

April 7, 1994

LB 830, 1136

was recommended by the Legislature, but as it grows we're building in just one result. And I can live with whatever that decision is, but all of us need to realize what the ultimate conclusion is going to be.

**PRESIDENT ROBAK:** Thank you, Senator Chambers (sic). Senator Hillman.

**SENATOR HILLMAN:** Madam President, members, I look in the file on this particular bill and I've gotten lots and lots of letters and there isn't one single letter there that told me that I shouldn't support Senator Byars' bill in its original form and shouldn't be putting in as much money as possible into this program. Probably some of the things that I've...under Senator Moore's able leadership and sitting on Appropriations Committee and those that said they realize what we have listened to I think concerning this year after year, and one of my concerns is even if we would put the money in that Senator Byars would choose from the very beginning, we're going to continue to hear the same argument, the same call for money because it's not going to be enough. When you first started talking about this bill, you talked about pay equity and waiting lists. The pay equity, to just get enough money to be able to take care of one issue, which is pay equity among all the regions in this program would take \$11.4 million. That would solve, hopefully, maybe one of the problems that we wouldn't have to hear about in the future. Because of that pay equity problem you're talking about lawsuits addressing clientele, but there are also lawsuits. There are suits pending, including one filed in Adams County citing violations of the Adequate and Equitable Provisions of the Developmental Disabilities Act, and two by providers of services including Region I Office of Human Development in Scottsbluff, charging the state with failing to observe the terms of the annual contract, signed in 1992, resulting in underpayment for services delivered under those contracts. So we have regions that are suing the State Department of Institutions because of the contract that they made with those locals. Under LB 830 I was reminded that on signing this legislation into effect Governor Nelson announced that he had no intention of providing additional funding for its implementation. And the Legislature, in subsequent special sessions, postponed major implementation dates to July 1, 1995. The first part of what we did under 830, and there's only been one part done, was to take case management, that was done by the providers, and turn them into state employees. There's 150

12816