

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 181

Introduced by Cavanaugh, M., 6.

Read first time January 13, 2025

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Young Adult Bridge to Independence Act;
2 to amend sections 4-110 and 43-4501, Reissue Revised Statutes of
3 Nebraska, and sections 43-4505 and 43-4514, Revised Statutes
4 Cumulative Supplement, 2024; to provide for coverage under the young
5 adult bridge to independence program for young adults not lawfully
6 present in the United States; to require the Department of Health
7 and Human Services to file a state plan amendment as prescribed; and
8 to repeal the original sections.
9 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 4-110, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 4-110 Verification of lawful presence in the United States pursuant
4 to section 4-108 is not required for:

5 (1) Any purpose for which lawful presence in the United States is
6 not restricted by law, ordinance, or regulation;

7 (2) Assistance for health care services and products, not related to
8 an organ transplant procedure, that are necessary for the treatment of an
9 emergency medical condition, including emergency labor and delivery,
10 manifesting itself by acute symptoms of sufficient severity, including
11 severe pain, such that the absence of immediate medical attention could
12 reasonably be expected to result in (a) placing the patient's health in
13 serious jeopardy, (b) serious impairment to bodily functions, or (c)
14 serious dysfunction of any bodily organ or part;

15 (3) Short-term, noncash, in-kind emergency disaster relief;

16 (4) Public health assistance for immunizations with respect to
17 diseases and for testing and treatment of symptoms of communicable
18 diseases, whether or not such symptoms are caused by a communicable
19 disease; ~~or~~

20 (5) Programs, services, or assistance necessary for the protection
21 of life or safety, such as soup kitchens, crisis counseling and
22 intervention, and short-term shelter, which (a) deliver in-kind services
23 at the community level, including those which deliver such services
24 through public or private, nonprofit agencies and (b) do not condition
25 the provision of assistance, the amount of assistance provided, or the
26 cost of assistance provided on the income or resources of the recipient;
27 or -

28 (6) Participation in the bridge to independence program as provided
29 in the Young Adult Bridge to Independence Act.

30 The Legislature finds that unborn children do not have immigration
31 status and therefor are not within the scope of section 4-108. Prenatal

1 care services available pursuant to sections 68-915 and 68-972 to unborn
2 children, whose eligibility is independent of the mother's eligibility
3 status, shall not be deemed to be tied to the immigration status of the
4 mother and therefor are not included in the restrictions imposed by
5 section 4-108.

6 **Sec. 2.** Section 43-4501, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 43-4501 Sections 43-4501 to 43-4514 and section 3 of this act shall
9 be known and may be cited as the Young Adult Bridge to Independence Act.

10 **Sec. 3.** Services provided under the Young Adult Bridge to
11 Independence Act apply to young adults as described in section 43-4504
12 notwithstanding the Personal Responsibility and Work Opportunity
13 Reconciliation Act of 1996, Public Law 104-193, and other limitations on
14 an immigrant's ability to access public benefits, pursuant to the
15 authority provided in 8 U.S.C. 1621(d), as such section existed on
16 January 1, 2025. Beginning January 1, 2026, the bridge to independence
17 program shall be available to all young adults described in section
18 43-4504, including a young adult who is not lawfully present in the
19 United States.

20 **Sec. 4.** Section 43-4505, Revised Statutes Cumulative Supplement,
21 2024, is amended to read:

22 43-4505 Extended services and support provided under the bridge to
23 independence program include, but are not limited to:

24 (1) Medical care under the medical assistance program for young
25 adults who meet the eligibility requirements of section 43-4504 and have
26 signed a voluntary services and support agreement as provided in section
27 43-4506. Such medical care shall be provided notwithstanding the Personal
28 Responsibility and Work Opportunity Reconciliation Act of 1996, Public
29 Law 104-193, and other limitations on an immigrant's ability to receive
30 public benefits, so that a young adult participating in the bridge to
31 independence program receives medical care under the medical assistance

1 program, whether or not such young adult is lawfully present. Medical
2 care shall be provided pursuant to Title XIX or Title XXI of the federal
3 Social Security Act. If a young adult is not eligible under either Title
4 XIX or Title XXI of the federal Social Security Act, the department shall
5 identify and pursue all other coverage options including, but not limited
6 to, payment from the General Fund;

7 (2) Medical care under the medical assistance program for young
8 adults who meet the eligibility requirements of subdivision (2)(c) of
9 section 43-4504, are eligible for a category of medical assistance
10 pursuant to section 68-915 or other medical assistance category under
11 federal law, and have signed a voluntary services and support agreement
12 as provided in section 43-4506;

13 (3) Housing, placement, and support in the form of foster care
14 maintenance payments which shall remain at least at the rate set
15 immediately prior to the young adult's exit from foster care. As decided
16 by and with the young adult, young adults may reside in a foster family
17 home, a supervised independent living setting, an institution, or a
18 foster care facility. Placement in an institution or a foster care
19 facility should occur only if necessary due to a young adult's
20 developmental level or medical condition. A young adult who is residing
21 in a foster care facility upon leaving foster care may choose to
22 temporarily stay until he or she is able to transition to a more age-
23 appropriate setting. For young adults residing in a supervised
24 independent living setting:

