

AMENDMENTS TO LB253

(Amendments to Standing Committee amendments, AM2978)

Introduced by Fredrickson, 20.

1 1. Insert the following new sections:

2 Sec. 8. Section 83-4,153, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 83-4,153 Sections 83-4,153 to 83-4,165 and sections 10 and 11 of
5 this act shall be known and may be cited as the Nebraska Correctional
6 Health Care Services Act.

7 Sec. 9. Section 83-4,157, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 83-4,157 The medical director shall:

10 (1) Coordinate all clinical services;

11 (2) Participate in the selection and supervision of all clinical
12 staff employed by or under contract with the department, including
13 medical doctors, physician assistants, pharmacists, pharmacy technicians,
14 registered nurses, licensed practical nurses, advanced practice
15 registered nurses practicing under and in accordance with their
16 respective certification acts, mental health practitioners, alcohol and
17 drug counselors, laboratory technicians, physical therapists,
18 optometrists, audiologists, dentists, dental assistants, and dental
19 hygienists;

20 (3) Maintain and preserve the medical records of health care
21 services;

22 (4) Approve the purchasing of all necessary medical supplies and
23 medical equipment for the department;

24 (5) Recommend all necessary programs for the preservice, inservice,
25 and continuing medical training and education of the health care staff
26 and other relevant staff of the department, including training

1 specifically designed to promote prompt and effective responses by all
2 staff of the department to medical emergencies;

3 (6) Develop and implement condition-specific medical treatment
4 protocols that ensure compatibility with a community standard of health
5 care, including protocols addressing the: (a) Treatment of
6 gastrointestinal bleeds; (b) detection and treatment of all communicable
7 diseases; (c) treatment of gender-specific problems; (d) treatment of
8 diabetes; (e) treatment of hypertension; (f) treatment of headaches; (g)
9 utilization of surgical procedures; (h) control of infection; (i)
10 provision of dental care; (j) provision of age-specific and gender-
11 specific routine health maintenance; (k) means by which inmates obtain
12 access to health care services; (l) use of prescribed drugs, devices, or
13 biologicals for the purpose of pain management; (m) referral of patients
14 to medical specialists not in the employ of the department; and (n)
15 initiation, observance, and termination of do not resuscitate orders
16 initiated pursuant to the Rights of the Terminally Ill Act;

17 (7) Develop and implement a system of general discharge planning for
18 the health care services to be received by inmates who are soon to be
19 released from the custody of the department and who have chronic health
20 care problems, including establishment of a protocol to determine whether
21 or not an inmate soon to be released should be prescribed and dispensed a
22 medication-assisted treatment that could assist in reducing or
23 eliminating the inmate's use of opiates;

24 (8) Develop and implement a comprehensive health care services plan;

25 (9) Develop and implement an internal credentialing program for the
26 employment and retention of the health care staff of the department based
27 on a community standard of health care; ~~and~~

28 (10) Develop and implement an internal peer review and quality
29 assurance program based upon a community standard of health care; and -

30 (11) Work in collaboration with the mental health director on the
31 coordination of all mental health services.

1 Sec. 10. The Director of Correctional Services shall appoint a
2 mental health director for the department who shall have relevant mental
3 health experience and be licensed by the State of Nebraska as a physician
4 or mental health practitioner, including, but not limited to, a
5 psychiatrist, psychologist, social worker, or licensed independent mental
6 health practitioner. The mental health director shall be a full-time
7 position under the sole immediate supervision of the director.

8 Sec. 11. The Director of Correctional Services shall designate
9 duties for the mental health director which shall include, but not be
10 limited to:

11 (1) Working in collaboration with the medical director on the
12 coordination and collaboration of mental and behavioral health care
13 services;

14 (2) Recommending all necessary programs for mental and behavioral
15 health care services to ensure inmates receive required programming;

16 (3) Collaborating with community mental health providers, as
17 appropriate, to ensure services within the facilities and continuity of
18 mental and behavioral health care services upon inmate reentry into
19 communities;

20 (4) Ensuring mental and behavioral health care is provided to
21 inmates; and

22 (5) Training and education of mental health care staff and other
23 relevant staff of the department, including training specifically
24 designed to promote prompt and effective responses to inmate mental and
25 behavioral health care needs.

26 2. Correct the operative date section so that the sections added by
27 this amendment become operative on January 1, 2026.

28 3. Renumber the remaining section and correct the repealer
29 accordingly.