

AMENDMENTS TO LB92

Introduced by Riepe, 12.

1           1. Insert the following new sections:

2           Sec. 2. Section 71-8509, Revised Statutes Cumulative Supplement,  
3           2016, is amended to read:

4           71-8509 (1) The Department of Health and Human Services shall adopt  
5           and promulgate rules and regulations providing for telehealth services  
6           for children's behavioral health. Such rules and regulations relate  
7           specifically to children's behavioral health and are in addition to the  
8           Nebraska Telehealth Act.

9           For purposes of sections 71-8509 to 71-8512, child means a person  
10          under nineteen years of age.

11          (2) The rules and regulations required pursuant to subsection (1) of  
12          this section shall include, but not be limited to:

13          (a) An appropriately trained staff member or employee familiar with  
14          the child's treatment plan or familiar with the child shall be  
15          immediately available in person to the child receiving a telehealth  
16          behavioral health service in order to attend to any urgent situation or  
17          emergency that may occur during provision of such service. This  
18          requirement may be waived by the child's parent or legal guardian; and

19          (b) In cases in which there is a threat that the child may harm  
20          himself or herself or others, before an initial telehealth service the  
21          health care practitioner shall work with the child and his or her parent  
22          or guardian to develop a safety plan. Such plan shall document actions  
23          the child, the health care practitioner, and the parent or guardian will  
24          take in the event of an emergency or urgent situation occurring during or  
25          after the telehealth session. Such plan may include having a staff member  
26          or employee familiar with the child's treatment plan immediately  
27          available in person to the child, if such measures are deemed necessary

1 by the team developing the safety plan. ~~and~~  
2 ~~(c) Services provided by means of telecommunications technology,~~  
3 ~~other than telehealth behavioral health services received by a child, are~~  
4 ~~not covered if the child has access to a comparable service within thirty~~  
5 ~~miles of his or her place of residence.~~

6 Sec. 4. Original section 71-8509, Revised Statutes Cumulative  
7 Supplement, 2016, is repealed.

8 2. Renumber the remaining section and correct internal references  
9 accordingly.