

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 428**

Introduced by Health and Human Services Committee: Arch, 14, Chairperson;  
Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38;  
Walz, 15; Williams, 36.

Read first time January 15, 2021

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to youth rehabilitation and treatment centers;
- 2 to amend section 83-102, Revised Statutes Cumulative Supplement,
- 3 2020; to change provisions relating to educational programming; and
- 4 to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-102, Revised Statutes Cumulative Supplement,  
2 2020, is amended to read:

3 83-102 (1) Youth rehabilitation and treatment centers shall be  
4 operated to provide programming and services to rehabilitate and treat  
5 juveniles committed under the Nebraska Juvenile Code. Each youth  
6 rehabilitation and treatment center shall be considered a separate  
7 placement. Each youth rehabilitation and treatment center shall provide:

8 (a) Safe and sanitary space for sleeping, hygiene, education,  
9 programming, treatment, recreation, and visitation for each juvenile;

10 (b) Health care and medical services;

11 (c) Appropriate physical separation and segregation of juveniles  
12 based on gender;

13 (d) Sufficient staffing to comply with state and federal law and  
14 protect the safety and security of each juvenile;

15 (e) Training that is specific to the population being served at the  
16 youth rehabilitation and treatment center;

17 (f) A facility administrator for each youth rehabilitation and  
18 treatment center who has the sole responsibility for administration of a  
19 single youth rehabilitation and treatment center;

20 (g) An evaluation process for the development of an individualized  
21 treatment plan within fourteen days after admission to the youth  
22 rehabilitation and treatment center;

23 (h) An age-appropriate and developmentally appropriate education  
24 program for each juvenile that can award relevant and necessary credits  
25 toward high school graduation that will be accepted by any public school  
26 district in the State of Nebraska. Juveniles committed to the youth  
27 rehabilitation and treatment centers are entitled to receive an  
28 appropriate education equivalent to educational opportunities offered  
29 within the regular settings of public school districts across the State  
30 of Nebraska ~~the juvenile's home school district;~~

31 (i) A case management and coordination process, designed to assure

1 appropriate reintegration of the juvenile with his or her family, school,  
2 and community;

3 (j) Compliance with the requirements stated in Title XIX and Title  
4 IV-E of the federal Social Security Act, as such act existed on January  
5 1, 2020, the Special Education Act, or other funding guidelines as  
6 appropriate;

7 (k) Research-based or evidence-based programming for all juveniles  
8 that includes a strong academic program and classes in health education,  
9 living skills, vocational training, behavior management and modification,  
10 money management, family and parent responsibilities, substance use  
11 awareness, physical education, job skills training, and job placement  
12 assistance; and

13 (l) Research-based or evidence-based treatment service for  
14 behavioral impairment, severe emotional disturbance, sex offender  
15 behavior, other mental health or psychiatric disorder, drug and alcohol  
16 addiction, physical or sexual abuse, and any other treatment indicated by  
17 a juvenile's individualized treatment plan.

18 (2) Each youth rehabilitation and treatment center shall be  
19 accredited by a nationally recognized entity that provides accreditation  
20 for juvenile facilities and shall maintain accreditation as provided in  
21 section 79-703 to provide an age-appropriate and developmentally  
22 appropriate education program.

23 (3) Each youth rehabilitation and treatment center shall  
24 electronically submit a report of its activities for the preceding fiscal  
25 year to the Clerk of the Legislature on or before July 15 of each year  
26 beginning on July 15, 2021. The annual report shall include, but not be  
27 limited to, the following information:

28 (a) Data on the population served, including, but not limited to,  
29 admissions, average daily census, average length of stay, race, and  
30 ethnicity;

31 (b) An overview of programming and services; and

- 1 (c) An overview of any facility issues or facility improvements.
- 2 Sec. 2. Original section 83-102, Revised Statutes Cumulative
- 3 Supplement, 2020, is repealed.