal counsel, consultants, and investigators as required by the committee;

Directs the committee, as part of its study of the Department of Health and Human Services with respect to the facilities, to look into the question of how and why services to the developmentally disabled were permitted to decline to the current level as documented by the United States Justice Department Report;

Directs the committee to utilize existing studies, reports and legislation developed to address these current conditions;

Inserts the appointment of a vice chairperson from the membership of the committee; and

Changes the due date of the report from December 31, 2008 to December 15, 2008.

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Senator L. Patrick Engel, Chairperson