



**Hundredth Legislature - First Session - 2007  
Committee Statement  
LB 86**

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**Hearing Date:** January 19, 2007  
**Committee On:** Health and Human Services

**Introducer(s):** (Howard)  
**Title:** Change provisions of the Health Care Facility Licensure Act covering applicants for licensure

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

- |   |                     |   |
|---|---------------------|---|
| 5 | Yes                 | Senators Johnson, Erdman, Gay, Pankonin, Stuthman |
| 2 | No                  | Senators Hansen, Howard                           |
|   | Present, not voting |   |
|   | Absent              |   |
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**Proponents:**

Senator Howard  
Jim Farho  
Fred Freitag  
Jason Smith  
Cathy Beecham

**Representing:**

Introducer  
Self  
Self  
Deer Park Neighborhood Association  
Near South Neighborhood Association

**Opponents:**

Kathy Hoell  
  
Terry Holman  
  
Rachel Pinkerton

**Representing:**

Nebraska Independent Living Council and the  
ARC of Nebraska  
Nebraska Planning Council on Developmental  
Disabilities  
Self

**Neutral:**

Roger Stortenbecker  
Brendon Polt

**Representing:**

Self  
Nebraska Health Care Association

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**Summary of purpose and/or changes:**

LB 86 adds new provisions to the Health Care Facility Licensure Act. The bill requires the giving of notice by any person applying for licensure to operate a health care facility in a

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residential zone. Such facilities would include, but not be limited to, (1) an assisted living facility, (2) a center or group home for the developmentally disabled, (3) an intermediate care facility for the mentally retarded, (4) a mental health center, (5) a psychiatric or mental hospital, (6) a rehabilitation hospital, or (7) a substance abuse treatment center.

The notice must be given to the Department of Health and Human Services Regulation and Licensure, and to (1) any registered neighborhood association whose area is located in whole or in part within 500 feet of the proposed facility, or (2) the clerk of the city or village in which the facility is to be located, if there is no neighborhood association.

Notice must consist of notice of submission of the application for licensure and a copy of the application. The notice must be sent by registered or certified mail, with return receipt requested and postage prepaid.

**Explanation of amendments, if any:**

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**Senator Joel Johnson, Chairperson**