

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 374

Introduced by DeBoer, 10; Wishart, 27.

Read first time January 13, 2021

Committee:

- 1 A BILL FOR AN ACT relating to public health and welfare; to adopt the
- 2 Alzheimer's Disease and Other Dementia Support Act; to create the
- 3 Alzheimer's Disease and Other Dementia Advisory Council; and to
- 4 require a plan.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 7 of this act shall be known and may be
2 cited as the Alzheimer's Disease and Other Dementia Support Act.

3 Sec. 2. The Legislature hereby finds and declares that Alzheimer's
4 and other dementia is of significant concern to the State of Nebraska,
5 and that the Legislature and the state would benefit from a more
6 coordinated approach to addressing Alzheimer's disease and other
7 dementia.

8 Sec. 3. For purposes of the Alzheimer's Disease and Other Dementia
9 Support Act:

10 (1) Council means the Alzheimer's Disease and Other Dementia
11 Advisory Council; and

12 (2) Department means the Department of Health and Human Services.

13 Sec. 4. (1) The Alzheimer's Disease and Other Dementia Advisory
14 Council is created and shall include:

15 (a) Eleven voting members appointed by the chief executive officer
16 of the Department of Health and Human Services. The voting members shall
17 consist of: (i) An individual living with Alzheimer's disease or another
18 dementia or a family member of such an individual; (ii) an individual who
19 is the family caregiver of an individual living with Alzheimer's disease
20 or another dementia; (iii) an individual who represents nursing homes;
21 (iv) an individual who represents assisted-living facilities; (v) an
22 individual who represents providers of adult day care services; (vi) an
23 individual who represents home care providers; (vii) a medical
24 professional who has experience diagnosing and treating Alzheimer's
25 disease; (viii) an individual who conducts research regarding Alzheimer's
26 disease or other dementia; (ix) an individual who represents a leading,
27 nationwide organization that advocates on behalf of individuals living
28 with Alzheimer's disease or other dementia; (x) an individual who
29 represents an area agency on aging; and (xi) an individual representing
30 an organization that advocates for older adults; and

31 (b) Five nonvoting members. The nonvoting members shall consist of:

1 (i) The Director of Public Health or the director's designee; (ii) the
2 director of the Division of Medicaid and Long-Term Care or the director's
3 designee; (iii) a representative of the State Unit on Aging designated by
4 the director of the Division of Medicaid and Long-Term Care; (iv) a
5 representative of the Nebraska Workforce Development Board designated by
6 the board; and (v) the state long-term care ombudsman or the ombudsman's
7 designee.

8 (2) The chief executive officer of the Department of Health and
9 Human Services shall make the appointments within ninety days after the
10 effective date of this act. Vacancies shall be filled in the same manner
11 as the original appointments.

12 (3) The voting members of the council shall serve for a term of two
13 years. If there is no suitable successor who meets the criteria, the
14 voting member can be reappointed to an additional term of two years.

15 (4) Members of the council shall select the chairperson and vice-
16 chairperson who shall not be employees of the state and shall serve in
17 such role for up to two consecutive years. The chief executive officer of
18 the Department of Health and Human Services or the chief executive
19 officer's designee shall call and preside over the first meeting until a
20 chairperson is selected. Thereafter, the council shall meet at least
21 quarterly at the call of the chairperson. A majority of the voting
22 members shall constitute a quorum for the conduct of meetings.

23 (5) The council shall hold its first meeting not later than thirty
24 days after the appointment of its members and shall hold subsequent
25 meetings at least once every calendar quarter.

26 (6) Council members shall serve without compensation but shall be
27 compensated for expenses incurred for such service.

28 (7) The Department of Health and Human Services and the office of
29 Legislative Research shall provide staff and support to the council as
30 necessary to assist the council in the performance of its duties.

31 Sec. 5. (1) The purpose of the council shall be to examine (a) the

1 needs of individuals living with Alzheimer's disease or other dementia,
2 (b) the services available in the state for those individuals and their
3 family caregivers, and (c) the ability of health care providers and
4 facilities to meet the current and future needs of such individuals.

