

ONE HUNDRED FIFTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 405

Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to study the conditions which lead to the congregation, isolation, and segregation of Nebraskans with mental illness who reside in institutional settings, including assisted-living facilities, and those who are at risk of placement in institutional settings due to a lack of community supports and services.

The study shall include, but not be limited to, an examination of the following:

(1) Whether the Department of Health and Human Services is taking adequate steps to ensure behavioral health services are administered in the most integrated setting pursuant to the Americans with Disabilities Act of 1990;

(2) What steps the department has taken to advance the recommendations proposed by the Technical Assistance Collaborative as a consultant to the department, including permanent supportive housing;

(3) The effectiveness of the department in administering its behavioral health services through the behavioral health regions;

(4) The need for statutory changes to the Nebraska Behavioral Health Services Act in order to address the role of the regions, including, but not limited to, how a region identifies and communicates its services to individuals who are not clients of the region, including in-reach to people with severe and persistent mental illness who reside in institutional settings, and a region's role in protecting the health and safety of such individuals;

(5) The lack of adequate conditions in assisted-living facilities where people with mental illness reside;

(6) The effectiveness of statutes, regulations, and licensure requirements administered by the Division of Public Health of the Department of Health and

Human Services in providing oversight of and protecting the health and safety of people with mental illness who reside in such facilities;

(7) Whether the existing Medicaid state plan or waiver services are sufficient to meet the service needs of individuals in the most integrated settings possible, including the possible adoption of the Medicaid 1115 waiver; and

(8) Successful models and programs implemented in other states that have addressed the issues identified in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.