

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	See below		See below	

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

This bill creates the Uniform Health Care Decisions Act which establishes procedures for representing an incapacitated individual with regards to health-care decisions.

The Department of Health and Human Services (DHHS) indicates any additional work associated with these provisions can be absorbed within the agency’s current budget.

The Supreme Court indicates the provisions of the bill may reduce costs to the agency by the number of court cases involving guardianships and may increase costs to county courts by requiring court appointed representation in certain cases. The fiscal impact is indeterminable at this time.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 66	AM:	AGENCY/POLT. SUB: Supreme Court	
REVIEWED BY: Jacob Leaver	DATE: 3/13/2025	PHONE: (402) 471-4173	
COMMENTS: Concur with the Supreme Court’s estimate of no additional resources required but could impact county expenditures as a result of LB 66.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 66	AM:	AGENCY/POLT. SUB: Department of Health and Human Services	
REVIEWED BY: Jacob Leaver	DATE: 1/22/2025	PHONE: (402) 471-4173	
COMMENTS: Concur with the Department of Health and Human Services’ estimate of no fiscal impact as a result of LB 66.			

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals

Date Prepared 1-21-25

Phone: (5) 471-6719

	<u>FY 2025-2026</u>		<u>FY 2026-2027</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$0	\$0	\$0	\$0

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

There is no fiscal impact to the Department of Health and Human Services (DHHS).

LB66 creates the Uniform Health Care Decisions Act which sets out roles and requirements for representing an individual who lacks the capacity to make health-care decisions for themselves.

In these instances, the Department will absorb the costs of any additional hours needed to document the findings related to the individuals lack of capacity. These findings may include the opinion of the cause, nature, extent, and probable duration.

DHHS will also absorb the costs of any additional hours needed to document the advanced healthcare directives made by a person's default surrogate, who will make healthcare decisions for them, if the person does not have a guardian or agent.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:

POSITION TITLE	NUMBER OF POSITIONS		2025-2026 EXPENDITURES	2026-2027 EXPENDITURES
	25-26	26-27		
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....			\$0	\$0

Please complete ALL (5) blanks in the first three lines.

2025

LB⁽¹⁾ 66

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 3/12/2025 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB66 allows individuals to appoint agents or authorize individuals for health care decisions. Section 6 allows certain individuals to petition a county court to determine if a person lacks capacity. The court, in turn, is to appoint legal counsel if the person does not have counsel. The court is to make a determination regarding capacity no later than seven days after a hearing. Establishing agents has the potential of reducing court cases involving guardianships. However, this court process has the potential to increase judicial workload and increase revenue from filing fees. A reasonable estimate of the overall impact cannot be determined. No additional resources required at this time. Note: appointment of counsel would be a county expense.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____