

2019 legislation

LB323 Linehan and Crawford- The purpose of LB323 is to update Nebraska's Medicaid Insurance for Workers with Disabilities program eligibility standards from federal Balanced Budget Act standards to more recent federal Ticket to Work and Work Incentives Improvement Act standards. Premiums are capped at seven and one half percent and asset limits are eliminated. Placed on Final Reading.

LB311 Crawford and Cavanaugh- The intent of LB 311 is to adopt the Paid Family and Medical Leave Insurance Act. The Act will create a paid family and medical leave insurance program to provide partial wage replacement for eligible workers to care for themselves or a family member following a serious illness or to care for a new child through birth, foster care or adoption. Similar to the federal Family and Medical Leave Act, a covered employee who utilizes the paid family leave insurance program is entitled to be restored to the position held by the employee when the leave commenced or to a position with equivalent status and pay. Introduced.

LB733 Kolowski- This bill requires that all polling places shall be accessible to all registered voters and shall be in compliance with the federal Americans with Disabilities Act of 1990, as amended, and the federal Help America Vote Act of 2002, as amended. This includes accessible parking, voting booth access, and building access. Approved by Governor, amended into LB 411.

LB570 Walz- The bill requires the Department of Health and Human Services shall, in collaboration with the Governor's Policy Research Office, the Department of Correctional Services, the Department of Economic Development, the Department of Labor, the Department of Transportation, the State Department of Education, and the office of the state long-term care ombudsman, develop a comprehensive strategic plan for providing services to qualified persons with disabilities in the most integrated community-based settings pursuant to the Olmstead decision. Approved by Governor

LB705 Murman- The bill permits the ability to designate a beneficiary of an Achieving a Better Life Experience (ABLE) to will their account balance to an individual that is eligible for an ABLE account. Remained in Committee.

LB147 Groene- LB 147 allows teachers and administrators to maintain order in the classroom by allowing them to utilize highly restrictive practices as they deem necessary. When a student is violent, a teacher or administrator may use necessary contact or physical restraint to subdue them until the student is no longer presents a danger to himself or herself, the teacher or administrator, or other students. Physical restraint is restricted to holding the hands, wrists or torso of a student to control the student's movements. It does not include the use of any mechanical device or binding a student to any object. This bill also allows the teacher or administrator to use physical restraint to protect school property. The bill further allows teachers to remove a student who repeatedly interferes with the teacher's ability to teach, or whose behavior is so disruptive that it seriously interferes with the class' ability to learn, or who commits other disruptive acts. The administration can then place the student in another classroom or in-school suspension or can suspend the student. This bill gives teachers and

administrators the assurance that they have control of their classrooms without fear of legal action or administrative discipline as long as their conduct was reasonable. Remained in committee, placed on General File by a "Pull Motion" (bypassing the Committee process) initiated by Senator Groene.

LB540 Walz- Currently, the entitlement to transition funds for students leaving Special Education services is scheduled to sunset by 2021. This would cause transitioning youth in many cases to be subject to the Developmental Disabilities wait list for Day Services if they are eligible. This bill reinstates the entitlement indefinitely. Placed on General File.

There are several pertinent Legislative Resolutions put in place for the interim until the 2020 session. These include:

LR104 Walz, which creates a special committee to be known as the State-Licensed Care Facilities Investigative Committee of the Legislature,

LR105 HHS Committee, Interim study to investigate the eligibility requirements applied to children with disabilities for coverage under the Medical Assistance Act,

LR170 Morfeld, Interim study to examine the Dept. of Health and Human Services' plan to submit a demonstration project waiver for the medical assistance program under section 1115 of the Social Security Act,

LR250 Walz, Interim study to examine programs relating to development and implementation of the plan for providing services to qualified persons with disabilities in the most integrated community-based settings, commonly referred to as the Olmstead Plan,

LR216 Walz, Interim study to examine funding priorities for the Medicaid home and community-based services waivers under the Developmental Disabilities Services Act, and

LR208 Pansing Brooks, Interim study to examine state and school district policies that relate to maintaining a safe and positive school learning environment (apparently in response to LB 147)