

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 616

Introduced by Pedersen, 39; Johnson, 37

Read first time January 17, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Nebraska Behavioral Health Services Act;
2 to amend section 71-809, Revised Statutes Cumulative
3 Supplement, 2006; to eliminate language relating to
4 regional behavioral health authorities; to provide an
5 operative date; and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-809, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 71-809 (1) Each regional behavioral health authority
4 shall be responsible for the development and coordination of
5 publicly funded behavioral health services within the behavioral
6 health region pursuant to rules and regulations adopted and
7 promulgated by the department, including, but not limited to,
8 (a) administration and management of the regional behavioral
9 health authority, (b) integration and coordination of the public
10 behavioral health system within the behavioral health region, (c)
11 comprehensive planning for the provision of an appropriate array
12 of community-based behavioral health services and continuum of
13 care for the region, (d) submission for approval by the division
14 of an annual budget and a proposed plan for the funding and
15 administration of publicly funded behavioral health services within
16 the region, (e) submission of annual reports and other reports as
17 required by the division, (f) initiation and oversight of contracts
18 for the provision of publicly funded behavioral health services,
19 and (g) coordination with the division in conducting audits of
20 publicly funded behavioral health programs and services.

21 ~~(2) Except for services being provided by a regional~~
22 ~~behavioral health authority on July 1, 2004, under applicable state~~
23 ~~law in effect prior to such date, no~~ No regional behavioral health
24 authority shall provide behavioral health services funded in whole
25 or in part with revenue received and administered by the division

1 under the Nebraska Behavioral Health Services Act unless:

2 (a) There has been a public competitive bidding process
3 for such services;

4 (b) There are no qualified and willing providers to
5 provide such services; and

6 (c) The regional behavioral health authority receives
7 written authorization from the administrator and enters into a
8 contract with the division to provide such services.

9 (3) Each regional behavioral health authority shall
10 comply with all applicable rules and regulations of the department
11 relating to the provision of behavioral health services by such
12 authority, including, but not limited to, rules and regulations
13 which (a) establish definitions of conflicts of interest for
14 regional behavioral health authorities and procedures in the event
15 such conflicts arise, (b) establish uniform and equitable public
16 bidding procedures for such services, and (c) require each regional
17 behavioral health authority to establish and maintain a separate
18 budget and separately account for all revenue and expenditures for
19 the provision of such services.

20 Sec. 2. This act becomes operative on July 1, 2008.

21 Sec. 3. Original section 71-809, Revised Statutes
22 Cumulative Supplement, 2006, is repealed.