

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010

COMMITTEE STATEMENT

LB590

Hearing Date: Wednesday February 25, 2009

Committee On: Health and Human Services

Introducer: Dierks

One Liner: Change the Disabled Persons and Family Support Act to provide financial compensation and special food and medical needs provided by families

Roll Call Vote - Final Committee Action:

Indefinitely postponed

Vote Results:

Aye: 7 Senators Campbell, Gay, Gloor, Howard, Pankonin, Stuthman, Wallman

Nay:

Absent:

Present Not Voting:

Proponents:

Senator Cap Dierks

John O'Neal

Tim Kolb

Dee Shaffer

Representing:

Introducer

National Multiple Sclerosis Society, Nebraska Chapter

Kolb Foundation for Disability Education

Self

Opponents:

Vivianne Chaumont

Representing:

Department of Health and Human Services

Neutral:

Representing:

Summary of purpose and/or changes:

LB 590 (Dierks) Change the Disabled Persons and Family Support Act to provide financial compensation and special food and medical needs provided by families. Held in committee. LB 590 changes provisions of the Disabled Persons and Family Support Act (act)(sections 68-1501 to 68-1519) to provide financial compensation for family caregivers and for special food and medical needs for persons with disabilities.

The bill defines "special food and medical needs" as "purchases made by a family caregiver specifically for the disabled family member that are different from the type or kind that would otherwise be purchased including, but not limited to, special purchases made due to allergies of the disabled person to food, soap, lotions, or other products." The bill permits payments by the Department of Health and Human Services (department) for "financial compensation for care given by families at home to a disabled family member." Eligibility requirements for such support or compensation include "an out-of-home placement has been attempted and failed and care at home is possible," or "the cost of care by the family at home will be less than the cost to the state for institutional care." The bill requires that family caregivers be compensated at a higher rate than a salaried state employee receives for similar work done at a state facility. The bill makes the caregiver and his or her family eligible for health insurance as if the caregiver were a full-time state employee.

The bill adds "the most economical care that is in the best interests of the disabled person, including financial compensation for care given by families to a disabled family member at home" as a factor that must be considered in determining the needs and eligibility criteria of families and disabled persons under the act. Current maximum support allowable under the act (section 68-1512) is: (1) \$300 per month per disabled person averaged over any one-year

period or (2) \$300 per month per family averaged over any one-year period for the first disabled family member plus \$150 per month averaged over any one-year period for each additional disabled family member. LB 590 exempts financial compensation for care given by families at home to a disabled family member from such limits.

Tim Gay, Chairperson