

LEGISLATIVE BILL 1101

Approved by the Governor April 13, 2000

Introduced by Aguilar, 35; Baker, 44; Bromm, 23; Bruning, 3; Coordsen, 32; Dickey, 18; Jensen, 20; Jones, 43; Dw. Pedersen, 39; Price, 26; Robak, 22; Schmitt, 41; Smith, 48; Tyson, 19; Vrtiska, 1; Landis, 46

AN ACT relating to older persons; to amend section 81-2210, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Senior Companion Volunteer Program Act; to harmonize provisions; and to repeal the original section.

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

Section 1. Section 81-2210, Reissue Revised Statutes of Nebraska, is amended to read:

81-2210. Community aging services ~~shall mean~~ means those activities and services which fulfill the goals of the Nebraska Community Aging Services Act, which are necessary to promote, restore, or support self-sufficiency and independence for older ~~individuals~~ persons, and which include: (1) ~~Congregate~~ (1) ~~congregate~~ activities, including, but not limited to, senior centers, group meals, volunteerism, adult day care services, and recreation; 7 and (2) individual services, including, but not which may include, but shall not be limited to, specialized transportation, meals-on-wheels, home handyman services, home health care services, legal services, and counseling related to problems of aging or encouraging access to aging services, and senior companion volunteer services.

Sec. 2. Sections 2 to 12 of this act shall be known and may be cited as the Nebraska Senior Companion Volunteer Program Act.

Sec. 3. The purpose of the Nebraska Senior Companion Volunteer Program Act is to provide volunteer community service opportunities to low-income older persons for the benefit of frail elderly persons with special needs.

Sec. 4. For purposes of the Nebraska Senior Companion Volunteer Program Act:

(1) Department means the Department of Health and Human Services;

(2) Direct service contractor means any public or private nonprofit organization that (a) is not currently receiving federal funding for the federal senior companion program and (b) demonstrates the ability to provide the services specified in section 6 of this act;

(3) Frail elderly means a person who (a) is sixty years of age or older, (b) has a physical, mental, or emotional health limitation, and (c) needs assistance to achieve and maintain independent living; and

(4) Senior companion volunteer means an individual who (a) is sixty years of age or older, (b) has an annual income not exceeding one hundred twenty-five percent of the federal poverty level, (c) is determined by a physical examination to be capable, with or without reasonable accommodation, of serving adults with special needs without detriment to himself or herself or the persons served, and (d) provides companion services at least four hours a day, four days a week.

Sec. 5. The department shall establish and coordinate the Nebraska Senior Companion Volunteer Program and shall utilize senior companion volunteers provided by one or more direct service contractors.

Sec. 6. A direct service contractor:

(1) May apply to the department for a grant pursuant to section 10 of this act;

(2) Shall recruit, select, train, and assign staff and senior companion volunteers;

(3) Shall provide for supervision of senior companion volunteers;

(4) Shall provide or arrange for meals and transportation for senior companion volunteers if funds are available; and

(5) Shall maintain a systematic means of capturing and reporting all program data required by the department.

Sec. 7. The Nebraska Senior Companion Volunteer Program shall provide companion services to the frail elderly who (1) are bedfast or too frail or too ill to be transported to special programs, (2) have withdrawn from all social interaction or are confined due to psychological problems, or (3) desire but are unable to participate in adult day services programs because openings are unavailable.

Sec. 8. Senior companion volunteers providing companion services

pursuant to the Nebraska Senior Companion Volunteer Program Act shall receive (1) transportation expenses for transportation to and from their residences and the place where services are to be rendered, (2) one free meal when reasonably available during each day that services are rendered, and (3)(a) accident and liability insurance, (b) an annual physical examination, and (c) a nontaxable hourly stipend of two dollars and fifty-five cents per hour.

Sec. 9. Senior companion volunteers shall not be assigned to individuals already receiving in-home supportive services through the department or another entity of state or local government.

Sec. 10. (1) The department shall make grants in an amount not to exceed fifty thousand dollars to direct service contractors and shall give preference to applications for grants to provide in-home services.

(2) Applications shall be made on forms provided by the department.

(3) No grant shall be approved for any applicant who has received federal funding to provide services under any federal senior companion program.

(4) As a condition to receiving a grant, an applicant shall obtain at least ten percent matching funds from a local governmental or other source.

(5) Grants shall be for a period of twenty-four months and shall not be used as matching funds but solely to carry out the requirements of the Nebraska Senior Companion Volunteer Program Act.

(6) No person paid from grant funds shall replace any staff member of the grantee.

Sec. 11. Each grantee shall file with the department a quarterly report of its activities on forms provided by the department.

Sec. 12. The department shall adopt and promulgate rules and regulations to carry out the Nebraska Senior Companion Volunteer Program Act.

Sec. 13. Original section 81-2210, Reissue Revised Statutes of Nebraska, is repealed.