

March 6, 2013

Senator Kathy Campbell, Chair
Health and Human Services Committee
P.O. Box 94604
Lincoln, NE 68509-4604

RE: LB 487

Dear Senator Campbell and members of the Health and Human Services Committee:

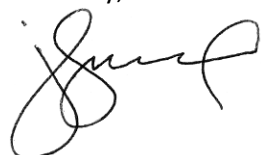
The Department of Health and Human Services (DHHS), Division of Public Health is responsible for administering the Nebraska Certificate of Need Act. Since LB 487 amends this Act, this letter is being sent to point out a technical concern with the bill's language.

LB 487 would add an exception to allow limited transfer of rehabilitation beds without a Certificate of Need. However, the language as written in subpart (6) lines 4 through 8 on page 3 is unclear and would be difficult to administer. The DHHS has been contacted by representatives of the hospital that is seeking the change that LB 487 intends. We have provided technical assistance in formulating language which would make the bill administrable and would suggest adoption of the following amendatory language:

(6) Any relocation of rehabilitation beds in Nebraska from one health care facility to another health care facility except that no certificate of need is required for relocation or transfer of rehabilitation beds from a health care facility to another health care facility owned and operated by the same entity.

Please contact me if you have any questions.

Sincerely,



Joann Schaefer, MD
Chief Medical Officer – State of Nebraska
Director, Division of Public Health
Department of Health and Human Services

cc: Senator John Wightman