

LEGISLATIVE BILL 1

Approved by the Governor February 8, 1985

Introduced by Beutler, 28, Chairperson, Executive Board

AN ACT relating to the Department of Social Services; to amend sections 43-654, 68-1207, and 83-1040, Reissue Revised Statutes of Nebraska, 1943; to repeal provisions relating to the Division of Social Services within the Department of Social Services; to harmonize provisions; to provide duties of the department and director; and to repeal the original sections, and also section 68-1201, Reissue Revised Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 43-654, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-654. There is hereby created the Nebraska Coordinating Council for the Handicapped, hereinafter referred to as the council, for the purpose of coordinating programs for the handicapped, including children from birth. Such coordination shall include a statewide assessment of services available to handicapped persons under the auspices of public and private agencies. The assessment shall include, but not be limited to, data on the functions, resources, services, and financial responsibility of each agency as it relates to the health and educational needs of handicapped children. The council shall maintain a directory of services available for the handicapped in the State of Nebraska; distribute information to parents, doctors, and other persons concerning such services; initiate coordinated planning by and between the agencies and departments of the state, private associations, organizations, and corporations for the handicapped; develop a plan as provided under section 43-654.01; maintain records and information concerning handicapping conditions and the handicapped in Nebraska; and make recommendations to the public and private agencies working with the handicapped concerning needs for additional services or areas in which coordination of services may benefit the handicapped. The council shall consist of the following official voting members:

(1) From the Department of Social Services, the Director of Social Services or his or her designated representative, ~~the Director of Social Services or his or her designated representative~~, the Director of Medical Services or his or her designated representative, and the Director of Services for Crippled Children or his or her

designated representative;

(2) From the Department of Public Institutions, the Director of Public Institutions or his or her designated representative, the Director of Medical Services or his or her designated representative, the Director of Mental Retardation or his or her designated representative, and the Director of Rehabilitation Services for the Visually Impaired or his or her designated representative;

(3) From the State Department of Education, the Commissioner of Education or his or her designated representative, the Director of Special Education or his or her designated representative, and the Director of Vocational Rehabilitation or his or her designated representative;

(4) From the Department of Health, the Director of Health or his or her designated representative, the Director of Maternal and Child Health or his or her designated representative, and a person within the Department of Health who is familiar with developmental disabilities, to be appointed by the Director of Health; and

(5) The chairperson of the Commission for the Hearing Impaired.

The council shall give public notice of all meetings. Any private association, organization, or corporation representing the handicapped upon request shall be provided with notice of all meetings of the council and a copy of the annual report of the council.

Sec. 2. That section 68-1207, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-1207. The ~~Division~~ Director of Social Services shall supervise all public child welfare services as described by law.

Sec. 3. That section 83-1040, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-1040. In order to aid the mental health board in determining the best available treatment alternative for a subject found to be a mentally ill dangerous person in need of board ordered treatment, the board may request that a predisposition investigation be conducted by a qualified physician or clinical psychologist and report and recommendations be submitted to it by the program administrator, or his or her designee, of the comprehensive community mental health services program in the mental health region in which the proceedings against the subject were held under this act. The board may also require the Director of Medical Services of the Department of Public Institutions or such director's designee to provide such assistance as may be necessary to place the subject of the petition in an appropriate facility or program pursuant to the provisions of section 71-5003. The board may further request predisposition assistance from

the Division of Social Services of the Department of Social Services pursuant to the provisions of section 68-1202, and any other statutory or other authority which it may have to provide such assistance. The court may finally obtain assistance from any other public or private agency or persons familiar with available treatment resources and qualified to render such assistance. The court may require the subject to submit to reasonable psychiatric and psychological evaluation calculated to assist the mental health board in its choice of the best treatment disposition.

Sec. 4. That original sections 43-654, 68-1207, and 83-1040, Reissue Revised Statutes of Nebraska, 1943, and also section 68-1201, Reissue Revised Statutes of Nebraska, 1943, are repealed.