

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

February 26, 2018

Senator Laura Ebke
District 32 State Capitol
P.O. Box 94604
Lincoln, NE 68509-4604

RE: LB 680

Dear Senator Ebke and members of the Judiciary Committee:

I would ask that this letter be formally included in the record for LB 680. I am writing to provide technical information regarding LB 680, a bill to establish an Interstate Placement for Involuntarily Admitted Patients Agreement Act. The agency is not taking a policy position on the bill at this time.

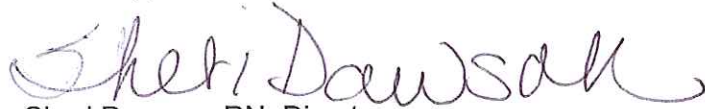
The Division of Behavioral Health administers an Interstate Compact following the provisions in Neb. Rev. Stat. 83-801.

Please consider the following technical points:

- In Nebraska, individuals may be involuntarily admitted to a state facility for competency restoration, sex offender treatment, or mental health board ordered treatment, pursuant to statute. The interaction between those statutes and LB 680 is not entirely clear. For example, it is not clear whether the transfer of an individual to a receiving state under LB 680 would require the approval of the committing court or mental health board.
- Nebraska has been a party to a similar compact, the Interstate Compact on Mental Health, since 1969. See Neb. Rev. Statute §83-801 et seq. 44 other states and the District of Columbia are also parties to the compact. The interaction and overlap between the existing compact, and the compact proposed by LB 680 is not clear.
- The Department has experienced significant difficulty transferring patients under the existing compact due to a lack of capacity in facilities in the receiving state.

I appreciate your time to review the technical issues. Thank you for the opportunity to share the above information and we look forward to working with you on continuing our mission of helping people live better lives.

Sincerely,

A handwritten signature in black ink that reads "Sheri Dawson". The signature is fluid and cursive, with the first name "Sheri" and last name "Dawson" clearly legible.

Sheri Dawson, RN, Director
Division of Behavioral Health
Department of Health and Human Services

cc: Senator Bob Krist