

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB816

Hearing Date: Wednesday February 17, 2016
Committee On: Health and Human Services
Introducer: Scheer
One Liner: Change and eliminate provisions relating to state institution patients' records

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Baker, Campbell, Crawford, Fox, Howard, Kolterman, Riepe
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:	Representing:
Senator Jim Scheer	District 19
Courtney Phillips	Nebraska DHHS

Opponents:	Representing:
-------------------	----------------------

Neutral:	Representing:
-----------------	----------------------

Summary of purpose and/or changes:

LB816 was requested by the Department of Health and Human Services to update Nebraska law with federal Health Insurance Portability and Accountability Act (HIPAA) requirements regarding access to records of patients in state institutions. The bill would allow law enforcement and county attorneys to access the records if a crime occurs in the institution, upon request fifty years after the patient or resident has died, and by current and potential treatment providers.

The bill also eliminates a reporting requirement for the Nebraska Family Helpline, the Family Navigator Program, and Post Adoption/Post Guardianship Services.

Explanation of amendments:

AM2336 strikes "potential" to ensure compliance with HIPAA for waiving consent to only providers with an established patient relationship.

Kathy Campbell, Chairperson