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March 15, 2005 LB 206

SENATOR CUDABACK: Thank you, Senator Chambers and Senator Bourne. On with discussion of the Chambers amendment, FA84, to the committee amendments to LB 206. Senator Byars, followed by Senators Beutler and Chambers. Senator Byars.

SENATOR BYARS: Thank you, Mr. President. I'm somewhat ambivalent because I'm relating to the sensitivity, I think, truly, that Senator Chambers is wanting to bring to this legislation. However, I also concur with Senator Bourne and disagree with Senator Chambers in that the providers of services, without any type of ability to protect themselves from what we all see, unfortunately, as many frivolous type lawsuits, I think they are going to say no. I think they're going to be reluctant to take individuals who can and do need an extraordinary amount of care, supervision, training, services that you don't always see with an individual with developmental disabilities. Remember, this is an extremely, extremely small percent of the developmental disabilities population. But, as Senator Bourne said, the reason for this bill is to put into statute something that will make certain that individuals with disabilities aren't thrown in jail and there's nothing to do with them. There's no place to put them. There's no place to receive treatment. We've alleviated that administratively by building bridges, literally, at the Hastings Regional Center, and I visited with those individuals with developmental disabilities last week. As a matter of fact, I've already gotten letters from a couple of them because they so appreciated us coming out and visiting with them. These are individuals that do have severe behaviors, but they can receive treatment, appropriate treatment. Senator Chambers, I really want to work with you on this, but I don't...right now, I don't have compromise language. But I think we have to be extremely careful that we don't cut off services. And, even though I know you have stated very clearly you think these individuals that are responsible will accept these individuals anyway because...and if they don't, then they would just be mean to them anyway, I disagree with that. I think it's a situation, number one, where we don't have appropriate reimbursements for the individuals or the agencies that are providing services now, and if you asked to provide the additional services and