

AMENDMENTS TO LB 542

(Amendments to Standing Committee amendments, AM1082)

Introduced by Synowiecki, 7

1           1. Strike sections 1 to 9 and insert the following new  
2 sections:

3           Section 1. (1) The Children's Behavioral Health Task  
4 Force is created. The task force shall consist of the following  
5 members:

6           (a) The chairperson of the Health and Human Services  
7 Committee of the Legislature or his or her designee;

8           (b) The chairperson of the Appropriations Committee of  
9 the Legislature or his or her designee;

10          (c) The chairperson of the Behavioral Health Oversight  
11 Commission of the Legislature;

12          (d) Two providers of community-based behavioral health  
13 services to children, appointed by the chairperson of the Health  
14 and Human Services Committee of the Legislature;

15          (e) One regional administrator appointed under section  
16 71-808, appointed by the chairperson of the Health and Human  
17 Services Committee of the Legislature;

18          (f) Two representatives of organizations advocating on  
19 behalf of consumers of children's behavioral health services and  
20 their families appointed by the chairperson of the Health and Human  
21 Services Committee of the Legislature;

22          (g) One juvenile court judge appointed by the Chief

1 Justice of the Supreme Court;

2 (h) Two representatives of the Department of Health and  
3 Human Services appointed by the Governor; and

4 (i) The Administrator of the Office of Juvenile Services.

5 (2) All members shall be appointed within thirty days  
6 after the effective date of this act.

7 (3) Members of the task force shall serve without  
8 compensation but shall be reimbursed from the Nebraska Health  
9 Care Cash Fund for their actual and necessary expenses as provided  
10 in sections 81-1174 to 81-1177.

11 (4) The head of the Behavioral Health Oversight  
12 Commission of the Legislature shall serve as chairperson of the  
13 task force. Administrative and staff support for the task force  
14 shall be provided by the Health and Human Services Committee of the  
15 Legislature and the Appropriations Committee of the Legislature.

16 Sec. 2. The Children's Behavioral Health Task Force,  
17 under the direction of and in consultation with the Health and  
18 Human Services Committee of the Legislature and the Department of  
19 Health and Human Services, shall prepare a children's behavioral  
20 health plan and shall submit such plan to the Governor and the  
21 committee on or before December 4, 2007.

22 (1) The plan shall include, but not be limited to:

23 (a) Plans for the development of a statewide integrated  
24 system of care to provide appropriate educational, mental health,  
25 substance abuse, and support services to children and their  
26 families. The integrated system of care should serve both  
27 adjudicated and nonadjudicated juveniles with mental health or

1 substance abuse issues;

2 (b) Plans for the development of community-based  
3 inpatient and subacute substance abuse and mental health behavioral  
4 health services and the allocation of funding for such services to  
5 the community pursuant to subdivision (4) of section 43-406;

6 (c) Strategies for effectively serving juveniles assessed  
7 in need of substance abuse or mental health care upon release  
8 from the Youth Rehabilitation and Treatment Center-Kearney or Youth  
9 Rehabilitation and Treatment Center-Geneva;

10 (d) Plans for the development of needed capacity for  
11 the provision of community-based substance abuse and mental health  
12 behavioral health services for children;

13 (e) Strategies and mechanisms for the integration of  
14 federal, state, local, and other funding sources for the provision  
15 of community-based substance abuse and mental health behavioral  
16 health services for children;

17 (f) Measurable benchmarks and timelines for the  
18 development of a more comprehensive and integrated system of  
19 substance abuse and mental health behavioral health care for  
20 children;

21 (g) Identification of necessary and appropriate statutory  
22 changes for consideration by the Legislature; and

23 (h) Development of a plan for a data and information  
24 system for all children receiving substance abuse and mental health  
25 behavioral health services shared among all parties involved in the  
26 provision of services for children.

