

Revised to include provisions of AM 1312

# FISCAL NOTE

## LEGISLATIVE FISCAL ANALYST ESTIMATE

### ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill modifies statutes pertaining to reports required by the Department of Health and Human Services. There is no cost to DHHS to implement the changes. Rescinding required reports may yield savings. Section 9, in bold, would have a fiscal impact starting in FY29.

Section 1 modifies the Pain-Capable Unborn Child Protection act, removing reference to 20 weeks postfertilization and instead referencing postfertilization age limits as established in the Preborn Child Protection Act.

Section 2 removes required reports for licensed dental hygienists to DHHS. This section also 1) removes a required report by DHHS to the Board of Dentistry and State Board of Health, 2) removes a required report by DHHS to the Clerk of the Legislature and 3) removes a requirement of the Legislature's Health and Human Services (HHS) Committee to hold a hearing on such information at least once every three years.

Section 3 modifies the paramedic practice of emergency care to include all acts an advanced emergency medical technician is authorized to perform as well as visualized intubation.

Section 4 removes a requirement of the Board of Emergency Medical Services to review the Emergency Medical Services Practice Act at least once every five years and submit a report the Legislature with any recommendations.

Section 5 changes a timing requirement from a DHHS report to the Legislature on the Aid to Dependent Children program from February 1 to December 1 of each year.

Section 6 updates reference to the Licenses Suspension Act due to outright repeal of the section requiring an annual report to the Legislature.

Section 7 removes a required annual report to the Governor and Legislature on information about the State Disbursement Unit.

Section 8 changes a timing requirement for normalcy reports by child-care institutions providing foster care to be due July 15 rather than June 30 of each year. This section also changes the specific date of from the annual report by DHHS to the Nebraska Strengthening Families Act Committee, Nebraska Children's Commission, the Governor, and the HHS committee on normalcy plans for state wards whose services are provided by child-caring institutions and youth at YRTPs from September 1 to September 30 annually.

**Section 9 sunsets the requirement that counties maintain DHHS office space at no charge to the state as of June 30, 2028. Similar legislation introduced in 2023 estimated the cost of such policy at over \$4 million. Current legislation, [LB 516](#), estimates the cost at \$2.5 million. The added cost would not be realized until FY29.**

Section 10 removes out of date references and removes an annual reporting requirement pertaining to a program to provide amino acid-based elemental formulas for diagnosis and treatment of food allergies.

Section 11 removes subsection 2 of Neb. Rev. Stat. § 68-909 which requires a report to the Governor and Legislature prior to the adoption and promulgation of rules and regulations related to implementation of Medicaid state plan amendments (SPAs) or waivers.

Section 12 removes reference to reporting requirement (which is removed in Section 11) in § 68-912.

Section 13 removes required annual report by DHHS to the Legislature on the status of contracts in Medicaid.

Section 14 removes required quarterly report by DHHS to the Clerk of the Legislature on status of administrative caps on Medicaid contracts for at-risk managed care service delivery.

Section 15 sunsets a report by DHHS to the Legislature pertaining to the Nebraska Prenatal Plus program on December 15, 2029.

Section 16 sunsets a report by DHHS to the Legislature pertaining to the Family Support Waiver as administered by the Division of Developmental Disabilities on December 31, 2027.

Section 17 removes reference to Neb. Rev. Stat. § 68-1735.02, which requires DHHS submit a report to the Legislature on October 1 annually on individuals on self-sufficiency contracts as a contingency to receiving state aid via assistance programs, due to that statute being outright repealed in Section 42 of the bill.

Section 18 removes a required annual report by DHHS to the HHS Committee and the Revenue Committee on the amounts collected from each payer of the Intermediate Care Facility tax and disbursements from the ICF/DD Reimbursement Protection Fund.

Section 19 removes a required annual report by DHHS and the Nebraska State Patrol on statistics of individuals who were declined firearm purchased due to background check failure.

Section 20 adds reference to Neb. Rev. Stat. § 71-510, which specifies in what situations consent for certain tests be established in EMS, as qualifying for notification of results by attending physician.

Section 21 changes which affidavits for establishment of paternity require notarization.

Section 22 changes the dates of reports by regional behavioral health authorities and local health departments pertaining to Opioid Prevention and Treatment funds up to November 1 from November 30 and the date DHHS must report to the legislature back from December 15 to December 31.

Section 23 removes a required annual report by DHHS to the Legislature on findings of the lead poisoning prevention program.

Section 24 modifies Neb. Rev. Stat. § 71-4741, removing the reporting requirement on birthing facilities that administer hearing screening tests. The remaining provisions require DHHS in consultation with the Nebraska Department of Education to develop statewide at birth hearing screening methods and protocols.

Section 25 removes the required report to the Clerk of the Legislature pertaining to radon levels and mitigation efforts.

Section 26 and 36 remove references to Neb. Rev. Stat. § 81-3133 which requires the Division of Children and Family Services to submit a report to the Governor and the Legislature on the number of families in all transitional child care assistance programs and families in such program no longer eligible on or before December 1 annually, due to that statute being outright repealed in Section 42 of the bill.

Sections 27 through 34 remove references to Neb. Rev. Stat. § 81-650, which requires DHHS to submit a report to the HHS Committee with documentation on the operation and performance of the cancer registry annually, due to that statute being outright repealed in Section 42 of the bill. Section 27 additionally strikes a requirement of detailed accounting by contracted cancer research institutions.

Section 35 modifies Neb. Rev. Stat. § 81-6,116 removing an annual report to the HHS Committee pursuant to the Outpatient Surgical Procedures Data Act.

Section 37 strikes subsection 3 of Neb. Rev. Stat. § 83-102 which requires each YRTC report to the Clerk of the Legislature on or before July 15 annually on admissions, daily average census, average length of stay, race, ethnicity, an overview of programing and an overview of facility tissues and facility improvements.

Section 38 amends the dates of the DHHS report on YRTCs to the Inspector General of Nebraska Child Welfare from the first day of January, April, July and October to the fifteenth day of February, May, August, and November.

Section 39 modifies the quarterly reporting of juvenile facilities to the Legislature on room confinement to be due within four weeks after the end of each quarter rather than the current two weeks.

Section 40 removes a required annual report by DHHS to the Legislature and online pertaining to implementation of the quality management and improvement plan for Developmental Disabilities.

Sections 41 and 42 repeal various sections of statute. Other than those outright repeals mentioned above that are elsewhere referenced in statute, this section also repeals:

§ 43-3326: Requires DHHS and the DMV to each submit a report on the number of licenses which were suspended and the number which were erroneously suspended and restored.

§ 48-2307: Requires a report by DHHS on the number of employees for purposes of the New Hire Reporting Act.

§ 68-1118: Requires DHHS to report annually to the Legislature on regarding the aging and disability resource centers.

§ 68-1518: Requires DHHS to report annually to the Legislature on the Disabled Persons and Family Support program.

§ 68-2004: Requires DHHS to report to the Legislature quarterly on behavioral health services for children under nineteen years of age.

§ 71-17,115: Requires DHHS to report annually to the Governor and the Clerk of the Legislature on the status of the Nursing Faculty Student Loan program, excluding confidential or identifying information.

§ 71-3005: Requires the behavioral health regions to submit an aggregated annual report electronically to the Legislature on trainee demographics and outcomes of the efficacy of mental health first aid training programs.

§ 71-8313: Requires DHHS to report to the Legislature annually recommendations for credentialing of categories of facilities.

§ 81-1139.01: An obsolete provision which requires DAS be limited to a rental rate at Stone Office Building at the Norfolk Regional Center until June 30, 1993.