

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 156

Introduced by DeBoer, 10.

Read first time January 09, 2023

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Public Guardianship Act; to amend
- 2 section 30-4115, Reissue Revised Statutes of Nebraska; to change the
- 3 caseload ratio for public guardian and conservator appointments; and
- 4 to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 30-4115, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 30-4115 (1)(a) The office shall maintain the appropriate personnel
4 and workload scope necessary to fulfill all its responsibilities and
5 duties under the Public Guardianship Act.

6 (b) The office shall provide appropriate and high-quality care and
7 support, including timely decisionmaking, to all public wards and public
8 protected persons served by the Public Guardian and his or her designees.

9 (c) Public guardianship and public conservatorship cases shall be
10 managed by the Public Guardian and be served by the multidisciplinary
11 team through a caseload distribution of wards and protected persons that
12 takes into consideration the:

13 (i) Identified needs of the service population;

14 (ii) Complexity and status of each case, based upon factors such as
15 the individual's living situation, the type of guardianship being
16 provided, or the existence of complex medical conditions;

17 (iii) Size of the geographical area covered;

18 (iv) Qualifications and professional expertise of each team member;

19 (v) Availability of auxiliary services by support staff and
20 volunteers;

21 (vi) Organizational responsibilities; and

22 (vii) Applicable legal requirements.

23 (2) The Public Guardian may accept an appointment as a public
24 guardian or public conservator for an individual not to exceed an average
25 ratio of twenty-two ~~twenty~~ public wards or public protected persons to
26 each member of the multidisciplinary team. When determining such average
27 ratio, all full-time members of the office's multidisciplinary team may
28 be counted.

29 (3) When the average ratio described in subsection (2) of this
30 section has been reached, the Public Guardian shall not accept further
31 appointments. The Public Guardian, upon reaching the maximum number of

1 appointments, shall notify the State Court Administrator that such
2 maximum number of appointments has been reached.

3 Sec. 2. Original section 30-4115, Reissue Revised Statutes of
4 Nebraska, is repealed.