

LEGISLATIVE BILL 908

Approved by the Governor May 7, 1971

Introduced by Glenn A. Goodrich, 20th District

AN ACT relating to hospitals; to clarify the rights of hospitals to charge for use and service operation under the provisions of sections 23-343 to 23-343.67, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. The provisions of this act are not intended to limit any preexisting rights to charge and collect for services rendered prior to the passage of this act had by hospitals which are created and existing under the general powers of counties of this state or under the provisions of sections 23-343 to 23-343.67, Reissue Revised Statutes of Nebraska, 1943.

Sec. 2. The governing board of each hospital which is existing and operating under the general powers granted to counties of this state or under the provisions of sections 23-343 to 23-343.67, Reissue Revised Statutes of Nebraska, 1943, shall establish rates and fees to be charged for care or services, or both care and services rendered to persons by its hospital.

Sec. 3. Persons to whom care and services have been rendered shall be liable for the cost and fees of such care and services to the appropriate county, counties or hospital district maintaining and operating the hospital providing such care and services. In cases where the person receiving the care and services is a minor child, the parents of such minor patient shall be liable jointly and severally for the costs and fees of such care and services to the appropriate county, counties or hospital district maintaining and operating the hospital providing such care and services. In cases where the person receiving such care and services is married, both the patient and the patient's spouse shall be jointly and severally liable for the cost and fees of such care and services to the appropriate county, counties or hospital district maintaining and operating the hospital providing such care and services. In cases where the person receiving such care and services is under guardianship, the guardian, to the extent of the value of the estate of the ward controlled by the

guardian, shall be liable for the cost and fees of such care and services to the appropriate county, counties or hospital district maintaining and operating the hospital providing such care and services. Persons, not otherwise legally liable for the care of another, may enter into an agreement with such hospitals for the care of such person and having done so shall be liable to the hospital providing such care for the costs and fees of such care provided.

Sec. 4. Suit to recover such costs and fees for such care and services shall be brought (1) in the name of the county maintaining and operating the hospital, (2) in the case of a county hospital maintained and operated by more than one county, in the name of the county in which the hospital facility, or any part of it, is located, and (3) in the case of a hospital maintained and operated by a hospital district, in the name of the hospital district.

Sec. 5. The governing board of any such hospital providing such care and services shall have the power to compromise and settle or completely write off the costs and fees for care and services rendered in or by its hospital on any case where the board, in its sole judgment, decides such action is advisable for any reason.

Sec. 6. Costs and fees collected for care and services rendered by a county hospital or a hospital district hospital shall be deposited in a fund for the exclusive use by the appropriate county or hospital district for the maintenance, operation and improvement of its hospital.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.