

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



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Pete Ricketts, Governor

December 22, 2017

Patrick O'Donnell, Clerk of the Legislature
State Capitol, Room 2018
P.O. Box 94604
Lincoln, NE 68509

Dear Mr. O'Donnell:

Pursuant to Nebraska Revised Statute § 84-901.03, enclosed is an index of Department of Health and Human Services currently applicable rules and regulations and guidance documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Courtney N. Phillips".

Courtney N. Phillips
Chief Executive Officer
Department of Health and Human Services



2017 Nebraska Department of Health and Human Services Regulations and Guidance Documents Index

Regulations:

All current DHHS regulations are listed on the Regulations and Guidance Documents Index. The regulations may be accessed by clicking on the Title name in the index. They may also be accessed through the Department's website at: http://dhhs.ne.gov/Pages/reg_regs.aspx or through the Secretary of State's website.

Guidance Documents:

All current DHHS guidance documents are listed on the Regulations and Guidance Documents Index. The guidance documents may be accessed by clicking the Guidance Document number. They may also be accessed through the Department's website at: <http://dhhs.ne.gov/Pages/guidancedocs.aspx>

For more information or to submit a written request that DHHS revise or repeal a guidance document or convert a guidance document into a rule or regulation, please contact: DHHS.regulations@nebraska.gov



DHHS REGULATIONS AND GUIDANCE DOCUMENTS INDEX

Regulation	Title	Description	Division
Title 15	Aging Services	These regulations govern certain programs for the aging population in Nebraska, including the Community Aging Services Act, Care Management Units, the Long-Term Care Ombudsman Program, and the Senior Companion Volunteer Program.	Medicaid and Long-Term Care
Title 172	Professional & Occupational Licensure	These regulations govern the licensure and practice of various health professions and occupations, including licensing requirements, fees, standards of conduct, practice guidelines, and training standards. Also included are regulations for the mandatory reporting of conduct or actions by credentialed health professionals that may violate the laws or regulations governing their practice.	Public Health
Title 173	Control of Communicable Disease	These regulations govern reporting requirements for communicable diseases and poisonings; school health requirements including disease control, physical examinations, and immunization standards; the control of tuberculosis and rabies; immunization standards for early childhood programs; and directed health measures, including quarantine and isolation, to prevent or limit the spread of communicable disease, illness, or poisoning.	Public Health
Title 174	Vital Records	These regulations govern the recording of vital events in Nebraska – births, deaths, marriages, divorces, fetal deaths,	Public Health

		and induced abortions, including regulations on the filing, amendment, release, and viewing of vital records, and the release of information from vital records.	
Title 175	Health Care Facilities & Services Licensure	These regulations govern the licensure of various types of health care facilities and services in Nebraska, including hospitals, nursing homes, assisted-living facilities, substance abuse treatment centers, home health agencies, pharmacies, hospice services, and others.	Public Health
Title 176	Emergency Medical Services	These regulations govern the Critical Incident Stress Management Program, which assists public safety personnel with symptoms of stress related to emergency response. The regulations include program management structure, personnel requirements, standards of conduct, and disciplinary procedures.	Public Health
Title 177	Health/Laboratory Services	These regulations govern procedures and standards for certain laboratory tests, including those for driving or boating under the influence of alcohol or other drugs, and set fees for state laboratory services.	Public Health
Title 178	Environmental Health	These regulations govern programs designed to assure public health and safety in recreational camps, to assure the safety of private water wells, to provide standards for mobile home parks and swimming pools, and to implement the Nebraska Clean Indoor Air Act, the Nebraska Asbestos Control Act, and the Residential Lead-Based Paint Professions Certification Act.	Public Health
Title 179	Public Water Systems	These regulations govern public water systems, including fluoridation of water supplies, monitoring and reporting, public notice of violations, operator certification, operation and maintenance, and laboratory	Public Health

