



Introduction

The Arc of Nebraska is a non-profit focused on ensuring the most inclusive lives for people with intellectual and developmental disabilities. We have put this guide together hoping to provide a quick insight into Disability Legislation. If you would like to know more then we would be more than happy to help fill you in. Please contact our Executive Director Edison McDonald at 402-802-1109 or edison@arc-nebraska.org

LB 227 Wishart Brain Injury Council Support

The intent of this legislation is to create the Brain Injury Council. By having a committee instituted in the state we ensure better coordination of ongoing projects it also opens up greater potential to attract out of state grant dollars. The research this organization will support will help to eliminate some of the hefty costs that are associated with these dangerous injuries.

LB 595 Groene Restraints and Seclusions Oppose

“Provide for the use of physical force or physical restraint or removal from a class in response to student behavior”

We are adamantly opposed to this bill. It treats people with disabilities in an inhumane fashion. It takes us back decades and moves us more towards tactics used in institutionalization. We instead believe that practices should be worked into IEP’s to ensure that detrimental behavior does not happen.

LB 595 ignores all of this. There is no provision for training teachers or administrators on the technique for using physical force on students or when behavior rises to the level where restraint or force may be used. LB 595 would simply allow teachers or administrators to restrain or use as much physical force on students as they want, when they want and how they want, with no accountability.

LB 701 Kolterman Telehealth Bill Support

We support LB 701 in its efforts to bring further access to healthcare in rural areas. Mobility and transportation is a constant issue for those in our communities. We regularly get calls from people seeking a variety of services in areas that require hundreds of miles of driving.

Particularly with the specialized nature of care that many of our members require easier access statewide will help to ensure that they receive the care they need in a timely fashion. As a note for the future we believe that this legislation should have the intent to further institute safeguards in the future as to potential Telehealth Practices.

LB 677 Krist Refund Appropriations Support

Across the state we have had individuals in services and families who have struggled to get the proper support that they need due to last years misdirected cuts. The cuts to services, time, shifts, and access of a 23 million dollar move has left many of our most vulnerable out in the cold. We do understand the states budget shortfall however this was not the area to make a cut. We would be open to a conversation on an amendment to only re appropriate part of the funds for this fiscal year but ultimately that would not be enough.

LB 676 Krist External Rehabilitative Services Support

According to the Bureau of Justice Statistics, people behind bars in state and federal prisons are nearly three times as likely to report having a disability as the nonincarcerated population, while those in jails are more than four times as likely. We want to ensure that every person has the best opportunity to receive treatment in an atmosphere that allows them the most integrated care. With our massive issue of prison overcrowding practices such as these that help to re-integrate people into community are vital. It is also important to ensure that people with disabilities who may overlap have the best access to particular providers.

LB 685 Blood Vets with Disabilities Bill Neutral

Although we are obviously supportive of veterans we are timid about the concept of jumping them up the line of people who have waited years to receive services. Veterans have access to other sources of care that many on this list do not. We appreciate the intent to not infringe upon the other priority categories however until more research is done we are unsure as to if this is a sensible move.

LB 712 Albrecht Drug Testing Oppose

This bill replicates legislation in other states that has been tremendously unsuccessful. “In 2011, Missouri adopted a law to require screening and testing for all TANF applicants, and the testing began in March 2013. In 2014, 446 of the state’s 38,970 applicants were tested. Just 48 tested positive. The budgeted cost for that year’s testing program was \$336,297. And, according to numbers provided to ThinkProgress by a Missouri Department of Social Services spokeswoman, the first three years of the program will likely cost the state more than \$1.35 million, including start-up costs.” This seems like a tremendously irresponsible use of state dollars that could be better put to use refunding cuts to services from last year.

LB 760 Hughes Volunteer Emergency Responders Support

With 436 towns in Nebraska covering a wide geographic berth we have a great need for licensed professionals. To have a well thought out piece of legislation like LB 760 that helps to encourage greater coverage for many of our rural members who disproportionately require emergency care services is a breath of fresh air.

LB770 McCollister SNAP

“To state intent and change provisions relating to Supplemental Nutrition Assistance Program benefits”.

We support this bill that requires DHHS to utilize the maximum funds to reach the maximum number of Nebraska residents to be served. A state outreach program must be put into place that promotes access by those who are eligible to these benefits. Gross income eligibility limit will increase to 160% of the income poverty guideline but will not increase the net income eligibility limit.

Hard work should be rewarded and there shouldn't be disincentives to work due to SNAP participation. Individuals seeking employment or higher wages through training pilot programs should be able to maintain SNAP benefits. There shouldn't be a fear of not being able to feed your family because you are seeking higher wages. 49.9 percent of working-age adults with severe disabilities on average experience unemployment at some period. Meaning it is even more vital to ensure that they have access to proper nutrition.

