

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 690

Introduced by Bolz, 29.

Read first time January 08, 2014

Committee:

A BILL

1 FOR AN ACT relating to health and human services; to provide duties
2 for the Department of Health and Human Services; to
3 require application for a federal grant as prescribed; to
4 create and provide duties for a task force; and to
5 declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Department of Health and Human
2 Services shall apply to the United States Department of Health and
3 Human Services for a grant under the State Balancing Incentive
4 Payments Program enacted in section 10202 of the federal Patient
5 Protection and Affordable Care Act. Funds from the grant shall be
6 used to develop a comprehensive and coordinated system of home and
7 community-based long-term care services. The department shall file
8 the grant application not later than September 1, 2014, and the
9 application shall meet the requirements of section 10202 of the
10 federal Patient Protection and Affordable Care Act.

11 (2) On or before December 1, 2014, the Department of
12 Health and Human Services shall report to the Health and Human
13 Services Committee of the Legislature on the status of the grant
14 application.

15 Sec. 2. (1) The Aging Nebraskans Task Force is created.
16 The purpose of the task force is to develop and facilitate
17 implementation of a statewide strategic plan for addressing the needs
18 of the aging population in the state. The task force shall provide a
19 permanent forum for collaboration among state, local, community,
20 public, and private stakeholders in long-term care programs.

21 (2) The task force shall consist of nine members
22 representing the legislative, judicial, and executive branches of
23 government and an array of public and private stakeholders. The
24 executive committee of the task force shall consist of:

25 (a) The chief executive officer of the Department of

1 Health and Human Services or his or her designee;

2 (b) The Chief Justice of the Nebraska Supreme Court or
3 his or her designee;

4 (c) The chairperson of the Health and Human Services
5 Committee of the Legislature; and

6 (d) A member of the Appropriations Committee of the
7 Legislature and a member of the Health and Human Services Committee
8 of the Legislature, appointed by the Executive Board of the
9 Legislative Council.

10 The remaining four members of the task force shall be
11 appointed by the executive committee of the task force through an
12 application and selection process, representing stakeholders in the
13 long-term care system and may include a representative of the
14 Division of Medicaid and Long-Term Care Advisory Committee on Aging,
15 representatives of health care providers, elder law attorneys,
16 representatives of the long-term care ombudsman program, health care
17 economists, geriatric specialists, family caregivers of seniors in
18 at-home care, providers of services to the elderly, seniors currently
19 or previously in institutional care, and aging advocacy
20 organizations.

21 (3) The executive committee of the task force shall
22 advise the task force regarding the interaction among the three
23 branches of government related to long-term care programs and
24 services. The members of the executive committee shall each represent
25 his or her own branch of government, and no member of the executive

1 committee shall participate in actions that could be deemed to be the
2 exercise of the duties and prerogatives of another branch of
3 government or that improperly delegate the powers and duties of any
4 branch of government to another branch of government.

5 (4) The task force shall work with administrators of area
6 agencies on aging, nursing home and assisted-living residence
7 providers, hospitals, rehabilitation centers, managed care companies,
8 senior citizen centers, community stakeholders, advocates for elder
9 services and programs, the Center for Public Affairs Research of the
10 College of Public Affairs and Community Service at the University of
11 Nebraska at Omaha, and seniors statewide to establish effective
12 community collaboration for informed decisionmaking that supports the
13 provisions of effective and efficient long-term care services.

14 (5) The task force shall create a statewide strategic
15 plan for long-term care services in Nebraska which shall consider,
16 but not be limited to:

17 (a) Promotion of independent living through provision of
18 long-term services and support that enable an individual to live in
19 the setting of his or her choice;

20 (b) Provision of leadership to support sound fiscal
21 management of long-term care budgets so that Nebraska will be able to
22 meet the increasing demand for long-term care services as a growing
23 portion of the state's population reaches the age of eighty years;

24 (c) Expedited creation of workforce development and
25 training programs specific to the needs of and in response to

1 Nebraska's growing aging population;

2 (d) A system-wide evaluation by a national entity with
3 expertise in evaluating long-term state budgeting for long-term care
4 services and support that is necessary to sustain an efficient and
5 effective system of care;

6 (e) The identification of gaps in the service delivery
7 system that contribute to the inefficient and ineffective delivery of
8 services; and

9 (f) Development of a process for evaluating the quality
10 of residential and home and community-based long-term services and
11 support.

12 (6) The executive committee may hire staff to fulfill the
13 responsibilities of the task force within the limits of
14 appropriations.

15 Sec. 3. On or before December 15, 2014, the Aging
16 Nebraskans Task Force shall present to the Legislature a report of
17 recommendations for the statewide strategic plan described in section
18 2 of this act.

19 Sec. 4. Since an emergency exists, this act takes effect
20 when passed and approved according to law.