

AMENDMENTS TO LB 765

Introduced by Health and Human Services.

1           1. Strike original section 1 and insert the following new  
2 section:

3           Section 1. Section 71-5829.03, Reissue Revised Statutes  
4 of Nebraska, is amended to read:

5           71-5829.03 No person, including persons acting for or  
6 on behalf of a health care facility, shall engage in any of the  
7 following activities without having first applied for and received  
8 the necessary certificate of need:

9           (1) The initial establishment of long-term care beds  
10 or rehabilitation beds except as permitted under ~~subdivision (5)~~  
11 subdivisions (6) and (7) of this section;

12           ~~(2) An increase in the long-term care beds or~~  
13 ~~rehabilitation beds of a health care facility by more than ten beds~~  
14 ~~or more than ten percent of the total bed capacity, whichever is~~  
15 ~~less, over a two-year period;~~

16           (2) An increase in the long-term care beds of a health  
17 care facility by more than ten long-term care beds or more than ten  
18 percent of the total long-term care bed capacity of such facility,  
19 whichever is less, over a two-year period;

20           (3) An increase in the rehabilitation beds of a health  
21 care facility by more than ten rehabilitation beds or more than ten  
22 percent of the total rehabilitation bed capacity of such facility,  
23 whichever is less, over a two-year period;

1           ~~(3)~~ (4) A relocation of long-term care beds from a  
2 health care facility at one physical facility or contiguous site to  
3 another noncontiguous site within the same health planning region  
4 if the relocation will cause an aggregate increase in long-term  
5 care beds between those locations of more than ten beds or more  
6 than ten percent of the total bed capacity, whichever is less, over  
7 a two-year period;

8           ~~(4)~~ (5) Any relocation of long-term care beds from a  
9 health care facility located in one health planning region to a  
10 health care facility in a different health planning region;

11           ~~(5)~~ Any conversion by a hospital of any type of hospital  
12 beds to long-term care beds or rehabilitation beds if the total bed  
13 capacity of the hospital will have changed by more than ten beds or  
14 more than ten percent of the total bed capacity, whichever is less,  
15 over a two-year period;

16           ~~(6)~~ Any change by a residential care facility to convert  
17 residential care beds to long-term care beds; or

18           ~~(7)~~ Any change by a domiciliary facility to convert  
19 domiciliary beds to long-term care beds.

20           (6) Any initial establishment of long-term care beds  
21 through conversion by a hospital of any type of hospital beds to  
22 long-term care beds if the total beds converted by the hospital  
23 are more than ten beds or more than ten percent of the total  
24 bed capacity of such hospital, whichever is less, over a two-year  
25 period; or

26           (7) Any initial establishment of rehabilitation beds  
27 through conversion by a hospital of any type of hospital beds to

1 rehabilitation beds if the total beds converted by the hospital  
2 are more than ten beds or more than ten percent of the total  
3 bed capacity of such hospital, whichever is less, over a two-year  
4 period.