

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 260**

Introduced by Gloor, 35.

Read first time January 16, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Nebraska Behavioral Health Services Act;  
2 to amend section 71-810, Revised Statutes Cumulative  
3 Supplement, 2012; to change requirements for a data and  
4 information system as prescribed; to harmonize  
5 provisions; and to repeal the original section.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 71-810, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3                   71-810 (1) The division shall encourage and facilitate  
4 the statewide development and provision of an appropriate array of  
5 community-based behavioral health services and continuum of care for  
6 the purposes of (a) providing greater access to such services and  
7 improved outcomes for consumers of such services and (b) reducing the  
8 necessity and demand for regional center behavioral health services.

9                   (2) The division may reduce or discontinue regional  
10 center behavioral health services only if (a) appropriate community-  
11 based services or other regional center behavioral health services  
12 are available for every person receiving the regional center services  
13 that would be reduced or discontinued, (b) such services possess  
14 sufficient capacity and capability to effectively replace the service  
15 needs which otherwise would have been provided at such regional  
16 center, and (c) no further commitments, admissions, or readmissions  
17 for such services are required due to the availability of community-  
18 based services or other regional center services to replace such  
19 services.

20                   (3) The division shall notify the Governor and the  
21 Legislature of any intended reduction or discontinuation of regional  
22 center services under this section. The notification submitted to the  
23 Legislature shall be submitted electronically. Such notice shall  
24 include detailed documentation of the community-based services or  
25 other regional center services that are being utilized to replace

1 such services.

2 (4) As regional center services are reduced or  
3 discontinued under this section, the division shall make appropriate  
4 corresponding reductions in regional center personnel and other  
5 expenditures related to the provision of such services. All funding  
6 related to the provision of regional center services that are reduced  
7 or discontinued under this section shall be reallocated and expended  
8 by the division for purposes related to the statewide development and  
9 provision of community-based services.

10 (5) The division may establish state-operated community-  
11 based services to replace regional center services that are reduced  
12 or discontinued under this section. The division shall provide  
13 regional center employees with appropriate training and support to  
14 transition such employees into positions as may be necessary for the  
15 provision of such state-operated services.

16 (6) When the occupancy of the licensed psychiatric  
17 hospital beds of any regional center reaches twenty percent or less  
18 of its licensed psychiatric hospital bed capacity on March 15, 2004,  
19 the division shall notify the Governor and the Legislature of such  
20 fact. The notification submitted to the Legislature shall be  
21 submitted electronically. Upon such notification, the division, with  
22 the approval of a majority of members of the Executive Board of the  
23 Legislative Council, may provide for the transfer of all remaining  
24 patients at such center to appropriate community-based services or  
25 other regional center services pursuant to this section and cease the

1 operation of such regional center.

2 (7) The division, in consultation with each regional  
3 behavioral health authority, shall establish and maintain a data and  
4 information system for all persons receiving state-funded behavioral  
5 health services under the Nebraska Behavioral Health Services Act.  
6 ~~Information maintained by the division shall include, but not be~~  
7 ~~limited to, (a) the number of persons receiving regional center~~  
8 ~~services, (b) the number of persons ordered by a mental health board~~  
9 ~~to receive inpatient or outpatient treatment and receiving regional~~  
10 ~~center services, (c) the number of persons ordered by a mental health~~  
11 ~~board to receive inpatient or outpatient treatment and receiving~~  
12 ~~community based services, (d) the number of persons voluntarily~~  
13 ~~admitted to a regional center and receiving regional center services,~~  
14 ~~(e) the number of persons waiting to receive regional center~~  
15 ~~services, (f) the number of persons waiting to be transferred from a~~  
16 ~~regional center to community-based services or other regional center~~  
17 ~~services, (g) the number of persons discharged from a regional center~~  
18 ~~who are receiving community based services or other regional center~~  
19 ~~services, and (h) the number of persons admitted to behavioral health~~  
20 ~~crisis centers.—~~Each regional behavioral health authority shall  
21 provide such information as requested by the division and necessary  
22 to carry out this subsection. ~~The division shall submit reports of~~  
23 ~~such information to the Governor and the Legislature on a quarterly~~  
24 ~~basis beginning July 1, 2005, in a format which does not identify any~~  
25 ~~person by name, address, county of residence, social security number,~~

1 ~~or other personally identifying characteristic. The report submitted~~  
2 ~~to the Legislature shall be submitted electronically.~~

3           (8) The provisions of this section are self-executing and  
4 require no further authorization or other enabling legislation.

5           Sec. 2. Original section 71-810, Revised Statutes  
6 Cumulative Supplement, 2012, is repealed.