

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 91

FINAL READING

Introduced by Howard, 9; Coash, 27; Cook, 13; Flood, 19; Hansen, 42; Harms, 48; Heidemann, 1; Louden, 49; Nantkes, 46; Pirsch, 4; Sullivan, 41.

Read first time January 08, 2009

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to children; to amend section 43-117, Reissue
2 Revised Statutes of Nebraska; to change provisions
3 relating to department payments on behalf of certain
4 children; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-117, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 43-117 (1) The Department of Health and Human Services
4 may make payments as needed, after the legal completion of an
5 adoption, in on behalf of a child who immediately preceding the
6 adoption was (a) a ward of the department with special needs after
7 the legal completion of his or her adoption, or (b) the subject of
8 a state-subsidized guardianship. Such payments to adoptive parents
9 may include maintenance costs, medical and surgical expenses, and
10 other costs incidental to the care of the child. Payments for
11 maintenance and medical care shall terminate on or before the
12 child's twentieth birthday.

13 (2) The Department of Health and Human Services shall pay
14 the treatment costs for the care of an adopted minor child which
15 are the result of an illness or condition if within three years
16 after the decree of adoption is entered the child is diagnosed as
17 having a physical or mental illness or condition which predates
18 the adoption and the child was adopted through the department, the
19 department did not inform the adopting parents of such condition
20 prior to the adoption, and the condition is of such nature as
21 to require medical, psychological, or psychiatric treatment and is
22 more extensive than ordinary childhood illness.

23 (3) The Department of Health and Human Services shall
24 conduct a medical assessment of the mental and physical needs of
25 any child to be adopted through the department.

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1 Sec. 2. Original section 43-117, Reissue Revised Statutes
2 of Nebraska, is repealed.