

AMENDMENTS TO LB1173  
(Amendments to Final Reading copy)

Introduced by Hunt, 8.

1 1. Strike section 8 and insert the following new section:

2 Sec. 8. Section 43-907, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 43-907 (1) Unless a guardian shall have been appointed by a court  
5 of competent jurisdiction, the Department of Health and Human Services  
6 shall take custody of and exercise general control over assets owned by  
7 children under the charge of the department. Children owning assets shall  
8 at all times pay for personal items. Assets over and above a maximum of  
9 one thousand dollars and current income shall be available for  
10 reimbursement to the state for the cost of care. Assets may be deposited  
11 in a checking account, invested in United States bonds, or deposited in a  
12 savings account insured by the United States Government. All income  
13 received from the investment or deposit of assets shall be credited to  
14 the individual child whose assets were invested or deposited. The  
15 department shall make and maintain detailed records showing all receipts,  
16 investments, and expenditures of assets owned by children under the  
17 charge of the department.

18 (2) When the Department of Health and Human Services serves as  
19 representative payee for a child beneficiary of social security benefits,  
20 the department shall provide:

21 (a) Notice to the child beneficiary, in an age-appropriate manner,  
22 and the child's guardian ad litem, that the department is acting as the  
23 child's representative payee for the purposes of receiving social  
24 security benefits, within thirty days after receiving the first social  
25 security benefit payment on behalf of the child;

26 (b) Notice to the juvenile court, at every review hearing regarding

1 the child beneficiary after January 1, 2023, regarding the department's  
2 receipt and conservation of the child's social security benefits, that  
3 shall include:

4 (i) The total amount of social security benefit funds the department  
5 has received on behalf of the child beneficiary as of the review hearing;  
6 and

7 (ii) The total amount of social security benefit funds received on  
8 behalf of the child beneficiary that are currently conserved or unspent  
9 as of the review hearing; and

10 (c) All accounting records regarding the department's receipt, use,  
11 and conservation of the child's social security benefits, to the child  
12 beneficiary, the child's guardian ad litem or attorney, or the child's  
13 parent upon:

14 (i) Request from the child beneficiary, the child's guardian ad  
15 litem or attorney, or the child's parent; and

16 (ii) Termination of the department's role as the child beneficiary's  
17 representative payee.

18 (3) On or before October 1, 2023, the Department of Health and Human  
19 Services shall adopt and promulgate rules and regulations to carry out  
20 subsection (2) of this section consistent with federal requirements  
21 regarding representative payees for social security beneficiaries.