

AMENDMENTS TO LB 356

Introduced by Judiciary.

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. It is the intent of the Legislature to  
4 appropriate from the General Fund fifteen million dollars for  
5 fiscal year 2009-10 and fifteen million dollars for fiscal year  
6 2010-11 to the Department of Health and Human Services - Behavioral  
7 Health, Program 38, Behavioral Health Aid, for behavioral health  
8 services for children under the Nebraska Behavioral Health  
9 Services Act. Such services shall include, but not be limited  
10 to, the expansion of the Professional Partners Program and  
11 services provided on a sliding-fee schedule basis. General Funds  
12 appropriated pursuant to this section shall be excluded from the  
13 calculation of county matching funds under subsection (3) of  
14 section 71-808, shall be allocated to the regional behavioral  
15 health authorities, and shall be distributed based on the 2008  
16 allocation formula.

17           Sec. 2. Section 71-804, Revised Statutes Cumulative  
18 Supplement, 2008, is amended to read:

19           71-804 For purposes of the Nebraska Behavioral Health  
20 Services Act:

21           (1) Behavioral health disorder means mental illness  
22 or alcoholism, drug abuse, problem gambling, or other addictive  
23 disorder;

1           (2) Behavioral health region means a behavioral health  
2 region established in section 71-807;

3           (3) Behavioral health services means services,  
4 including, but not limited to, consumer-provided services, support  
5 services, inpatient and outpatient services, and residential and  
6 nonresidential services, provided for the prevention, diagnosis,  
7 and treatment of behavioral health disorders and the rehabilitation  
8 and recovery of persons with such disorders;

9           (4) Children means Nebraska residents under nineteen  
10 years of age;

11           ~~(4)~~ (5) Community-based behavioral health services or  
12 community-based services means behavioral health services that are  
13 not provided at a regional center;

14           ~~(5)~~ (6) Department means the Department of Health and  
15 Human Services;

16           ~~(6)~~ (7) Director means the Director of Behavioral Health;

17           ~~(7)~~ (8) Division means the Division of Behavioral Health  
18 of the department;

19           ~~(8)~~ (9) Medical assistance program means the program  
20 established pursuant to the Medical Assistance Act;

21           ~~(9)~~ (10) Public behavioral health system means the  
22 statewide array of behavioral health services for children  
23 and adults provided by the public sector or private sector  
24 and supported in whole or in part with funding received and  
25 administered by the department, including behavioral health  
26 services provided under the medical assistance program;

27           ~~(10)~~ (11) Regional center means one of the state

1 hospitals for the mentally ill designated in section 83-305;  
2 and

3 ~~(11)~~ (12) Regional center behavioral health services or  
4 regional center services means behavioral health services provided  
5 at a regional center.

6 Sec. 3. Section 71-808, Revised Statutes Cumulative  
7 Supplement, 2008, is amended to read:

8 71-808 (1) A regional behavioral health authority shall  
9 be established in each behavioral health region by counties acting  
10 under provisions of the Interlocal Cooperation Act. Each regional  
11 behavioral health authority shall be governed by a regional  
12 governing board consisting of one county board member from each  
13 county in the region. Board members shall serve for staggered  
14 terms of three years and until their successors are appointed and  
15 qualified. Board members shall serve without compensation but shall  
16 be reimbursed for their actual and necessary expenses as provided  
17 in sections 81-1174 to 81-1177.

18 (2) The regional governing board shall appoint a regional  
19 administrator who shall be responsible for the administration  
20 and management of the regional behavioral health authority. Each  
21 regional behavioral health authority shall encourage and facilitate  
22 the involvement of consumers in all aspects of service planning  
23 and delivery within the region and shall coordinate such activities  
24 with the office of consumer affairs within the division. Each  
25 regional behavioral health authority shall establish and utilize  
26 a regional advisory committee consisting of consumers, providers,  
27 and other interested parties and may establish and utilize such

1 other task forces, subcommittees, or other committees as it deems  
2 necessary and appropriate to carry out its duties under this  
3 section.

4 (3) Each county in a behavioral health region shall  
5 provide funding for the operation of the behavioral health  
6 authority and for the provision of behavioral health services  
7 in the region. The total amount of funding provided by counties  
8 under this subsection shall be equal to one dollar for every three  
9 dollars from the General Fund. The division shall annually certify  
10 the total amount of county matching funds to be provided. At least  
11 forty percent of such amount shall consist of local and county  
12 tax revenue, and the remainder shall consist of other nonfederal  
13 sources. The regional governing board of each behavioral health  
14 authority, in consultation with all counties in the region, shall  
15 determine the amount of funding to be provided by each county  
16 under this subsection. Any General Funds transferred from regional  
17 centers for the provision of community-based behavioral health  
18 services after July 1, 2004, and funds appropriated pursuant to  
19 this legislative bill shall be excluded from any calculation of  
20 county matching funds under this subsection.

21 Sec. 4. Original sections 71-804 and 71-808, Revised  
22 Statutes Cumulative Supplement, 2008, are repealed.