

February 6, 2014

Senator John Wightman, Chair
Executive Board of the Legislative Council
P.O Box 94604
State Capitol
Lincoln, NE 68509

RE: LB 996

Dear Senator Wightman and members of the Executive Board:

Legislative Bill 996 requires a state agency to respond to written requests for information from the Legislature within four business days. The state agency shall provide access to copies of information or written explanation if the request cannot be completed within four days.

Many of the requests we receive from senators relate to constituent issues or general DHHS questions. Through our legislative coordinator, we responded to over 770 requests for information or meetings during 2013 from the Legislature, including senators' offices, legislative research and the legislative fiscal office. The previous three years were similar, ranging from 570 to 885 contacts. The majority of this information, if not legally protected, is already being provided within four days. As you can see, a great deal of information is shared with members of the Legislature every year.

Further, confidential information relating to a constituent's case (i.e., confidentiality due to HIPAA, Medicaid eligibility, child welfare) is not provided unless we receive a release that is signed by that constituent. We communicate this requirement to senator's offices in these types of cases.

While we hear anecdotally about difficulty in getting information from DHHS, we have not received specific complaints from senator offices for several years.

We make every effort to respond to all legislative requests in a timely manner and will continue to do this. That is why we believe that LB 996 may be well intended but unnecessary. For this reason, we oppose this bill.

Sincerely,



Kerry T. Winterer
Chief Executive Officer
Department of Health and Human Services

cc: Senator Amanda McGill