

LEGISLATIVE BILL 690

Passed over the Governor's veto April 10, 2014.

Introduced by Bolz, 29; Harms, 48.

FOR AN ACT relating to health and human services; to provide duties for the Department of Health and Human Services; to require application for a federal grant as prescribed; to create and provide duties for a task force; and to provide a termination date.

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

Section 1. (1) The Department of Health and Human Services shall apply to the United States Department of Health and Human Services for a grant under the State Balancing Incentive Payments Program enacted in section 10202 of the federal Patient Protection and Affordable Care Act. Funds from the grant shall be used to develop a comprehensive and coordinated system of home and community-based long-term care services. The department shall file the grant application not later than July 31, 2014, and the application shall meet the requirements of section 10202 of the federal Patient Protection and Affordable Care Act.

(2) On or before December 1, 2014, the Department of Health and Human Services shall report electronically to the Health and Human Services Committee of the Legislature on the status of the grant application.

Sec. 2. (1) The Aging Nebraskans Task Force is created. The purpose of the task force is to develop and facilitate implementation of a statewide strategic plan for addressing the needs of the aging population in the state. The task force shall provide a forum for collaboration among state, local, community, public, and private stakeholders in long-term care programs.

(2)(a) The executive committee of the task force shall include as voting members the chairperson of the Health and Human Services Committee of the Legislature, a member of the Appropriations Committee of the Legislature appointed by the Executive Board of the Legislative Council, a member of the Health and Human Services Committee of the Legislature appointed by the Executive Board of the Legislative Council, a member of the Legislature's Planning Committee appointed by the Executive Board of the Legislative Council, and an at-large member appointed by the Executive Board of the Legislative Council. The voting members of the executive committee shall choose a chairperson and vice-chairperson from among the voting members.

(b) The chief executive officer of the Department of Health and Human Services or his or her designee and the Chief Justice of the Supreme Court or his or her designee shall be nonvoting, ex officio members of the executive committee of the task force.

(c) The remaining four members of the task force shall be nonvoting members appointed by the executive committee of the task force through an application and selection process, representing stakeholders in the long-term care system and may include a representative of the Division of Medicaid and Long-Term Care Advisory Committee on Aging, representatives of health care providers, elder law attorneys, representatives of the long-term care ombudsman program, health care economists, geriatric specialists, family caregivers of seniors in at-home care, providers of services to the elderly, seniors currently or previously in institutional care, and aging advocacy organizations.

(3) The executive committee of the task force shall advise the task force regarding the interaction among the three branches of government related to long-term care programs and services. The members of the executive committee shall each represent his or her own branch of government, and no member of the executive committee shall participate in actions that could be deemed to be the exercise of the duties and prerogatives of another branch of government or that improperly delegate the powers and duties of any branch of government to another branch of government.

(4) The task force shall work with administrators of area agencies on aging, nursing home and assisted-living residence providers, hospitals, rehabilitation centers, managed care companies, senior citizen centers, community stakeholders, advocates for elder services and programs, the Center for Public Affairs Research of the College of Public Affairs and Community Service at the University of Nebraska at Omaha, and seniors statewide to establish effective community collaboration for informed decisionmaking that supports the provisions of effective and efficient long-term care services.

(5) The task force shall create a statewide strategic plan for long-term care services in Nebraska which shall consider, but not be limited to:

(a) Promotion of independent living through provision of long-term care services and support that enable an individual to live in the setting of his or her choice;

(b) Provision of leadership to support sound fiscal management of long-term care budgets so that Nebraska will be able to meet the increasing demand for long-term care services as a growing portion of the state's population reaches the age of eighty years;

(c) Expedited creation of workforce development and training programs specific to the needs of and in response to Nebraska's growing aging population;

(d) The identification of gaps in the service delivery system that contribute to the inefficient and ineffective delivery of services; and

(e) Development of a process for evaluating the quality of residential and home and community-based long-term care services and support.

Sec. 3. On or before December 15, 2014, the Aging Nebraskans Task Force shall present electronically to the Legislature a report of recommendations for the statewide strategic plan described in section 2 of this act. The Department of Health and Human Services shall also annually report electronically to the Legislature the percentage growth of medicaid spending for people over sixty-five years of age for no fewer than five years following acceptance of the application to the State Balancing Incentive Payments Program pursuant to section 1 of this act.

Sec. 4. The Aging Nebraskans Task Force terminates on June 30, 2016, unless extended by the Legislature.