

One Hundred Seventh Legislature - Second Session - 2022

Introducer's Statement of Intent

LB1260

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 23, 2022

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

It is the intent of LB 1260 to facilitate information-sharing and provide greater transparency in the processes surrounding the Office of Public Guardian (OPG).

LB 1260 adds a representative of a hospital licensed under the Health Care Facility Licensure Act to the Advisory Council on Public Guardianship. The bill requires the Office of Public Guardian (OPG), in consultation with the Advisory Council and stakeholders, to develop and implement an application and process to determine and prioritize the needs of individuals seeking guardianship or conservatorship services and make a description of the system of prioritization available to the public. It allows a representative of a hospital, nursing facility, or other facility where the individual is receiving care to submit the application for an individual who is unwilling or unable to provide such information on the application.

LB 1260 requires the OPG to review the applications and make a recommendation to the court prior to any hearing on the matter as to whether the Public Guardian should be appointed as guardian or conservator for an individual. It also requires the OPG to provide information regarding the process of appointing the Public Guardian, the status of an application and the anticipated timeline until appointment. The bill also incorporates the application into existing court processes.

Principal Introducer: _____

Senator Wendy DeBoer