

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 932**

Introduced by Howard, 9; Kuehn, 38; Lindstrom, 18.

Read first time January 09, 2018

Committee: Judiciary

1 A BILL FOR AN ACT relating to the Nebraska Correctional Health Care  
2 Services Act; to amend section 83-4,157, Reissue Revised Statutes of  
3 Nebraska; to provide duties for the medical director of the  
4 Department of Correctional Services relating to discharge planning  
5 as prescribed; and to repeal the original section.  
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-4,157, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3 83-4,157 The medical director shall:

4 (1) Coordinate all clinical services;

5 (2) Participate in the selection and supervision of all clinical  
6 staff employed by or under contract with the department, including  
7 medical doctors, physician assistants, pharmacists, pharmacy technicians,  
8 registered nurses, licensed practical nurses, advanced practice  
9 registered nurses practicing under and in accordance with their  
10 respective certification acts, mental health practitioners, alcohol and  
11 drug counselors, laboratory technicians, physical therapists,  
12 optometrists, audiologists, dentists, dental assistants, and dental  
13 hygienists;

14 (3) Maintain and preserve the medical records of health care  
15 services;

16 (4) Approve the purchasing of all necessary medical supplies and  
17 medical equipment for the department;

18 (5) Recommend all necessary programs for the preservice, inservice,  
19 and continuing medical training and education of the health care staff  
20 and other relevant staff of the department, including training  
21 specifically designed to promote prompt and effective responses by all  
22 staff of the department to medical emergencies;

23 (6) Develop and implement condition-specific medical treatment  
24 protocols that ensure compatibility with a community standard of health  
25 care, including protocols addressing the: (a) Treatment of  
26 gastrointestinal bleeds; (b) detection and treatment of all communicable  
27 diseases; (c) treatment of gender-specific problems; (d) treatment of  
28 diabetes; (e) treatment of hypertension; (f) treatment of headaches; (g)  
29 utilization of surgical procedures; (h) control of infection; (i)  
30 provision of dental care; (j) provision of age-specific and gender-  
31 specific routine health maintenance; (k) means by which inmates obtain

1 access to health care services; (l) use of prescribed drugs, devices, or  
2 biologicals for the purpose of pain management; (m) referral of patients  
3 to medical specialists not in the employ of the department; and (n)  
4 initiation, observance, and termination of do not resuscitate orders  
5 initiated pursuant to the Rights of the Terminally Ill Act;

6 (7) Develop and implement a system of general discharge planning for  
7 the health care services to be received by inmates who are soon to be  
8 released from the custody of the department and who have chronic health  
9 care problems, including establishment of a protocol to determine whether  
10 or not an inmate soon to be released should be prescribed and dispensed a  
11 medication-assisted treatment that could assist in reducing or  
12 eliminating the inmate's use of opiates;

13 (8) Develop and implement a comprehensive health care services plan;

14 (9) Develop and implement an internal credentialing program for the  
15 employment and retention of the health care staff of the department based  
16 on a community standard of health care; and

17 (10) Develop and implement an internal peer review and quality  
18 assurance program based upon a community standard of health care.

19 Sec. 2. Original section 83-4,157, Reissue Revised Statutes of  
20 Nebraska, is repealed.