

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 943**

Introduced by Dorn, 30.

Read first time January 04, 2024

Committee:

- 1 A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814,
- 2 section 91; to appropriate additional funds to the Department of
- 3 Health and Human Services for behavioral health aid; to state
- 4 intent; to repeal the original section; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Laws 2023, LB814, section 91, is amended to read:  
2 Sec. 91. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES  
3 Program No. 38 - Behavioral Health Aid

	FY2023-24	FY2024-25
4		
5 <u>GENERAL FUND</u>	<u>87,541,988</u>	<u>90,504,242</u>
6 <del>GENERAL FUND</del>	<del>84,505,211</del>	<del>85,382,211</del>
7 CASH FUND	17,925,000	18,079,500
8 FEDERAL FUND est.	10,504,971	10,504,971
9 <u>PROGRAM TOTAL</u>	<u>115,971,959</u>	<u>119,088,713</u>
10 <del>PROGRAM TOTAL</del>	<del>112,935,182</del>	<del>113,966,682</del>

11 There is included in the appropriation to this program for FY2023-24  
12 ~~\$87,541,988~~ ~~\$84,505,211~~ General Funds, \$17,925,000 Cash Funds, and  
13 \$10,504,971 Federal Funds estimate for state aid, which shall only be  
14 used for such purpose. There is included in the appropriation to this  
15 program for FY2024-25 \$90,504,242 ~~\$85,382,211~~ General Funds, \$18,079,500  
16 Cash Funds, and \$10,504,971 Federal Funds estimate for state aid, which  
17 shall only be used for such purpose.

18 It is the intent of the Legislature that any provider rate increases  
19 appropriated in FY2021-22 and FY2022-23 continue in the appropriation to  
20 this program and that any provider rate increases appropriated in  
21 FY2023-24 and FY2024-25 are in addition to such increases.

22 It is the intent of the Legislature that any appropriation to the  
23 department for behavioral health aid and designated as funding to be  
24 allocated to a behavioral health region shall be utilized to provide  
25 activities pursuant to the approved annual budget of the behavioral  
26 health region or additional activities identified through need  
27 demonstrated by the region throughout the year.

28 Whenever circumstances occur during the budget year that impact the  
29 initial projected behavioral health region budget, the Behavioral Health  
30 Regional Governing Board may request a reassignment of funds to  
31 accommodate emerging needs identified by the behavioral health region to

1 maximize the ability of the region to implement new behavioral health  
2 services and supports or expand capacity in existing services. The  
3 Division of Behavioral Health shall approve all such requests which  
4 comply with all state and federal requirements. The Division of  
5 Behavioral Health shall approve or deny such requests in writing within  
6 thirty days.

7 There is included in the amount shown as aid for this program  
8 \$3,036,777 General Funds for FY2023-24 for distribution to the six  
9 behavioral health regions for the purposes of addressing the movement of  
10 individuals in mental health crisis out of emergency rooms within each  
11 region, funding crisis stabilization, and funding youth and adult crisis  
12 services. There is included in the amount shown as aid for this program  
13 \$5,122,031 General Funds for FY2024-25 for distribution to the six  
14 behavioral health regions for the purposes of addressing the movement of  
15 individuals in mental health crisis out of emergency rooms within each  
16 region, funding crisis stabilization, and funding youth and adult crisis  
17 services. It is the intent of the Legislature that the funds be  
18 distributed to the six behavioral health regions in the following manner:  
19 Region 1 - 6.24%; Region 2 - 7.02%; Region 3 - 15.47%; Region 4 - 12.98%;  
20 Region 5 - 24.16%; and Region 6 - 34.13%.

21 There is included in the amount shown as aid for this program for  
22 FY2023-24 \$6,500,000 Cash Funds for state aid for the distribution of  
23 national opioid settlement funds, which shall only be used for such  
24 purpose. There is included in the amount shown as aid for this program  
25 for FY2024-25 \$6,500,000 Cash Funds for state aid for the distribution of  
26 national opioid settlement funds, which shall only be used for such  
27 purpose.

28 There is included in the amount shown as aid for this program  
29 \$6,500,000 Cash Funds for FY2023-24 and \$6,500,000 Cash Funds for  
30 FY2024-25 from the Nebraska Health Care Cash Fund to be used for  
31 community-based mental health and substance abuse services, including

1 intermediate-level residential mental health services. It is the intent  
2 of the Legislature that these funds shall be distributed to each of the  
3 six behavioral health regions based upon a formula determined by the  
4 Department of Health and Human Services.

5 There is included in the amount shown as aid for this program  
6 \$1,500,000 Cash Funds for FY2023-24 and \$1,500,000 Cash Funds for  
7 FY2024-25 from the Nebraska Health Care Cash Fund to be used for the cost  
8 of maintenance and treatment of persons in emergency protective custody  
9 under the Nebraska Mental Health Commitment Act.

10 Sec. 2. Original Laws 2023, LB814, section 91, is repealed.

11 Sec. 3. Since an emergency exists, this act takes effect when  
12 passed and approved according to law.