27 (2) The division shall consider the plan submitted

1 under this section and shall provide a written implementation  
2 and appropriations plan within thirty days after receipt of the  
3 plan by the Governor, the task force, and the committee.

4           Sec. 3. The Children's Behavioral Health Task Force will  
5 oversee implementation of the children's behavioral health plan  
6 until June 30, 2010, at which time the task force shall submit  
7 to the Governor and the Legislature a recommendation regarding the  
8 necessity of continuing the task force.

9           Sec. 4. Section 43-407, Reissue Revised Statutes of  
10 Nebraska, is amended to read:

11           43-407 The Office of Juvenile Services shall design and  
12 make available programs and treatment services ~~through the youth~~  
13 ~~rehabilitation and treatment centers~~ for juvenile offenders. The  
14 programs and treatment services shall be based upon the individual  
15 or family evaluation process and treatment plan. The treatment  
16 plan shall be developed within fourteen days after admission.  
17 If a juvenile placed at the Youth Rehabilitation and Treatment  
18 Center-Kearney or Youth Rehabilitation and Treatment Center-Geneva  
19 is assessed as needing inpatient or subacute substance abuse  
20 or mental health residential treatment, the juvenile shall be  
21 transferred to a program or facility where such treatment needs  
22 may be met. The assessment process shall include involvement  
23 of both private and public sector behavioral health providers.  
24 The selection of the treatment venue for each juvenile shall  
25 include individualized case planning and incorporate the goals  
26 of the juvenile justice system pursuant to section 43-402.  
27 Juveniles committed to the Youth Rehabilitation and Treatment

1 Center-Kearney or Youth Rehabilitation and Treatment Center-Geneva  
2 who are transferred to alternative settings for treatment remain  
3 committed to the Department of Health and Human Services and the  
4 Office of Juvenile Services until paroled or discharged from such  
5 custody. Programs and treatment services shall address:

6 (1) Behavioral impairments, severe emotional  
7 disturbances, sex offender behaviors, and other mental health or  
8 psychiatric disorders;

9 (2) Drug and alcohol addiction;

10 (3) Health and medical needs;

11 (4) Education, special education, and related services;

12 (5) Individual, group, and family counseling services as  
13 appropriate with any treatment plan related to subdivisions (1)  
14 through (4) of this section. Services shall also be made available  
15 for juveniles who have been physically or sexually abused;

16 (6) A case management and coordination process, designed  
17 to assure appropriate reintegration of the juvenile to his or  
18 her family, school, and community. This process shall follow  
19 individualized planning which shall begin at intake and evaluation.  
20 Structured programming shall be scheduled for all juveniles.  
21 This programming shall include a strong academic program as  
22 well as classes in health education, living skills, vocational  
23 training, behavior management and modification, money management,  
24 family and parent responsibilities, substance abuse awareness,  
25 physical education, job skills training, and job placement  
26 assistance. Participation shall be required of all juveniles if  
27 such programming is determined to be age and developmentally

1 appropriate. The goal of such structured programming shall be to  
2 provide the academic and life skills necessary for a juvenile to  
3 successfully return to his or her home and community upon release;  
4 and

5 (7) The design and delivery of treatment programs ~~within~~  
6 through the youth rehabilitation and treatment centers as well as  
7 any licensing or certification requirements, and the office shall  
8 follow the requirements as stated within Title XIX and Title IV-E  
9 of the federal Social Security Act, as ~~amended~~, such act existed  
10 on the effective date of this act, the Special Education Act, or  
11 other funding guidelines as appropriate. It is the intent of the  
12 Legislature that these funding sources shall be utilized to support  
13 service needs of eligible juveniles in residence at the youth  
14 ~~rehabilitation and treatment centers.~~

15 Sec. 5. Original section 43-407, Reissue Revised Statutes  
16 of Nebraska, is repealed.

17 Sec. 6. Since an emergency exists, this act takes effect  
18 when passed and approved according to law.