

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 282

Introduced by Riepe, 12; Kolterman, 24.

Read first time January 11, 2017

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to public health and welfare; to amend section
- 2 71-8509, Revised Statutes Cumulative Supplement, 2016; to change
- 3 provisions relating to telehealth services for children's behavioral
- 4 health; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-8509, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 71-8509 (1) The Department of Health and Human Services shall adopt
4 and promulgate rules and regulations providing for telehealth services
5 for children's behavioral health. Such rules and regulations relate
6 specifically to children's behavioral health and are in addition to the
7 Nebraska Telehealth Act.

8 For purposes of sections 71-8509 to 71-8512, child means a person
9 under nineteen years of age.

10 (2) The rules and regulations required pursuant to subsection (1) of
11 this section shall include, but not be limited to:

12 (a) An appropriately trained staff member or employee familiar with
13 the child's treatment plan or familiar with the child shall be
14 immediately available in person to the child receiving a telehealth
15 behavioral health service in order to attend to any urgent situation or
16 emergency that may occur during provision of such service. This
17 requirement may be waived by the child's parent or legal guardian; and

18 (b) In cases in which there is a threat that the child may harm
19 himself or herself or others, before an initial telehealth service the
20 health care practitioner shall work with the child and his or her parent
21 or guardian to develop a safety plan. Such plan shall document actions
22 the child, the health care practitioner, and the parent or guardian will
23 take in the event of an emergency or urgent situation occurring during or
24 after the telehealth session. Such plan may include having a staff member
25 or employee familiar with the child's treatment plan immediately
26 available in person to the child, if such measures are deemed necessary
27 by the team developing the safety plan. ; ~~and~~

28 ~~(c) Services provided by means of telecommunications technology,~~
29 ~~other than telehealth behavioral health services received by a child, are~~
30 ~~not covered if the child has access to a comparable service within thirty~~
31 ~~miles of his or her place of residence.~~

1 Sec. 2. Original section 71-8509, Revised Statutes Cumulative
2 Supplement, 2016, is repealed.