

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 51**

Introduced by Krist, 10.

Read first time January 06, 2011

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health clinics; to amend section 71-401,  
2 Revised Statutes Cumulative Supplement, 2010; to require  
3 patient transfer agreements as prescribed; and to repeal  
4 the original section.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 71-401, Revised Statutes Cumulative  
2 Supplement, 2010, is amended to read:

3                   71-401 Sections 71-401 to 71-465 and section 2 of this  
4 act shall be known and may be cited as the Health Care Facility  
5 Licensure Act.

6                   Sec. 2. (1) In order to be licensed under the Health Care  
7 Facility Licensure Act, a health clinic shall have a patient transfer  
8 agreement in effect with a local hospital licensed under the Health  
9 Care Facility Licensure Act. In order to be eligible to participate  
10 in a patient transfer agreement with a health clinic, the hospital  
11 shall accept patients whose care is reimbursed by medicare or provide  
12 emergency room services and shall allow clinical privileges for the  
13 physicians performing surgery at the health clinic. A patient  
14 transfer agreement shall address procedures for appropriate transfer  
15 of patients, continuity of care, and support for maintaining  
16 emergency capacity, including on-call coverage. The department shall  
17 adopt and promulgate rules and regulations establishing requirements  
18 for patient transfer agreements and minimum requirements for a  
19 hospital to be a party to a patient transfer agreement, including  
20 reasonable distance parameters, emergency room services, and hospital  
21 capacity.

22                   (2) This section shall not apply to a public health  
23 clinic operated by the department or any county, city-county, or  
24 multicounty health department.

25                   Sec. 3. Original section 71-401, Revised Statutes

- 1 Cumulative Supplement, 2010, is repealed.