

AMENDMENTS TO LB437

(Amendments to Standing Committee amendments, AM659)

Introduced by Fredrickson, 20.

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new section:

3           **Section 1.** Section 71-5830.01, Reissue Revised Statutes of Nebraska,  
4 is amended to read:

5           71-5830.01 Notwithstanding any other provisions of the Nebraska  
6 Health Care Certificate of Need Act, a certificate of need is not  
7 required for:

8           (1) A change in classification between an intermediate care  
9 facility, a nursing facility, or a skilled nursing facility;

10           (2) A project of a county in which is located a city of the  
11 metropolitan class for which a bond issue has been approved by the  
12 electorate of such county on or after January 1, 1994;

13           (3) A project of a federally recognized Indian tribe to be located  
14 on tribal lands within the exterior boundaries of the State of Nebraska  
15 where (a) a determination has been made by the tribe's governing body  
16 that the cultural needs of the tribe's members cannot be adequately met  
17 by existing facilities if such project has been approved by the tribe's  
18 governing body and (b) the tribe has a self-determination agreement in  
19 place with the Indian Health Service of the United States Department of  
20 Health and Human Services so that payment for enrolled members of a  
21 federally recognized Indian tribe who are served at such facility will be  
22 made with one hundred percent federal reimbursement; ~~and~~

23           (4) A transfer or relocation of long-term care beds from one  
24 facility to another entity in the same health planning region or any  
25 other health planning region. The receiving entity shall obtain a license  
26 for the transferred or relocated beds within two years after the transfer

1 or relocation. The department shall grant an extension of such time if  
2 the receiving entity is making progress toward the licensure of such  
3 beds; and -

4 (5) The establishment of long-term care beds for a period not to  
5 exceed two years from the date of the closure of a facility located in a  
6 city of the second class or village with long-term care beds that have  
7 not been sold, transferred, or relocated to allow a political subdivision  
8 or nonprofit organization to establish a facility in the same city of the  
9 second class or village with the same number of previously licensed long-  
10 term care beds.

11 **Sec. 2.** Original section 71-5830.01, Reissue Revised Statutes of  
12 Nebraska, is repealed.