

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 407

Introduced by Pansing Brooks, 28; Baker, 30; Brewer, 43; Crawford, 45;
Kolterman, 24; Lindstrom, 18; McDonnell, 5; Wishart, 27.

Read first time January 13, 2017

Committee:

- 1 A BILL FOR AN ACT relating to public health; to create and provide duties
- 2 for a task force; and to provide for termination.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Whiteclay Public Health Emergency Task Force is
2 created. The task force shall be composed of an executive committee and
3 an advisory committee.

4 (2) The executive committee of the task force shall consist of five
5 voting members: The chairperson of the State-Tribal Relations Committee
6 of the Legislature, the chairperson of the Health and Human Services
7 Committee of the Legislature, and three at-large members. One of the at-
8 large members shall be an official of the University of Nebraska Medical
9 Center appointed by the Chancellor of the University of Nebraska Medical
10 Center. The remaining at-large members shall be appointed by the
11 Executive Board of the Legislative Council. The voting members of the
12 executive committee shall choose a chairperson and vice-chairperson from
13 among the voting members.

14 (3) The executive committee shall also include the following
15 nonvoting, ex officio members: The chief executive officer of the
16 Department of Health and Human Services or his or her designee, the
17 executive director of the Commission on Indian Affairs or his or her
18 designee, and the executive director of the Department of Economic
19 Development or his or her designee, a public health expert, and a data
20 analysis expert from the University of Nebraska Medical Center appointed
21 by the Chancellor of the University of Nebraska Medical Center.

22 (4) The advisory committee of the task force shall consist of at
23 least ten members who shall be nonvoting members appointed by the
24 executive committee of the task force through an application and
25 selection process and shall represent (a) advocacy groups that focus on
26 public health issues and economic development issues, (b) academic
27 experts in health care and economic development issues, (c) service
28 providers, (d) educational institutions, (e) workforce development
29 agencies, and (f) experts in public health issues for Native American
30 people.

31 Sec. 2. (1) The Whiteclay Public Health Emergency Task Force shall

1 examine public health implications of alcohol sales in Whiteclay,
2 Nebraska, on the Whiteclay community and surrounding areas, including the
3 neighboring Pine Ridge Reservation. The task force shall: (a) Collect,
4 examine, and analyze data on fetal alcohol syndrome and other health
5 conditions related to alcoholism in such areas; (b) collect, examine, and
6 analyze data on access in such areas to detoxification, treatment
7 facilities, telehealth, distance learning, and other health resources for
8 those affected by the consumption of alcohol, including affected
9 children; (c) collect, examine, and analyze data on children in such
10 areas who are at risk of continuing a cycle of alcoholism unless outside
11 intervention is made available; (d) encourage participation and obtain
12 input from academic and medical experts, including, but not limited to,
13 the University of Nebraska Medical Center; (e) encourage and obtain input
14 from nonprofit organizations, faith-based institutions, and city, county,
15 and tribal government officials to evaluate and develop strategies and
16 solutions to help victims escape alcoholism; (f) study, evaluate, and
17 report on the status and effectiveness of policies, procedures, and
18 programs implemented by other states directed toward Native American
19 populations as they relate to preventing and combating alcoholism; (g)
20 evaluate the adequacy of interagency data sharing and policy coordination
21 and recommend changes as necessary; (h) examine sources of federal,
22 state, and private funds that may be available for prevention,
23 detoxification, treatment, rehabilitation, and economic development; (i)
24 create a long-range strategic plan containing measurable goals and
25 benchmarks, including future action needed to attain those goals and
26 benchmarks, for decreasing the incidence of alcohol-related health
27 problems through prevention programs and increasing treatment, access to
28 detoxification services, and economic growth in Whiteclay, Nebraska, and
29 the surrounding areas; and (j) recommend data-supported changes to
30 policies, procedures, and programs to address the needs of children
31 affected by alcohol-related health issues and to help those children

1 escape the cycle of alcoholism, including the steps that will be required
2 to make the recommended changes and whether further action is required by
3 the Legislature or local governments.

4 (2) To accomplish the objectives set forth in subsection (1) of this
5 section, the task force may: (a) Request, obtain, review, and analyze
6 information relating to public health issues in Whiteclay, Nebraska, and
7 surrounding areas, including, but not limited to, reports, audits, data,
8 projections, and statistics; and (b) appoint one or more special
9 committees to advise and assist the task force. Members of any such
10 special committee shall be appointed by the chairperson of the task force
11 and may be members of the task force or individuals from the private or
12 public sector. Any such special committee shall regularly report to the
13 task force on the progress of the special committee. Members of a special
14 committee appointed under this section shall not receive reimbursement or
15 payment for work done in relation to the special committee.

16 Sec. 3. On or before December 15, 2017, and on or before December
17 15, 2018, the Whiteclay Public Health Emergency Task Force shall submit a
18 preliminary report to the Governor, the executive director of the
19 Commission on Indian Affairs, and electronically to the State-Tribal
20 Relations Committee of the Legislature and the Executive Board of the
21 Legislative Council. On or before December 31, 2019, the task force shall
22 submit a final report to the Governor, the executive director of the
23 Commission on Indian Affairs, and electronically to the State-Tribal
24 Relations Committee of the Legislature and the Executive Board of the
25 Legislative Council. The preliminary reports and the final report shall
26 include: (1) The long-range strategic plan required pursuant to section 2
27 of this act; (2) a summary of the actions taken by the task force to
28 fulfill its statutory purposes and duties during the time period covered
29 by the report; (3) a description of the policies, procedures, and
30 programs that have been implemented or modified to help rectify the
31 Whiteclay public health emergency; and (4) the task force's

1 recommendations on how the state should act to solve issues relating to
2 the Whiteclay public health emergency and the economic and social issues
3 contributing to the emergency.

4 The Whiteclay Public Health Emergency Task Force shall terminate on
5 December 31, 2019.