		certification for testing drinking water.	
Title 180	Control of Radiation	These regulations govern activities designed to assure public health and safety from ionizing radiation including radioactive materials, radiation-generating equipment (such as x-ray equipment), low-level radioactive waste, and radon. The regulations also govern practitioners of medical radiography and the transportation of radioactive material.	Public Health
Title 181	Special Health Programs	These regulations govern the Chronic Renal (Kidney) Disease Program, the Newborn Screening Program, the Screening Mammography Program, Consent for Predictive Genetic Testing, and the Cancer Drug Repository Program. Also included are administrative appeal and fair hearing procedures for the Special Supplemental Food Program for Women, Infants, and Children (WIC) and the Commodity Supplemental Food Program.	Public Health
Title 183	Financial Assistance	These regulations govern programs designed to provide financial incentives for health professionals to practice in underserved areas, and programs to provide financial support to institutions conducting research on cancer and smoking disease.	Public Health
Title 184	General Administration	These regulations are the rules of practice and procedure for the former Department of Health, including administrative hearings, declaratory orders, negotiated rulemaking, and implementation of the Administrative Procedure Act.	Public Health
Title 185	Nebraska Statewide Trauma System	These regulations govern the development of a statewide trauma system. They establish a process and standards for health care providers to become designated as trauma care, specialty trauma care,	Public Health

		and rehabilitation centers. The regulations also establish a communication system to facilitate patient care and an information registry.	
Title 186	Health Registries and Release of Information	These regulations govern Nebraska's statewide registries of cases of cancer, brain and head injury, external causes of injury, and Parkinson's Disease. Regulations on the release of medical records and health information are also included.	Public Health
Title 202	Operations within Facilities and Community-Based Services for Persons with Mental Illness or Developmental Disabilities	These regulations govern the organization and implementation of behavioral health services in Nebraska. They address DHHS responsibilities, regional governing boards, finance and administration and contain service definitions of behavioral health services funded by the Division of Behavioral Health.	Behavioral Health Developmental Disabilities
Title 206	Behavioral Health Services	These regulations govern the organization and implementation of behavioral health services in Nebraska. They address DHHS responsibilities, regional governing boards, finance and administration and contain service definitions of behavioral health services funded by the Division of Behavioral Health.	Behavioral Health
Title 207	Rules of Practice and Procedures for Administrative Hearings before the Department of Public Institutions	These regulations are the rules of practice and procedures for administrative hearings before the former Department of Public Institutions.	Behavioral Health
Title 390	Child Welfare and Juvenile Services	These regulations govern the Department's services to protect children from abuse and neglect and to improve family conditions that place children at risk. Included are regulations on intake and assessment, out-of-home placement including adoption and foster care, Native American child welfare, services for juvenile	Children and Family Services

		offenders, education for state wards, and other child welfare services.	
Title 391	Children's Services Licensing	These regulations govern the licensing of child care providers, including family child care homes, child care centers, and preschools. The regulations include provider and staff requirements, the application, licensing, and inspection process, and standards to protect the health and safety of children in care.	Public Health
Title 392	Child Care Subsidy Program	These regulations govern the Child Care Subsidy Program, which provides assistance with child care costs to low-income families working toward self-sufficiency. The regulations cover general background, application process, elements of eligibility, authorization and notice, and provider requirements for subsidized child care.	Children and Family Services
Title 395	Children & Family Services: Protection & Safety	These regulations govern the Department's activities and services provided to abused and neglected children and young adults, and include the Bridge to Independence Program.	Children and Family Services
Title 401	Youth Rehabilitation and Treatment Centers	These regulations govern the state's Youth Rehabilitation and Treatment Centers (YRTCs), including discipline and grievance procedures, communications, essential services, and parole and discharge.	Children and Family Services
Title 402	Nebraska Health Care Funding Act	These regulations govern the administration of grant programs under the Nebraska Health Care Funding Act, including grants for conversion of nursing facilities to assisted-living facilities, grants from the Nebraska Health Care Cash Fund, and the Teen Tobacco Education and Prevention Project.	Medicaid and Long-Term Care Public Health
Title 404	Community-Based Services	These regulations govern community-based services for	Developmental Disabilities

