

## ENGROSSED LEGISLATIVE BILL 737

Introduced by Rountree, 3; Conrad, 46.

A BILL FOR AN ACT relating to persons with developmental disabilities; to amend section 81-6,122, Reissue Revised Statutes of Nebraska; to require a joint public hearing and report for evaluation of the progress of the Olmstead plan as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

**Section 1.** Section 81-6,122, Reissue Revised Statutes of Nebraska, is amended to read:

81-6,122 (1) The Department of Health and Human Services shall, in collaboration with the Department of Correctional Services, the Department of Economic Development, the Department of Labor, the Department of Transportation, the Department of Veterans' Affairs, the State Department of Education, the University of Nebraska, and the Equal Opportunity Commission, develop a comprehensive strategic plan for providing services to qualified persons with disabilities in the most integrated community-based settings pursuant to the Olmstead decision.

(2) The chief executive officer of the Department of Health and Human Services shall convene a team to:

(a) Develop the strategic plan described in subsection (1) of this section;

(b) Appoint and convene a stakeholder advisory committee to assist in the review and development of the strategic plan, such committee members to include a representative from the State Advisory Committee on Mental Health Services, the Advisory Committee on Developmental Disabilities, the Nebraska Statewide Independent Living Council, the Nebraska Planning Council on Developmental Disabilities, the Division of Rehabilitation Services in the State Department of Education, the Public Service Commission, the Commission for the Deaf and Hard of Hearing, the Commission for the Blind and Visually Impaired, a housing

authority in a city of the first or second class and a housing authority in a city of the primary or metropolitan class, the Assistive Technology Partnership, the protection and advocacy system for Nebraska, an assisted-living organization, the behavioral health regions, mental health practitioners, developmental disability service providers, an organization that advocates for persons with developmental disabilities, an organization that advocates for persons with mental illness, an organization that advocates for persons with brain injuries, and an area agency on aging, and including two persons with disabilities representing self-advocacy organizations, and, at the department's discretion, other persons with expertise in programs serving persons with disabilities;

(c) Arrange for consultation with an independent consultant to assist with the continued analysis and revision of the strategic plan and determine whether the benchmarks, deadlines, and timeframes are in substantial compliance with the strategic plan;

(d) Provide continuing analysis of the strategic plan and a report on the progress of the strategic plan and changes or revisions to the Legislature by December 15, 2021, and every three years thereafter; and

(e) Provide the completed strategic plan to the Legislature and the Governor by December 15, 2019.

(3) The reports and completed plan shall be submitted electronically to the Legislature.

(4)(a) On or before October 1 of each year, the Health and Human Services Committee of the Legislature and the Urban Affairs Committee of the Legislature shall:

(i) Hold a joint public hearing to assess (A) the progress of the Olmstead plan during the previous calendar year in the areas of housing, employment, education, community supports, and transportation, and (B) potential legislative solutions; and

(ii) Electronically submit a report of the findings to the Clerk of the Legislature no later than December 31 of each year.

(b) Nothing in this subsection (4) shall be construed to require the Department of Health and Human Services to provide the Health and Human Services Committee of the Legislature and the Urban Affairs Committee of the Legislature the report required by subdivision (2)(d) of this section.

**Sec. 2.** Original section 81-6,122, Reissue Revised Statutes of Nebraska, is repealed.

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**PRESIDENT OF THE LEGISLATURE**

*THIS IS TO CERTIFY that the within LB 737 was passed by the One Hundred Ninth  
Legislature of Nebraska at its Second Session on the ..... day  
of ..... 20.....*

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**CLERK OF THE LEGISLATURE**

**Approved:**

..... 20....., ..... o'clock .....M.

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**GOVERNOR**