



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 288

Chairperson: Tim Gay
Committee: Health and Human Services
Date of Hearing: January 28, 2009

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

LB 288 is the annual “cleanup” bill requested by the Department of Health and Human Services (department). The bill makes a technical update to a reference to federal law in the Medical Assistance Act (section 7). The bill updates references to the federal food stamp program, which is now called the Supplemental Nutrition Assistance Program (SNAP) (sections 1, 5-6, 8-14, 22).

The bill changes relicensure provisions for public water system operators under the Safe Drinking Water Act (act) (sections 2, 15). The bill requires applicants for a license as a public water system operator, whose license or certification has expired two years or more prior to the date of application, to take the examination required for an initial license under the act. The department must consider the results of the examination and the applicant’s experience and training in its review of the application. The department is permitted by rules and regulations to establish more stringent relicensure requirements for an applicant whose license is expired or has been revoked or suspended.

The bill changes and eliminates provisions of the Development Disabilities Services Act (sections 83-1201 to 83-1226) (section 18-21). The bill deletes a reference to subsection (3) of section 83-1216 relating to development of an objective assessment process for developmental disability services. The bill deletes a limiting reference to “specialized services” in the context of utilizing state and federal funds for the provision of services to persons with developmental disabilities. The bill updates terminology, changing “care” to “services,” as it relates to the Beatrice State Developmental Center (BSDC). The bill deletes a reference to developmental disability “regions” and replaces it with the term “services areas” to be more consistent with current administrative organization and practice. The bill changes membership provisions relating to quality review teams. The bill makes the submission of nominations for membership on such teams discretionary rather than mandatory. The bill changes and eliminates provisions relating to the duties of quality review teams. The bill deletes a requirement in the act that a copy of an employee’s criminal history background record check be provided to the employee.

The bill expands disciplinary provisions for pharmacy technicians (sections 3-4). The bill deletes grounds for discipline in section 38-2893 and makes the license of a pharmacy technician subject to discipline for violation of all acts or offenses listed in subsections (1) – (17) and (19) – (24) of section 38-178.

The bill deletes obsolete references to a pilot program administered by the Department of Health and Human Services for preadmission screening of persons seeking care in a nursing facility (sections 16-17, 24). The bill outright repeals sections 81-2265 and 81-2267.

Principal Introducer:

Tim Gay, Chairperson
Committee on Health and Human Services