	for Individuals with Developmental Disabilities	persons with developmental disabilities.	
Title 405	ICF/MR Reimbursement Protection Act	These regulations govern taxes levied against Intermediate Care Facilities for persons with intellectual disabilities as required by the ICF/MR Reimbursement Protection Act.	Medicaid and Long-Term Care
Title 462	Homeless Assistance Program	These regulations govern the administration of grant programs in the Homeless Assistance Program, including grants from the state Homeless Shelter Assistance Trust Fund and the federal Emergency Shelter Grant Program.	Children and Family Services
Title 463	Adult Protective Services	These regulations govern the administration of the Adult Protective Services Program.	Children and Family Services
Title 464	Respite Subsidy Program	These regulations govern the administration of the Respite Subsidy Program Across the Lifespan, which is designed to provide funding for caregivers to purchase respite services.	Children and Family Services
Title 465	Introduction to Program Manual	These regulations provide general information on regulations for the former Department of Social Services, including "program universals" such as client rights and responsibilities, confidentiality and disclosure, fraud and abuse, assignment of representatives, and Administrative Procedure Act regulations including administrative hearings.	Children and Family Services Medicaid and Long-Term Care
Title 466	Child Support Enforcement Program	These regulations govern the activities of the Child Support Enforcement Program, designed to help children obtain financial support from both parents by locating absent parents, establishing paternity, and enforcing support obligations.	Children and Family Services
Title 467	Title V Services for Medically Handicapped	These regulations govern the Medically Handicapped Children's Program (MHCP), which provides	Children and Family Services

	Children, Genetically Handicapped Persons' Program, and Supplemental Security Income Disabled Children's Program	coverage of medical services for children with certain disabilities; the Genetically Handicapped Persons' Program, which is an extension of the MHCP and provides coverage of certain services for persons age 21 or older who require treatment for cystic fibrosis, hemophilia, and sickle cell disease; and the SSI Disabled Children's Program, which serves children who receive monthly SSI grants and helps families care for their children at home by funding services such as respite care, mileage for long-distance medical trips, special equipment, and home modification.	
Title 468	Aid to Dependent Children (ADC) Program	These regulations govern the Aid to Dependent Children (ADC) Program, which provides cash assistance to low-income families with minor children. The regulations include eligibility standards, determination of benefits, work requirements and self-sufficiency contracts under the Employment First program, and standards for emergency assistance.	Children and Family Services
Title 469	Assistance to the Aged, Blind, or Disabled and State Disability Program	These regulations govern programs that provide financial aid and medical assistance to persons in need who are age 65 and older, or who are age 64 and younger and blind or disabled. They include eligibility standards and determination of benefits.	Children and Family Services
Title 470	Refugee Resettlement Program and the Refugee Medical Assistance Program	These regulations govern programs that provide for the effective resettlement of refugees in Nebraska, to assist refugees to achieve economic self-sufficiency as quickly as possible, and to assist refugees with financial aid and medical assistance during their initial resettlement in Nebraska.	Children and Family Services
Title 471	Nebraska Medicaid Program Services	These regulations govern the services provided under Nebraska's Medicaid program. Each chapter	Medicaid and Long-Term Care

		deals with a specific service and includes definitions and descriptions, limitations, prior authorization requirements, billing requirements and payment provisions. These regulations are the source of material for provider handbooks.	
Title 472	The Disabled Persons and Family Support Program	These regulations govern the Disabled Persons and Family Support program, which coordinates and purchases services and items to assist employed adults with disabilities to maintain their independence, and to help families keep family members with disabilities in their homes.	Children and Family Services
Title 473	Social Services for Aged and Disabled Adults	These regulations govern the coordination and provision of social services to those in need who are aged or disabled, including chore services, adult day care, respite care, home-delivered or congregate meals, and transportation.	Children and Family Services
Title 474	Social Services for Families, Children, and Youth	These regulations govern the coordination and provision of social services to families, children, and youth in need, including homemaker services, transportation, and domestic abuse referrals. Also included are licensing regulations for foster homes, group homes, child caring agencies, and child placing agencies.	Children and Family Services
Title 475	Supplemental Nutrition Assistance Program	These regulations govern the Supplemental Nutrition Assistance Program, which helps low-income people buy food. Benefits are free of charge if a household meets the program guidelines for income and resources. The regulations cover eligibility, determination of benefits, issuance, and accountability.	Children and Family Services
Title 476	Nebraska Low-Income Home Energy Assistance Program	These regulations govern the Low Income Energy Assistance Program, which helps families with limited income to pay the costs of heating and cooling their homes.	Children and Family Services

