

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1088**

Introduced by Conrad, 46.

Read first time January 22, 2014

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to child care; to amend section 68-1206, Revised  
2 Statutes Supplement, 2013; to change provisions relating  
3 to assistance; to repeal the original section; and to  
4 declare an emergency.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 68-1206, Revised Statutes Supplement,  
2   2013, is amended to read:

3           68-1206 (1) The Department of Health and Human Services  
4   shall administer the program of social services in this state. The  
5   department may contract with other social agencies for the purchase  
6   of social services at rates not to exceed those prevailing in the  
7   state or the cost at which the department could provide those  
8   services. The statutory maximum payments for the separate program of  
9   aid to dependent children shall apply only to public assistance  
10   grants and shall not apply to payments for social services. As part  
11   of the provision of social services authorized by section 68-1202,  
12   the department shall participate in the federal child care assistance  
13   program under 42 U.S.C. 618, as such section existed on January 1,  
14   2013, and provide child care assistance to families with incomes up  
15   to one hundred twenty-five percent of the federal poverty level for  
16   FY2013-14, ~~and one hundred thirty~~thirty-five percent of the federal  
17   poverty level for FY2014-15, and one hundred forty percent of the  
18   federal poverty level for FY2015-16 and each fiscal year thereafter.

19           (2) In determining the rate or rates to be paid by the  
20   department for child care as defined in section 43-2605, the  
21   department shall adopt a fixed-rate schedule for the state or a  
22   fixed-rate schedule for an area of the state applicable to each child  
23   care program category of provider as defined in section 71-1910 which  
24   may claim reimbursement for services provided by the federal Child  
25   Care Subsidy program, except that the department shall not pay a rate

1 higher than that charged by an individual provider to that provider's  
2 private clients. The schedule may provide separate rates for care for  
3 infants, for children with special needs, including disabilities or  
4 technological dependence, or for other individual categories of  
5 children. The schedule may also provide tiered rates based upon a  
6 quality scale rating of step three or higher under the Step Up to  
7 Quality Child Care Act. The schedule shall be effective on October 1  
8 of every year and shall be revised annually by the department.

9           Sec. 2. Original section 68-1206, Revised Statutes  
10 Supplement, 2013, is repealed.

11           Sec. 3. Since an emergency exists, this act takes effect  
12 when passed and approved according to law.