

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 86

Introduced By: Howard, 9; Aguilar, 35; Flood, 19; Kruse, 13; Nantkes,
46; Preister, 5; Schimek, 27

Read first time: January 5, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Health Care Facility Licensure Act; to
2 amend section 71-401, Revised Statutes Cumulative
3 Supplement, 2006; to provide a notification requirement for
4 applicants for licensure of certain health care facilities
5 as prescribed; to harmonize provisions; and to repeal the
6 original section.

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

1 Section 1. (1) Any person desiring to obtain a license from
2 the State of Nebraska to operate a facility in a residential zone,
3 including, but not limited to, an assisted-living facility, a center
4 or group home for the developmentally disabled, an intermediate care
5 facility for the mentally retarded, a mental health center, a
6 psychiatric or mental hospital, a rehabilitation hospital, or a
7 substance abuse treatment center, shall notify the department and:

8 (a) Any registered neighborhood association whose area of
9 representation is located in whole or in part within five hundred feet
10 of the proposed facility; or

11 (b) If no such association described in subdivision (a) of
12 this subsection exists, the clerk of the city or village in which such
13 facility is to be located.

14 (2) The notification shall consist of a notice of
15 submission of the application for licensure and a copy of such
16 application and shall be by registered or certified mail, return
17 receipt requested, and with postage prepaid.

18 Sec. 2. Section 71-401, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 71-401. Sections 71-401 to 71-459 and section 1 of this act
21 shall be known and may be cited as the Health Care Facility Licensure
22 Act.

23 Sec. 3. Original section 71-401, Revised Statutes Cumulative
24 Supplement, 2006, is repealed.