		The regulations cover eligibility, determination of benefits based on type of residence and fuel type, and payment.	
Title 477	Medicaid Eligibility	Effective January 1, 2014, these regulations govern Medicaid eligibility under the Federal Affordable Care Act.	Medicaid and Long-Term Care
Title 479	Child Welfare Payment and Medical Services Program	These regulations govern payment for child welfare services and/or medical assistance to state wards and former wards, and subsidized guardianships and adoptions.	Children and Family Services
Title 480	Home and Community-Based Waiver Services and Optional Targeted Case Management Services	These regulations govern services delivered under Nebraska's home and community-based Medicaid waivers, including: <ul style="list-style-type: none"> • Home and community-based services for persons who are aged or disabled, • Early intervention Medicaid home and community-based waiver. 	Medicaid and Long-Term Care
Title 481	Community Services Block Grant Program	These regulations govern the Community Services Block Grant program, which provides funding to community action agencies and other neighborhood-based organizations for a range of services and activities to reduce poverty, revitalize low-income communities, and promote self-sufficiency.	Children and Family Services
Title 482	Nebraska Medicaid Managed Care	These regulations govern Nebraska's Medicaid Managed Care Program, also known as Nebraska Health Connection. The regulations include requirements for client participation, enrollment services, basic benefits, mental health and substance abuse benefits, quality assurance, and grievances/appeals.	Medicaid and Long-Term Care

Guidance Document	Title	Description	Division
DOC00003	Nebraska Mental Health Commitment Act Reference Manual 2015	NE Mental Health Commitment Act serves a purpose in protecting those with a mental illness who are not capable of caring for themselves in a safe manner. It is a complicated law which if misused violates individuals' civil rights.	Behavioral Health
DOC00004	Nebraska Behavioral Health All-Hazards Disaster Response and Recovery Plan	NE Behavioral Health All-Hazards Disaster Response and Recovery Plan	Behavioral Health
DOC00012	Provider Bulletin 16-30	2017 Aged & Disabled Medicaid Waiver Assisted Living Rates	Medicaid and Long-Term Care
DOC00015	Provider Bulletin 16-33	Preferred Drug List Changes	Medicaid and Long-Term Care
DOC00019	Provider Bulletin 16-37	2017 Medicaid Swing Bed Per Diem Rate	Medicaid and Long-Term Care
DOC00020	Provider Bulletin 16-38	Medicare Crossover Claims – Coordination of Benefits and Heritage Health Plans	Medicaid and Long-Term Care
DOC00028	Provider Bulletin 17-09	Personal Assistance Service – Signature Requirements/Billing Guidance	Medicaid and Long-Term Care
DOC00031	Provider Bulletin 17-12	Medicare Crossover Claims – Coordination of Benefits with Heritage Health Plans	Medicaid and Long-Term Care
DOC00032	Provider Bulletin 17-13	Legend, Non-Legend and Compounded Prescriptions	Medicaid and Long-Term Care
DOC00036	Provider Bulletin 17-17	Preferred Drug List Changes	Medicaid and Long-Term Care
DOC00038	Provider Bulletin 17-19	Interpretation Services	Medicaid and Long-Term Care
DOC00039	Provider Bulletin 17-20	Enrollment of Peer Support Professionals	Medicaid and Long-Term Care
DOC00040	Provider Bulletin 17-21	Lactation Consultation	Medicaid and Long-Term Care
DOC00041	Provider Bulletin 17-22	Medical Nutrition Therapy	Medicaid and Long-Term Care
DOC00042	Provider Bulletin 17-23	Overtime Eligibility for Independent Contractors	Medicaid and Long-Term Care
DOC00043	Provider Bulletin 17-24	Seasonal Influenza Vaccine Coverage	Medicaid and Long-Term Care

