

AMENDMENTS TO LB607

Introduced by Health and Human Services.

1 1. Strike original sections 6 and 11 and insert the following new
2 section:

3 Sec. 10. Any individual violating section 3 of this act is subject
4 to a civil penalty of one hundred dollars for each violation, up to a
5 maximum of one thousand dollars. Any civil penalty assessed and unpaid
6 shall constitute a debt to the State of Nebraska which may be collected
7 in the manner of a lien foreclosure or sued for and recovered in a proper
8 form of action in the name of the state in the district court of the
9 county in which the violator resides or owns property. The state may also
10 collect in such action attorney's fees and costs incurred in the
11 collection of the civil penalty. Any collected civil penalty shall be
12 remitted to the State Treasurer to be disposed of in accordance with
13 Article VII, section 5, of the Constitution of Nebraska.

14 2. On page 2, strike beginning with "eighteen" in line 5 through the
15 first "and" in line 6 and insert "who is"; in lines 20, 22, and 25 after
16 "consumer" insert "or, in the case of a home care consumer who is a minor
17 child, his or her parent or guardian,"; and in line 26 strike "that the
18 consumer".

19 3. On page 3, lines 2 and 3, strike "he or she" and insert "the
20 consumer or, in the case of a home care consumer who is a minor child,
21 his or her parent or guardian,"; in line 4 after "consumer" insert "or,
22 in the case of a home care consumer who is a minor child, his or her
23 parent or guardian,"; in line 5 after "Act" insert "in the format
24 accessible to the consumer or, in the case of a minor child, the
25 consumer's parent or guardian, which format may include paper,
26 electronic, audio, large print, or Braille"; in line 8 strike "13" and
27 insert "9"; in lines 9, 14, and 25 after "consumer" insert "or, in the

1 case of a home care consumer who is a minor child, his or her parent or
2 guardian,"; in lines 15 and 26 strike "his or her" and insert "the home
3 care consumer's"; and in line 17 after the second comma insert "the
4 protection and advocacy system in Nebraska designated under 42 U.S.C.
5 15041 to 15045, as such sections existed on January 1, 2015,".

6 4. On page 4, lines 1, 5, 6, 10, 11, and 16 after "consumer" insert
7 "or, in the case of a home care consumer who is a minor child, his or her
8 parent or guardian,"; in lines 17, 18, and 21 strike "his or her" and
9 insert "the home care consumer's"; and in line 23 after "consumer" insert
10 "who is a minor child shall be represented by his or her parent or
11 guardian. Such parent or guardian shall act on behalf of the minor child
12 in securing the minor child's rights under the Home Care Consumer Bill of
13 Rights Act. A home care consumer who is not a minor child".

14 5. Renumber the remaining sections and correct internal references
15 accordingly.