5 (2) The council shall collaborate with the Department of Health and
6 Human Services and other departments as needed to gather input on issues
7 and strategies that pertain to Alzheimer's disease and other dementia and
8 identify proactive approaches on public health, workforce, caregiver
9 support, and care delivery. The council shall monitor analysis, policy
10 development, and program implementation related to Alzheimer's disease
11 and other dementia.

12 Sec. 6. The council shall consider and make findings and
13 recommendations on the following topics:

14 (1) Trends in the state's Alzheimer's disease and other dementia
15 populations and service needs including:

16 (a) The state's role in providing or facilitating long-term care,
17 family caregiver support, and assistance to those with early-stage or
18 early-onset Alzheimer's disease or other dementia;

19 (b) The state's policies regarding individuals with Alzheimer's
20 disease or other dementia;

21 (c) The fiscal impact of Alzheimer's disease and other dementia on
22 publicly funded health care programs; and

23 (d) The establishment of a surveillance system to better determine
24 the number of individuals diagnosed with Alzheimer's disease or other
25 dementia and to monitor changes to such numbers;

26 (2) Existing resources, services, and capacity relating to the
27 diagnosis and care of individuals living with Alzheimer's disease or
28 other dementia, including:

29 (a) The type, cost, and availability of dementia care services;

30 (b) The availability of health care workers who can serve people
31 with dementia, including, but not limited to, neurologists,

1 geriatricians, and direct care workers;

2 (c) Dementia-specific training requirements for public and private
3 employees who interact with people living with Alzheimer's disease or
4 other dementia which shall include, but not be limited to, long-term care
5 workers, case managers, adult protective services, law enforcement, and
6 first responders;

7 (d) Home and community-based services, including respite care for
8 individuals exhibiting symptoms of Alzheimer's disease or other dementia
9 and their families;

10 (e) Quality care measures for home and community-based services and
11 residential care facilities; and

12 (f) State-supported Alzheimer's disease and other dementia research
13 conducted at universities located in this state; and

14 (3) Policies and strategies that address the following:

15 (a) Increasing public awareness of Alzheimer's disease and other
16 dementia;

17 (b) Educating providers to increase early detection and diagnosis of
18 Alzheimer's disease and other dementia;

19 (c) Improving the health care received by individuals diagnosed with
20 Alzheimer's disease or other dementia;

21 (d) Evaluating the capacity of the health care system in meeting the
22 growing number and needs of those with Alzheimer's disease and other
23 dementia;

24 (e) Increasing the number of health care professionals necessary to
25 treat the growing aging and Alzheimer's disease and dementia populations;

26 (f) Improving services provided in the home and community to delay
27 and decrease the need for institutionalized care for individuals with
28 Alzheimer's disease or other dementia;

29 (g) Improving long-term care, including assisted living, for those
30 with Alzheimer's disease or other dementia;

31 (h) Assisting unpaid Alzheimer's disease or dementia caregivers;

1 (i) Increasing and improving research on Alzheimer's disease and
2 other dementia;

3 (j) Promoting activities to maintain and improve brain health;

4 (k) Improving the collection of data and information related to
5 Alzheimer's disease and other dementia and the resulting public health
6 burdens;

7 (l) Improving public safety and addressing the safety-related needs
8 of those with Alzheimer's disease or other dementia;

9 (m) Addressing legal protections for, and legal issues faced by,
10 individuals with Alzheimer's disease or other dementia; and

11 (n) Improving the ways in which the government evaluates and adopts
12 policies to assist individuals diagnosed with Alzheimer's disease or
13 other dementia and their families.

14 Sec. 7. (1)(a) No later than eighteen months after the effective
15 date of this act, the council shall compile their findings and
16 recommendations and submit them as a State Alzheimer's Plan to the
17 Legislature and the Governor.

18 (b) Every four years thereafter, the council shall issue an updated
19 State Alzheimer's Plan addressing the items in sections 5 and 6 of this
20 act and any other issues the council deems necessary and relevant toward
21 addressing Alzheimer's disease and dementia in Nebraska.

22 (2) By October 1 of each year after the creation of the State
23 Alzheimer's Plan, the council shall submit to the Legislature and the
24 Governor an annual report on the status of implementation of the State
25 Alzheimer's Plan recommendations and any barriers to implementation.