

To: All Providers Participating in the Nebraska Medicaid Program
From: Kevin Bagley, Director *KB*
Date: December 23, 2020
Re: Age Requirements for Direct Care Staff for Juvenile Psychiatric Inpatient Services

This bulletin is being issued to clarify a discrepancy between state law and DHHS regulations regarding the age requirement for direct care staff in inpatient psychiatric units for juveniles.

LB 1002, approved by Governor Ricketts on August 18, 2020, changed the age requirement for direct care staff in inpatient psychiatric units for juveniles. The law changed the age requirement from 21 to 20 years of age. However, state regulations (471 NAC 32-008) still state that the age requirement is 21. Until DHHS finalizes updating its regulations, the program will follow the age requirements set out in LB 1002 as the statute controls over DHHS regulations on this issue.

Other requirements for these direct care staff found in LB 1002 are as follows:

- Be at least two years older than the oldest resident in the unit or facility;
- Have a high school diploma or its equivalent; and
- Have appropriate training for basic interaction care such as supervision, daily living care, and mentoring of residents in the unit or facility.

Provider Bulletins, such as this one, are posted on the DHHS website at <http://dhhs.ne.gov/pages/Medicaid-Provider-Bulletins.aspx>. Please subscribe to the page to help you stay up to date about new Provider Bulletins.

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