

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 427**

Introduced by Health and Human Services Committee: Arch, 14, Chairperson;  
Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38;  
Walz, 15; Williams, 36.

Read first time January 15, 2021

Committee:

1 A BILL FOR AN ACT relating to the Department of Health and Human  
2 Services; to amend section 83-107.01, Revised Statutes Cumulative  
3 Supplement, 2020; to state intent regarding substance abuse and  
4 behavioral health treatment for juveniles; and to repeal the  
5 original section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-107.01, Revised Statutes Cumulative  
2 Supplement, 2020, is amended to read:

3 83-107.01 (1) The official names of the state institutions under the  
4 supervision of the Department of Health and Human Services shall be as  
5 follows: (a) Beatrice State Developmental Center, (b) Lincoln Regional  
6 Center, (c) Norfolk Regional Center, (d) Hastings Regional Center, (e)  
7 Youth Rehabilitation and Treatment Center-Kearney, and (f) Youth  
8 Rehabilitation and Treatment Center-Geneva.

9 (2)(a) This subsection applies beginning July 1, 2021.

10 (b) Except as provided in subdivision (2)(e) of this section, so  
11 long as the department operates the Youth Rehabilitation and Treatment  
12 Center-Kearney, such institution shall be used for the treatment of boys  
13 only.

14 (c) Except as provided in subdivision (2)(e) of this section, so  
15 long as the department operates the Youth Rehabilitation and Treatment  
16 Center-Geneva, such institution shall be used for the treatment of girls  
17 only.

18 (d) For any other facility operated and utilized as a youth  
19 rehabilitation and treatment center in compliance with state law, the  
20 department shall ensure safe and appropriate gender separation.

21 (e) In the event of an emergency, the department may use either the  
22 Youth Rehabilitation and Treatment Center-Kearney or the Youth  
23 Rehabilitation and Treatment Center-Geneva for the treatment of juveniles  
24 of both genders for up to seven days. During any such use the department  
25 shall ensure safe and appropriate gender separation.

26 (f) For purposes of this section, emergency means a public health  
27 emergency or a situation including fire, flood, tornado, natural  
28 disaster, or damage to the institution that renders an institution  
29 uninhabitable. Emergency does not include inadequate staffing.

30 (3) It is the intent of the Legislature that no institution under  
31 the supervision of the Department of Health and Human Services at which

1 the department provides inpatient or subacute substance abuse or  
2 behavioral health residential treatment for juveniles under the  
3 jurisdiction of a juvenile court shall delay such treatment to a juvenile  
4 when such treatment has been determined necessary under subsection (2) of  
5 section 43-407 or has been ordered by a juvenile court.

6       Sec. 2. Original section 83-107.01, Revised Statutes Cumulative  
7 Supplement, 2020, is repealed.