

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 610**

FINAL READING

Introduced by Legislative Performance Audit Committee: Schimek, 27,  
Chairperson; Engel, 17; Flood, 19; Heidemann, 1;  
McDonald, 41; Preister, 5

Read first time January 17, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public health and welfare; to provide  
2 documentation and recordkeeping requirements for the  
3 Department of Health and Human Services regarding the  
4 treatment, transfer, and discharge of sex offenders.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) The personnel of the Department of  
2 Health and Human Services who work with sex offenders shall  
3 develop, maintain, and adhere to written policies or administrative  
4 rules and regulations governing the transfer and discharge of sex  
5 offenders treated in a program of the department. At a minimum, the  
6 policies or rules and regulations shall contain:

7           (a) Specific requirements regarding treatment that sex  
8 offenders are required to meet in order to be transferred from one  
9 sex offender treatment unit to another or to be discharged from  
10 treatment; and

11           (b) A list of the personnel of the department who are  
12 required to review and document their opinions regarding the  
13 treatment progress of each sex offender prior to his or her  
14 transfer or discharge.

15           (2) The department shall maintain, along with each sex  
16 offender's permanent medical records, complete treatment records  
17 for sex offenders treated in a program of the department,  
18 including documentation of the reason behind transfer and discharge  
19 decisions. At a minimum, each sex offender's records shall contain:

20           (a) Detailed documentation that the sex offender has or  
21 has not met the requirements for transfer or discharge; and

22           (b) Signed comments from all personnel of the department  
23 required to review the sex offender's treatment progress prior to  
24 his or her transfer or discharge.