

## LEGISLATIVE BILL 91

Approved by the Governor March 5, 2009

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

FOR AN ACT relating to children; to amend section 43-117, Reissue Revised Statutes of Nebraska; to change provisions relating to department payments on behalf of certain children; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

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

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

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

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

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 Original section 43-117, Reissue Revised Statutes of Nebraska, is repealed.