

## LEGISLATIVE BILL 610

Approved by the Governor June 10, 1997

Introduced by Wesely, 26

AN ACT relating to metabolic diseases; to amend sections 71-520 and 71-523, Reissue Revised Statutes of Nebraska; to provide fees as prescribed; to provide duties; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 71-520, Reissue Revised Statutes of Nebraska, is amended to read:

71-520. The Department of Health and Human Services shall ~~may~~, in its discretion, establish a program to provide food supplements and ~~treatment services to children individuals~~ suffering from the metabolic diseases set forth in section 71-519. To defray or help defray the costs of any program which may be established by the department under this section, the department may:

(1) ~~Prescribe prescribe~~ and assess a scale of fees for the food supplements. ~~The maximum prescribed fee for food supplements shall be no more than the actual cost of providing such supplements. No fees may be charged for formula, and up to two thousand dollars of pharmaceutically manufactured food supplements shall be available to an individual without fees each year; and~~

(2) ~~Assess a fee of three dollars for each infant screened pursuant to section 71-519. The laboratory performing the tests pursuant to section 71-519 shall collect the three-dollar fee for infant screening and shall submit the amounts collected to the department on a monthly basis. The maximum prescribed fee shall be no more than the actual cost of such supplements.~~

Any fees collected shall be deposited in the state treasury and shall be credited to the Department of Health and Human Services Cash Fund.

Sec. 2. Section 71-523, Reissue Revised Statutes of Nebraska, is amended to read:

71-523. (1) The Department of Health and Human Services shall provide educational and resource services regarding metabolic diseases to persons affected by sections 71-519 to 71-524 and to the public generally.

(2) The Department of Health and Human Services and the Department of Health and Human Services Regulation and Licensure may apply for, receive, and administer assessed fees and federal or other funds which are available for the purpose of implementing sections 71-519 to 71-524 and may contract for or provide services as may be necessary to implement such sections.

(3) The Department of Health and Human Services Regulation and Licensure with the advice of the Department of Health and Human Services shall adopt and promulgate rules and regulations to implement sections 71-519 to 71-524.

Sec. 3. Original sections 71-520 and 71-523, Reissue Revised Statutes of Nebraska, are repealed.