

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 617

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
2 Act; to amend sections 71-801 and 71-805, Revised
3 Statutes Cumulative Supplement, 2006; to provide for
4 appointment of coordinators as prescribed; to provide for
5 a children's behavioral health implementation plan; to
6 harmonize provisions; to repeal the original sections;
7 and to declare an emergency.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-801, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 71-801 Sections 71-801 to 71-818 and section 3 of this
4 act shall be known and may be cited as the Nebraska Behavioral
5 Health Services Act.

6 Sec. 2. Section 71-805, Revised Statutes Cumulative
7 Supplement, 2006, is amended to read:

8 71-805 (1) The Division of Behavioral Health Services is
9 established within the department. The division shall establish and
10 maintain a separate budget and shall separately account for all
11 revenue and expenditures.

12 (2) The administrator of the division shall be appointed
13 by the Governor and confirmed by a majority of the members of
14 the Legislature. The administrator shall report to the director
15 and shall be responsible for the administration and management of
16 the division. The director shall appoint a chief clinical officer,
17 ~~and a program administrator for consumer affairs,~~ a coordinator of
18 adult behavioral health services, and a coordinator of children's
19 behavioral health services for the division. The chief clinical
20 officer shall be a board-certified psychiatrist and shall serve
21 as the medical director for the division and all facilities
22 and programs operated by the division. The program administrator
23 for consumer affairs shall be a consumer or former consumer of
24 behavioral health services and shall have specialized knowledge,
25 experience, or expertise relating to consumer-directed behavioral

1 health services, behavioral health delivery systems, and advocacy
2 on behalf of consumers of behavioral health services and their
3 families. The chief clinical officer and the program administrator
4 for consumer affairs shall report to the administrator of the
5 division. The Governor and the director shall conduct a search for
6 qualified candidates and shall solicit and consider recommendations
7 from interested parties for such positions prior to making such
8 appointments.

9 (3) The administrator of the division shall establish and
10 maintain an office of consumer affairs within the division. The
11 program administrator for consumer affairs shall be responsible for
12 the administration and management of the office.

13 Sec. 3. (1) The division shall prepare and submit a
14 children's behavioral health implementation plan to the Governor
15 and the Legislature on or before September 1, 2007. The division
16 shall communicate regularly with the Health and Human Services
17 Committee of the Legislature and the Behavioral Health Oversight
18 Commission of the Legislature during preparation of the plan.
19 The commission shall review such plan and provide written
20 recommendations regarding the plan to the division and the
21 committee no later than November 1, 2007. The division shall
22 provide written responses to such recommendations to the commission
23 and the committee, including any proposed changes to the plan, no
24 later than December 1, 2007.

25 Sec. 4. Original sections 71-801 and 71-805, Revised

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1 Statutes Cumulative Supplement, 2006, are repealed.

2 Sec. 5. Since an emergency exists, this act takes effect

3 when passed and approved according to law.