



Hundredth Legislature - First Session - 2007
Committee Statement
LB 296

Hearing Date: January 18, 2007
Committee On: Health and Human Services

Introducer(s): (Johnson, 37)
Title: Reorganize the Health and Human Services System

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

7	Yes	Sen. Johnson, Erdman, Hansen, Howard, Gay, Stuthman, Pankonin
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Johnson
John Hilgert
Don Wesely
Bob Van Valkenburg
Jeff Kuhr
John R. Liebsack
Chris Peterson
Robert B. Craig
Lynne Anderson
Brendon Polt
Rowen Zetterman

Representing:

Introducer
Nebraska Department of Veterans' Affairs
Self
Self
Public Health Association of Nebraska
VFW
Health and Human Services System
Nebraska American Legion
Self
Nebraska Health Care Association
Nebraska Medical Association

Opponents:

Mike McDermott

Representing:

Self

Neutral:

Kathy Bigsby Moore
Tom McBride
J.Rock Johnson
Rachel Pinkerton

Representing:

Voices for Children in Nebraska
Self
Self
Pinkerton Places

Summary of purpose and/or changes:

LB 296 is introduced by Senator Johnson at the request of the Governor to reorganize the Nebraska Health and Human Services System (HHSS).

HHSS is currently composed of three separate, but interrelated, agencies – the Departments of Health and Human Services (HHS), HHS Regulation and Licensure (R&L), and HHS Finance and Support (F&S) – overseen and coordinated by a Policy Cabinet. The Policy Cabinet consists of the three department directors, the state's Chief Medical Officer, if one is appointed, and is chaired by a Policy Secretary. Members of the Policy Cabinet are appointed by the Governor and confirmed by the Legislature. The current system was proposed by Governor Ben Nelson and adopted by the Legislature in 1996 (LB 1044).

LB 296 would collapse the three existing departments into a single state agency (the Nebraska Health and Human Services System), composed of six new departments – the Departments of Public Health, Medicaid, Children and Family Services, Behavioral Health, Developmental Disabilities, and Veteran's Homes – with a single chief executive officer (CEO). The Policy Cabinet and the Policy Secretary position are eliminated. New and expanded qualifications and duties for the CEO are provided.

Directors of the new departments and the agency CEO are appointed by the Governor and approved by the Legislature. The Governor must appoint a separate Chief Medical Officer if the Director of Public Health is not a physician. The CMO must also be confirmed by the Legislature.

Current law regarding access to and security of confidential information within the system and within each department are preserved and updated.

The number of HHSS employment positions not covered by sections 81-1301 to 81-1319 (the State Personnel System) is increased from seventeen to twenty-five. Currently the three separate agencies making up the system are permitted a total of twenty-four discretionary employees in addition to those already specifically exempted in section 81-1316. The new single agency would be allowed twenty-five. HHSS service area administrators and the Chief Medical Officer are added to the list of specifically exempted, or discretionary, employees.

The bill makes other technical changes to existing provisions regarding the Office of Juvenile Services and requires the preparation of an amendment to harmonize provisions of the bill with numerous other sections of existing law. The name of the veterans Board of Inquiry and Review in sections 80-317 to 80-322 is changed to the Veterans' Home Board, and duties of the board are expanded regarding the approval of persons for admission to the state's veterans' homes.

The bill outright repeals several sections. The bill has an operative date of July 1, 2007 with the emergency clause.

Explanation of amendments, if any: The committee amendment (AM 74) rewrites the first seven sections of the bill and makes other technical changes for completeness and greater clarity. The amendment changes the name of the Department of Medicaid to the Department of Medicaid and Long-Term Care.

Senator Joel Johnson, Chairperson