LB788 Riepe Continuing Education for Opiates Neutral

“Requiring continuing education regarding opiates as prescribed”.

This bill will increase mandatory education for a healthcare provider, when they are renewing their credentials, by 5 hours in regard to prescribing opiates.

This bill would ensure benefits of higher levels of care for patients. This bill will also make it harder for healthcare providers to keep licenses. It will also affect healthcare providers in smaller communities who will have to travel to a larger city in order to receive and renew certifications and credentials.

LB737 Lindstrom First Responder Support

“To adopt the First Responder Education Act”.

This bill will require state universities, state colleges, and community colleges to entitle a first responder to a waiver of 30% of the resident tuition charges of the school if they meet all the requirements. This is a bill that helps our organization's push on continuing care on all levels.

LB845 Briese Disability Custody Bill Support

“Provide for supportive services for parents with disabilities or prospective parents with disabilities with respect to custody as prescribed.”

We strongly support this bill. If passed it will protect individuals with disabilities to fair custody proceedings from unnecessary societal biases and attitudes. Children of parents with a disability are being unnecessarily removed and denied the opportunity to enjoy a loving home. This bill places the burden of proof on the non-disabled parent in a custody battle. It also ensures potential recourse and provides opportunity for the disabled parent.

If a parent with a disability is able to care for a child with the child's best interests and safety unthreatened they should not be discriminated against because of their disability.

LB 800 Walz Olmstead Support

This bill addresses federal legislation referred to as the Olmstead Law. Which requires states to eliminate unnecessary segregation of persons with disabilities and to ensure that persons with disabilities receive services in the most integrated setting appropriate to their needs. This will prevent potential litigation against the state and provide a comprehensive framework for a path forward to ensure more integrated living for people with Developmental Disabilities.

LB836 Howard Minor Mental Health Consent Support

“Provide for minors’ consent to certain mental health services as prescribed”.

A licensed psychiatrist, mental health practitioner, or psychologist will be able provide diagnostic testing, evaluation, and treatment for mental health, alcohol/drug addiction services to a minor up to 6 sessions, without parental consent if the health provider determines the minor is voluntarily seeking help and it is clinically indicating that it is in the minor's best interest. A minor 16 years of age or older may consent to psychotropic drugs if the parent/guardian is not reasonably available, there is a detrimental effect to the minor to require consent, or if the parent/guardian refuses consent.

For a child under the age of 16 years of age this bill will not authorize a minor to receive convulsive therapy, psychosurgery, surgery, unless they receive consent from the parent/guardian. In each situation medication must be administered only where clinically indicated.

LB837 Howard Legislative Waiver Approval Neutral

“Require submission of waiver applications to the Health and Human Services Committee of the Legislature as prescribed”.

This bill will require medicaid/medicare waivers to be submitted to Health and Human Services Committee of the Legislature before the federal centers for Medicare and Medicaid Services. 30 days after submission there shall be at least one public hearing on the waiver to either approve or disapprove submission of the application to the federal centers.

This bill could increase public comment, testimony, and insight. On the other hand we also have concerns about it negatively impacting the speed of approval of waivers.

LB968 Wayne DEEP Support

“Adopt the Disability Employment and Engagement Program Act; to change provisions relating to eligibility for the medical assistance program”.

We strongly support “DEEP”. It will ensure that individuals with disabilities who seek higher wages and/or hours can do so without losing benefits through Medicaid that are essential to their health. Individuals with disabilities should not be punished for wanting to work more hours or accept raises.

LB876 Kolowski Support

“Change provisions relating to reimbursement”.

Allows reimbursement of special education programs and support services to the total allowable reimbursable cost by the State Department of Education to each school district.

We support utilizing funds that pay for special education. Schools should be reimbursed for their efforts with special education programs and services that better and support the lives of children receiving them.

LB716 Howard Appropriate Funds Support

“To appropriate funds to the Department of Correctional Services.”

This bill will appropriate \$500,000 from the general fund to specifically be used for the implementation of an electronic health record keeping system for individuals in custody.

This is especially important for those who need medication which is crucial to their health. This organization created through the electronic management system will help individuals in custody receive medication appropriate to their medical records and diagnosis.

LB715 Howard Support

“Appropriations to local public health departments with respect to preventative health programs.”

This bill will appropriate funds to specifically focus on preventative health and medicine. By doing so this will decrease the amount of serious health complications and diseases among residents. This will save money and lead to better overall health of the state. The money saved from preventing rather than treating can be used in other areas.