

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 333**

Introduced by Speaker Scheer, 19; at the request of the Governor.

Read first time January 12, 2017

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to public assistance; to amend section
- 2 68-1005, Reissue Revised Statutes of Nebraska; to eliminate an
- 3 independent review of denial of aid to the disabled; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 68-1005, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           68-1005 In order to qualify for assistance to the disabled, an  
4 individual shall, in addition to the requirements set forth in section  
5 68-1002, be considered to be disabled if he or she is unable to engage in  
6 any substantial gainful activity by reason of any medically determinable  
7 physical or mental impairment which can be expected to result in death or  
8 which has lasted or can be expected to last for a continuous period of  
9 not less than one year ~~one hundred eighty days~~ or, in the case of a child  
10 under eighteen years of age, if he or she suffers from any medically  
11 determinable physical or mental impairment of comparable severity. In  
12 determining eligibility for assistance to the disabled, the Department of  
13 Health and Human Services may adopt the determination of the Social  
14 Security Administration that an individual is or is not disabled for the  
15 purposes of the federal programs of Supplemental Security Income or Old  
16 Age Survivors' and Disability Insurance, ~~except that if the Social~~  
17 ~~Security Administration has denied benefits to an individual on the basis~~  
18 ~~of the duration of the individual's disability, the department shall~~  
19 ~~perform an independent medical review of such individual's disability.~~

20           Sec. 2. Original section 68-1005, Reissue Revised Statutes of  
21 Nebraska, is repealed.