

E AND R AMENDMENTS TO LB905

Introduced by Murante, 49, Chairman Enrollment and Review

1 1. In the Standing Committee amendments, AM2019:

2 a. Strike section 62 and insert the following new
3 section:

4 Sec. 62. Laws 2013, LB195, section 109, is amended to
5 read:

6 Sec. 109. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
7 SERVICES

8 Program No. 424 - Developmental Disability Aid

| | FY2013-14 | FY2014-15 |
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15 (1) There is included in the appropriation to this
16 program for FY2013-14 ~~\$109,173,012~~ \$110,673,012 General Funds and
17 \$6,312,000 Cash Funds for state aid, which shall only be used
18 for such purpose. There is included in the appropriation to this
19 program for FY2014-15 ~~\$126,248,291~~ \$137,040,195 General Funds and
20 \$6,312,000 Cash Funds for state aid, which shall only be used for
21 such purpose.

22 (2) There is included in the amount shown as Cash Fund
23 aid in this program for FY2013-14 \$5,000,000 Cash Funds and for

1 FY2014-15 \$5,000,000 Cash Funds from the Nebraska Health Care
2 Cash Fund to be used for services for persons with developmental
3 disabilities ~~(1)~~ (a) who were on the waiting list for such services
4 prior to July 1, 2001, and began receiving such services on and
5 after such date and ~~(2)~~ (b) who are on the waiting list for such
6 services on and after July 1, 2013, beginning with those who have
7 been on the waiting list for the greatest length of time past their
8 date of need.

9 (3) There is included in the amount shown as General Fund
10 aid in this program for FY2013-14 \$2,826,383 General Funds for a
11 two and twenty-five hundredths percent increase in rates paid to
12 providers of developmental disability services, which shall only be
13 used for such purpose.

14 (4) There is included in the amount shown as General Fund
15 aid in this program for FY2014-15 \$2,595,048 General Funds for a
16 two percent increase in rates paid to providers of developmental
17 disability services, which shall only be used for such purpose.

18 (5) (a) There is included in the amount shown for this
19 program for FY2013-14 \$1,500,000 General Funds and for FY2014-15
20 \$1,500,000 General Funds for a State Ward Permanency Pilot
21 Project which is hereby created. The pilot project shall provide
22 developmental disabilities services to state wards in order to
23 provide optimal habilitative supports and promote permanency.

24 (b) The pilot project shall serve (i) state wards who
25 are eligible for services through the Division of Developmental
26 Disabilities of the Department of Health and Human Services and who
27 do not qualify for priority status and (ii) state wards who are

1 in need of habilitative supports to achieve permanency. Services
2 shall include any service provided pursuant to the Developmental
3 Disabilities Services Act available to persons under twenty-one
4 years of age.

5 (c) A state ward shall be eligible to participate in the
6 pilot project if he or she qualifies for developmental disabilities
7 services and has been assessed to need individually planned and
8 coordinated habilitative supports, such as those addressing skills
9 necessary for self-care, communication, mobility, and capacity for
10 independent living. State wards currently receiving an enhanced
11 level of care through letters of agreement between the Division
12 of Children and Family Services of the Department of Health and
13 Human Services and the providers of such enhanced level of care
14 and state wards with above-average habilitative needs as indicated
15 on assessments shall be given priority to participate in the pilot
16 project.

17 (d) The Division of Developmental Disabilities of the
18 Department of Health and Human Services, the Division of Children
19 and Family Services of the department or any lead agency, the State
20 Department of Education, and developmental disabilities service
21 providers shall collaborate to implement the pilot project to
22 promote stability and permanency for state wards, to provide
23 assessments, and to provide training to caseworkers and service
24 providers.

25 (e) The pilot project shall collect data on the
26 following:

27 (i) The impact of services provided pursuant to the pilot

1 project on state wards' developmental progress;

2 (ii) The number of state wards participating in the
3 pilot project who achieve permanency in the child welfare system,
4 including adoption, permanent guardianship, reunification, or
5 another form of permanency;

6 (iii) The level of stability in placements for state
7 wards participating in the pilot project;

8 (iv) The total number of state wards participating in the
9 pilot project and their current status in the child welfare system;
10 and

11 (v) The impact on the overall support to families before
12 and after permanency is achieved through adoption, permanent
13 guardianship, reunification, or another form of permanency for
14 twelve months following court involvement.

15 (f) Data collected from the project shall be reported to
16 the Foster Care Review Office which shall analyze the data and
17 electronically provide a report to the Health and Human Services
18 Committee of the Legislature and the Appropriations Committee of
19 the Legislature every six months during the term of the pilot
20 project.

21 (g) The pilot project shall terminate June 30, 2016.

22 (6) There is included in the amount shown as General
23 Fund aid in this program for FY2013-14 \$1,946,650 General Funds and
24 for FY2014-15 ~~\$3,893,300~~ \$8,638,300 General Funds to be used for
25 services for persons with developmental disabilities who were on
26 the waiting list and past their date of need for services as of
27 January 18, 2013, beginning with those who have been on the waiting

1 list for the greatest length of time past their date of need.

2 (7) It is the intent of the Legislature that the
3 Department of Health and Human Services shall provide a quarterly
4 report to the Legislature regarding the usage of General Funds
5 and Federal Funds for the waiting list. The initial quarterly
6 report shall be submitted within two weeks after the quarter ending
7 September 30, 2013. Subsequent reports shall be submitted for the
8 ensuing quarters, within two weeks after the end of each quarter,
9 for FY2013-14 and FY2014-15. The reports shall include, but not
10 be limited to, the number of persons offered services, the type
11 of service offered and the cost of such services, the number of
12 persons accepting services, the services accepted, the cost of each
13 type of service accepted in each fiscal year, and ongoing annual
14 expenditures for such services.

15 (8) The reports required by this section shall be
16 submitted electronically.

17 b. On page 5, line 11, strike "Facility";

18 c. On page 7, line 25, after "title" insert "and";

19 d. On page 9, line 9, after the first "the" insert
20 "Nebraska"; and in line 11 after "the" insert "federal";

21 e. On page 19, line 9, after "aid" insert an underscored
22 comma;

23 f. On page 21, line 19, after "project" insert an
24 underscored comma; and in line 22 after "Legislature" insert
25 "electronically";

26 g. On page 29, line 22, after "Nebraska" insert an
27 underscored comma;

1 h. On page 53, line 25, after "Committee" insert "of the
2 Legislature";

3 i. On page 60, strike line 27;

4 j. On page 61, line 1, strike beginning with "Third"
5 through "2014," and insert "Pursuant to sections 24-205 and
6 24-227.01,";

7 k. On page 65, line 12, after "Title" insert "and"; and

8 l. On page 84, line 19, after "108," insert "109,"; in
9 line 20 after "232," insert "233,"; and in line 24 after "95"
10 insert a semicolon.

11 2. On page 1, strike lines 2 through 8 and insert
12 "sections 18, 46, 47, 48, 67, 75, 87, 92, 93, 94, 102, 103, 107,
13 108, 109, 142, 161, 167, 169, 203, 232, 233, 236, 250, 261, 263,
14 and 264; Laws 2013, LB198, section 51; Laws 2013, LB6A, section
15 1; Laws 2013, LB517A, section 1; and section 90-539, Revised
16 Statutes Supplement, 2013; to define terms; to provide, change,
17 and eliminate provisions relating to appropriations; to repeal the
18 original sections; to outright repeal Laws 2013, LB195, section 95;
19 and Laws 2013, LB583A, section 1; and to declare an emergency.".