25 (a) The department may send all or part of the foster care
26 maintenance payments directly to the young adult. This should be decided
27 on a case-by-case basis by and with the young adult in a manner that
28 respects the independence of the young adult; and

29 (b) Rules and restrictions regarding housing options should be
30 respectful of the young adult's autonomy and developmental maturity.
31 Specifically, safety assessments of the living arrangements shall be age-

1 appropriate and consistent with federal guidance on a supervised setting
2 in which the individual lives independently. A clean background check
3 shall not be required for an individual residing in the same residence as
4 the young adult; and

5 (4) Case management services that are young-adult driven. Case
6 management shall be a continuation of the independent living transition
7 proposal in section 43-1311.03, including a written description of
8 additional resources that will help the young adult in creating permanent
9 relationships and preparing for the transition to adulthood and
10 independent living. Case management shall include the development of a
11 case plan, developed jointly by the department and the young adult, that
12 includes a description of the identified housing situation or living
13 arrangement, the resources to assist the young adult in the transition
14 from the bridge to independence program to adulthood, and the needs
15 listed in subsection (1) of section 43-1311.03. The case plan shall
16 incorporate the independent living transition proposal in section
17 43-1311.03. A new plan shall be developed for young adults who have no
18 previous independent living transition proposal. Case management shall
19 also include, but not be limited to, documentation that assistance has
20 been offered and provided that would help the young adult meet his or her
21 personal goals, if such assistance is appropriate and if the young adult
22 is eligible and consents to receive such assistance. This shall include,
23 but not be limited to, assisting the young adult to:

- 24 (a) Obtain employment or other financial support;
- 25 (b) Obtain a government-issued identification card;
- 26 (c) Open and maintain a bank account;
- 27 (d) Obtain appropriate community resources, including health, mental
28 health, developmental disability, and other disability services and
29 support;
- 30 (e) When appropriate, satisfy any juvenile justice system
31 requirements and assist with sealing the young adult's juvenile court

1 record if the young adult is eligible under section 43-2,108.01;

2 (f) Complete secondary education;

3 (g) Apply for admission and aid for postsecondary education or
4 vocational courses;

5 (h) Obtain the necessary state court findings and then apply for
6 special immigrant juvenile status as defined in 8 U.S.C. 1101(a)(27)(J)
7 or apply for other immigration relief that the young adult may be
8 eligible for;

9 (i) Create a health care power of attorney, health care proxy, or
10 other similar document recognized under state law, at the young adult's
11 option, pursuant to the federal Patient Protection and Affordable Care
12 Act, Public Law 111-148;

13 (j) Obtain a copy of health and education records of the young
14 adult;

15 (k) Apply for any public benefits or benefits that the young adult
16 may be eligible for or may be due through his or her parents or
17 relatives, including, but not limited to, aid to dependent children,
18 supplemental security income, social security disability insurance,
19 social security survivors benefits, the Special Supplemental Nutrition
20 Program for Women, Infants, and Children, the Supplemental Nutrition
21 Assistance Program, and low-income home energy assistance programs;

22 (l) Maintain relationships with individuals who are important to the
23 young adult, including searching for individuals with whom the young
24 adult has lost contact;

25 (m) Access information about maternal and paternal relatives,
26 including any siblings;

27 (n) Access young adult empowerment opportunities, such as Project
28 Everlast and peer support groups; and

29 (o) Access pregnancy and parenting resources and services.

30 **Sec. 5.** Section 43-4514, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 43-4514 (1) The department shall submit an amended state plan
2 amendment by October 1, 2023, to seek federal Title IV-E funding under 42
3 U.S.C. 672 for any newly eligible young adult who was adjudicated to be a
4 juvenile described in subdivision (1), (2), or (3)(b) of section 43-247
5 and who meets the requirements under subdivision (2)(c) of section
6 43-4504.

7 (2) The department shall implement the bridge to independence
8 program, extended guardianship assistance described in section 43-4511,
9 and extended adoption assistance described in section 43-4512 in
10 accordance with the federal Fostering Connections to Success and
11 Increasing Adoptions Act of 2008, 42 U.S.C. 673 and 42 U.S.C. 675(8)(B)
12 and in accordance with requirements necessary to obtain federal Title IV-
13 E funding under 42 U.S.C. 672 and 42 U.S.C. 673.

14 (3) On or before October 1, 2025, the department shall submit an
15 application to the federal Centers for Medicare and Medicaid Services to
16 amend the medicaid state plan to provide medical assistance to young
17 adults participating in the bridge to independence program who are
18 eligible for the medical assistance program and the federal Children's
19 Health Insurance Program, established pursuant to 42 U.S.C. 1397aa et
20 seq., including young adults less than twenty-one years of age and who
21 are not lawfully present in the United States.

22 (4) ~~(3)~~ The department shall adopt and promulgate rules and
23 regulations as needed to carry out this section by October 1, 2025 ~~July~~
24 ~~1, 2024~~.

25 (5) Except as otherwise provided, all ~~(4)~~ ~~All~~ references to the
26 United States Code in the Young Adult Bridge to Independence Act refer to
27 sections of the code as such sections existed on January 1, 2025 ~~2015~~.

28 **Sec. 6.** Original sections 4-110 and 43-4501, Reissue Revised
29 Statutes of Nebraska, and sections 43-4505 and 43-4514, Revised Statutes
30 Cumulative Supplement, 2024, are repealed.