



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 542**

Hearing Date: March 19, 2007
Committee On: Appropriations

Introducer(s): (Synowiecki)
Title: Appropriate funds to the Department of Health and Human Services

Roll Call Vote – Final Committee Action:

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

Vote Results:

9	Yes	Senators Engel, Fulton, Harms, Heidemann, Kruse, Nantkes, Nelson, Synowiecki and Wightman
	No	
	Present, not voting	
	Absent	

Proponents:

Senator John Synowiecki
Tom McBride
Mary Fraser Meints

Dan Jackson
Robert Sheehan
Kathy Bigsby Moore
Todd Landry
Scott Dugan

Brad Meurrens

Representing:

Introducer
CAFCON
Uta Halee Girls Village, Cooper Village, NE
Association of Homes and Services for Children
Self
Boys and Girls Home of Nebraska
Voices for Children in Nebraska
Child Saving Institute
Mid-Plains Center for Behavioral Healthcare
Services, Inc.
Nebraska Advocacy Services, Inc.

Opponents:

Todd Reckling
Barbra Westman
Lynn Rex
Mike Marvin
Joe Patterson

Representing:

HHSS
Self
League of Nebraska Municipalities
NAPE
City of Hastings

Neutral:

Representing:

Summary of purpose and/or changes: LB 542 appropriates \$54,433,029 in FY 2007-08 and \$45,159,623 in FY 2008-09 from the General Fund to the Department of Health and Human Services (HHS) for program 365 (regional centers).

The bill creates the Enhanced Services and Capacity Expansion Fund for Juveniles (Enhanced Services Fund). The bill provides legislative intent to appropriate \$10,419,902 from the General Fund to the Enhanced Services Fund beginning in FY 2008-09.

The bill provides legislative intent to discontinue funding of juvenile services at the Hastings Regional Center and to reallocate such funding from program 365 to the Enhanced Services Fund.

The Enhanced Services Fund would be administered by the Nebraska Health and Human Services System (system). The system is permitted to contract with licensed nonprofit service organizations to enhance the provision of juvenile behavioral health services and to expand the capacity for such services. Activities eligible to receive assistance from the Enhanced Services Fund are listed.

With the Enhanced Services Fund, the system is required to establish an integrated system of behavioral health services for children with emotional disorders and their families, and the bill prescribes principles upon which the integrated system must be based.

Explanation of amendments, if any: The committee amendment (AM 1082) replaces the bill as introduced. The amendment provides legislative intent that children receiving inpatient and subacute behavioral health services at the Hastings Regional Center will begin receiving appropriate community-based services pursuant to section 43-406(4) and section 71-810.

The amendment provides legislative intent that, beginning in FY 2008-09, reductions in appropriations under program 365 (regional centers) will be considered as a mechanism to assist in the provision of such services.

The amendment creates the Enhanced Services and Capacity Expansion Fund for Juveniles. The fund would be used by the Department of Health and Human Services (HHS) to enhance capacity for community-based services and to establish an integrated system of care for children and their families. State funding for children's services that are reduced or discontinued under program 365 must be allocated to the fund and must be expanded for purposes related to the statewide development and provisions of community-based services.

The amendment creates the Children's Behavioral Health Task Force consisting of the following members: (1) the chairperson of the Health and Human Services Committee (Health Committee) or his or her designee; (2) the chairperson of the Appropriations Committee or his or her designee; (3) the chairperson of the Behavioral Health Oversight Commission of the Legislature; (4) two providers of community-based behavioral health services to children, appointed by the chairperson of the Health Committee; (5) one regional administrator appointed under section 71-808, appointed by the chairperson of the HHS Committee; (6) two representatives of organizations advocating on behalf of consumers of children's behavioral health services and their families, appointed by the chairperson of the HHS Committee; (7) one juvenile court judge appointed by the Chief Justice of the Nebraska Supreme Court; (8) one representative of the Division of Behavioral Health Services (division) appointed by the Governor; (9) and (10) the Administrator of the Office of Juvenile Services. The chairperson of the Behavioral Health Oversight Commission would serve as chairperson of the task force. The task force terminates on June 30, 2008.

The task force, under the direction of and in consultation with the HHS Committee and the division, is required to prepare and submit a children's behavioral health plan to the Governor, the division, and the committee by December 4, 2007. Contents of the plan are prescribed. The division is required to consider the plan and provide a written response within thirty days of receipt of the plan. The division is required to submit a revised children's behavioral health plan to the Governor, the task force, and the committee no later than January 9, 2008. The division plan must be consistent with the Nebraska Behavioral Health Services Act and must give due consideration to the plan submitted by the task force. The division is required to consult with the task force during implementation of the plan.

The amendment also amends section 43-407 to provide for contracts with community-based nonprofit providers for the treatment of juveniles committed to the Youth Rehabilitation and Treatment Centers in Kearney or Geneva and to require that such providers be utilized whenever possible and appropriate. Such juveniles would remain committed until paroled or discharged from the custody of the Office of Juvenile Services.

The amendment contains the emergency clause.

Senator Lavon Heidemann, Chairperson