DOC00051	Provider Bulletin 17-32	FFY 2018 Medicaid Hospice Rates	Medicaid and Long-Term Care
DOC00053	Provider Bulletin 17-34	Physical and Occupational Therapy CPT Code Update	Medicaid and Long-Term Care
DOC00054	Provider Bulletin 17-35	Legend, Non-Legend and Compounded Prescriptions	Medicaid and Long-Term Care
DOC00056	Title 206 – Behavioral Health Services Utilization Guidelines	This document, which is also referred to as the Lime Book, provides descriptions, processes, procedures, and utilization guidelines in relation to Title 206 – Behavioral Health Services.	Behavioral Health
DOC00066	CPR Training Requirements	CPR Training for Child Care	Public Health
DOC00069	Sample Daily Schedule Child Care Center	Daily Schedule Child Care Centers Title 391	Public Health
DOC00070	Sample Daily Schedule Preschool	Daily Schedule Child Care Centers Title 391	Public Health
DOC00071	Sample Daily Schedule School Age Only Center	Daily Schedule School Age Only Center Title 391 Chapter 4	Public Health
DOC00075	Policy and Procedure Equivalencies Business Management Training – FCCHs	Business Module Requirement for Family Child Care Home Title 391 Chapters 1 and 2	Public Health
DOC00076	Policy and Procedure Equivalencies Child Care Management Training - CCC	Policy and Procedure for Determining Equivalencies for Child Care Management Training Child Care Directors Title 391 Chapter 3	Public Health
DOC00077	Policy and Procedure Equivalencies for Early Learning Guidelines	Procedures for Showing Equivalency with Early Learning Guidelines Training Title 391	Public Health
DOC00111	DD Provider Bulletin 16-01	Specialized Provider Rate Update for SFY17	Developmental Disabilities
DOC00113	DD Provider Bulletin 16-03	Non-Specialized Billing Process	Developmental Disabilities
DOC00114	DD Provider Bulletin 17-01	Agency Provider Crosswalk of Unbundled Services	Developmental Disabilities

DOC00115	DD Provider Bulletin 17-02	Independent Provider Crosswalk of Unbundled Services	Developmental Disabilities
DOC00116	DD Provider Bulletin 17-03	2017 Billing Clarifications Re: 15 Leave Days	Developmental Disabilities
DOC00117	DD Provider Bulletin 17-04	Criminal History Background Checks	Developmental Disabilities
DOC00118	DD Provider Bulletin 17-05	Independent Providers of Respite Services	Developmental Disabilities
DOC00119	DD Provider Bulletin 17-06	Independent Providers of Respite Services	Developmental Disabilities
DOC00121	DD Provider Bulletin 17-08	Alternative Compliance to 404 NAC for Centers for the Developmentally Disabled	Developmental Disabilities
DOC00122	DD Provider Bulletin 17-09	Service Authorization Dates for New HCBS-DD Waiver Services	Developmental Disabilities
DOC00124	DD Provider Bulletin 17-11	Use of PRN Medications	Developmental Disabilities
DOC00126	DD Provider Bulletin 17-13	Authorizations to Provide Transportation (3764)	Developmental Disabilities
DOC00127	DD Provider Bulletin 17-14	Incident Reporting: Completing General Event Reports (GERs) in Therap	Developmental Disabilities
DOC00128	DD Provider Bulletin 17-15	Functional Behavioral Assessments	Developmental Disabilities
DOC00129	DD Provider Bulletin 17-16	Coverage of Medical Escort Services	Developmental Disabilities
DOC00131	Design Guide Sewer main Separation 9_2017	Engineering Guidance for Plans for Drinking Water Systems	Public Health
DOC00169	Drinking Water RTCR Fact Sheet Assessments and Corrective Actions	Drinking Water Revised Total Coliform Rule Assessments and Corrective Actions	Public Health