

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LR104**

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**Hearing Date:** Wednesday May 15, 2019  
**Committee On:** Executive Board  
**Introducer:** Walz  
**One Liner:** Provide the Executive Board appoint a special committee to be known as the State-Licensed Care Facilities Investigative Committee of the Legislature

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**Roll Call Vote - Final Committee Action:**

Report to the Legislature for further consideration with amendment(s)

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**Vote Results:**

**Aye:** 9 Senators Bolz, Chambers, Hilgers, Hughes, Kolterman, Lowe, Scheer, McCollister, Vargas

**Nay:**

**Absent:**

**Present Not Voting:**

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**Oral Testimony:**

**Proponents:**

Senator Lynne Walz  
Jerall Moreland  
Dianne DeLair

**Representing:**

Self  
Ombudsman's Office  
Disability Rights Nebraska

**Opponents:**

Darrell Klein

**Representing:**

Department of Health and Human Services

**Neutral:**

Sheri Dawson

**Representing:**

Department of Health and Human Services - Division of Behavioral Health

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**Summary of purpose and/or changes:**

LR104 would create the State-Licensed Care Facilities Special Investigative Committee of the Legislature to study the lack of adequate conditions of state-licensed care facilities, the treatment of individuals residing in such facilities, the effectiveness of regulation and licensure of the Division of Public Health, and how the Department of Health & Human Services implements and administers its behavioral health services through the behavioral health regions. The scope of the committee's inquiry would be limited to assisted living facilities where many of the residents are diagnosed with a mental illness. The committee is also charged with examining the closure of the Life Quest mental health centers in Palmer and Blue Hill.

The committee would also investigate the steps the department has taken regarding the recommendations proposed by a consultant to the department on permanent and supportive housing services that do not exist for individuals with severe and persistent mental illness, and whether the department has taken adequate steps to ensure behavioral health services are administered in the most integrated setting pursuant to the ADA.

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The Executive Board would appoint a committee of seven members.

LR104 is a continuation of a similar committee created by LR296 in 2018, which recommended in its report that, while the committee had made significant progress, much work remained to be done. The report outlined specific areas that needed additional study and recommended that the LR296 committee should be reestablished in 2019 with a final report due to the Legislature in December 2019.

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**Explanation of amendments:**

AM1884 to LR104 changes the resolution so that it reads the same as LR296 (2018), as amended by the committee amendment.

AM1884 changes references to an "investigative" committee and instead call for the appointment of an "oversight" committee. The amendment deletes the reference to hiring outside legal counsel, consultants, and investigators and also deletes the committee's ability to issue subpoenas.

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Mike Hilgers, Chairperson