

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB738

Hearing Date: January 23, 2008

Committee On: Health and Human Services

Introducer(s): (Fulton)

Title: Change brain injury registry notification and reporting requirements

Roll Call Vote - Final Committee Action:

Placed on General File with Amendments

Vote Results:

7 Yes Senators Johnson, Erdman, Gay, Hansen, Howard,
Pankonin, Stuthman

0 No

0 Absent

0 Present, not voting

Proponents:

Peggy Reisher

Anne Hupka

Ronald Ridder Ph.D.

Bruce Rieker

Dale Johannes

Eileen Curry

Representing:

Nebraska Brain Injury Advisory Council

Self

Self

Nebraska Hospital Association

Nebraska Brain Injury Advisory Council

Self

Opponents:
Dr. Joann Schaefer

Representing:
Nebraska Department of Health and Human
Services

Neutral:

Representing:

Summary of purpose and/or change:

LB 738 changes provisions relating the brain injury registry established in sections 81-653 et seq. The bill requires the Department of Health and Human Services (department), in connection with the registry, to also maintain information necessary and appropriate “to ensure the provision of information to persons with brain injury regarding appropriate public or private agencies that provide rehabilitative services so that persons with brain or head injury may obtain needed services to alleviate such injury and avoid secondary problems, including but not limited to, mental illness and chemical dependency.”

The bill requires the department, within 30 days after receiving a report of a brain or head injury, to notify the person with the injury of “resources and services available in Nebraska.” The bill provides immunity from “any action for damages or other relief” for any person or facility reporting such information to a person with a brain or head injury.

The bill requires hospitals or rehabilitation centers to report to the department within 30 days any brain or head injury that results in admission or treatment from such facility. Current law requires annual reporting by such facilities.

Explanation of amendments, if any:

The committee amendment (AM 1815) replaces the bill as originally introduced. It is primarily a technical redrafting of current brain injury registry statutes. The amendment requires the department, within thirty days after receiving a report of a brain or head injury, to provide “relevant and timely information to the person with such injury to assist such person in accessing necessary and appropriate services relating to such injury.”

The department may develop the information or utilize information developed by other sources and approved by department. The department may provide the information directly or contract with an appropriate entity to facilitate the provision of the information.

Costs associated with providing the information must be paid from cash funds, gifts, and grants. No general funds may be used. The department will not be required to provide the information if sufficient funding is unavailable.

The amendment retains the requirement that hospitals or rehabilitation centers report to the department within 30 days any brain or head injury that results in admission or treatment from such facility.

Senator Joel Johnson, Chairperson