



Hundredth Legislature - Second Session - 2008  
**Introducer's Statement of Intent**  
**LB 765**

---

**Chairperson:** Joel Johnson  
**Committee:** Health and Human Services  
**Date of Hearing:** January 23, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 765 clarifies the certificate of need law as it applies to long-term care beds and rehabilitation beds in Nebraska health care facilities and reflects the interpretation of the statute by the Department of Health and Human Services since the law was passed in 1997.

LB 765 makes it clear that no health care facility can increase long-term care beds by ten percent of the total long-term care bed capacity or ten beds, whichever is less, over a two year period without applying for a certificate of need. The ten percent applies to the "total long-term care bed capacity" not the "total bed capacity of the facility."

LB 765 makes it clear that no health care facility can increase rehabilitation beds by more than ten percent of the total rehabilitation beds of the facility or ten beds, whichever is less, over a two year period without applying for a certificate of need. The ten percent applies to the "total rehabilitation bed capacity" not the "total bed capacity of the health care facility."

LB 765 also clarifies when a health care facility can initially establish long-term care or rehabilitation units. A hospital may initially establish long-term care beds or rehabilitation beds by converting either ten beds or ten percent of the total hospital bed capacity, whichever is less, over a two year period.

**Principal Introducer:**

\_\_\_\_\_  
**Senator Tim Gay**