



2022 Early Childhood Policy Highlights

107th Nebraska Legislature | Second Session

Overview

The Nebraska Legislature adjourned *sine die* on April 20, ending this year's 60-day legislative session. Over the past four months, state senators debated and passed several historic measures. These included several recovery measures totaling over \$1.4 billion in one-time funding from the American Rescue Plan Act (ARPA), a tax package that will provide \$3.4 billion in tax relief when fully implemented in 2027, a mid-biennium budget package that retains funding for early childhood program, and significant long-term investments in workforce retention and recruitment.

First Five Nebraska was fortunate to work with several senators this session on early childhood bills. Among those that passed into law was legislation recommending maternal depression screenings during perinatal care and well-child visits, \$4 million in federal funding to expand or start child care programs in communities, increasing the child care subsidy reimbursement rate to the 75th percentile of the market rate survey, notifying the Department of Health and Human Services of alleged out-of-home child abuse or neglect by a licensed child care provider and allowing early childhood programs to participate in farm-to-school activities.

Interim Studies

Now that the legislative session is over, state senators will focus their efforts on interim studies. First Five Nebraska is working with senators on the following projects. Updates on these studies will be available on [First Five Nebraska's website](http://FirstFiveNebraska.org) in the months ahead:

- **LR266**, introduced by Senator Day, will examine Nebraska's processes relating to investigation of reports of child abuse or neglect in licensed child care facilities.
- **LR327**, introduced by Senator Vargas, will study issues relating to severe maternal morbidity.
- **LR367**, introduced by Senator DeBoer, will examine home visitation for Nebraska families.
- **LR378**, introduced by Senator Day, will look at the process for determining the reimbursement rate for the child care subsidy program.
- **LR415**, introduced by Senator Jacobson, will study the lack of access to quality and affordable health insurance for Nebraska's early childhood workforce and potential solutions.



Elections and Term Limits

The Nebraska primary election is Tuesday, May 10. Individuals who advance from the primary will move on to the general election November 8. Multiple offices are up for election, including the Nebraska Governor, Nebraska Congressional delegates and state senators.

This legislative session there were eleven term-limited senators and two senators who will not seek re-election. First Five Nebraska would like to thank Senator Robert Hilkemann (District 4), Senator Steve Lathrop (District 12), Senator Brett Lindstrom (District 18), Senator John McCollister (District 20), Senator Mark Kolterman (District 24), Senator Matt Hansen (District 26), Senator Patty Pansing Brooks (District 28), Senator Curt Friesen (District 34), Senator Matt Williams (District 36), Senator Tim Gragert (District 40), Senator Adam Morfeld (District 46), and Senator John Stinner (District 48) for their service to Nebraska. We wish them the best of luck on their future adventures.

We also wish to note the untimely passing of Senator Rich Pahls (District 31), a dedicated and widely respected statesman who had previously served two terms as a state senator (2005-2013) before being re-elected to the Legislature in 2020. His leadership in the Unicameral will be deeply missed by his constituents and colleagues. A special election will be held in November to fill the District 31 seat.

The tentative first day of the 108th Nebraska Legislature is January 23, 2023. As always, First Five Nebraska looks forward to working with current and new state senators to develop fiscally responsible policies to promote quality early learning experiences for our state's youngest children.

2022 Bill Summaries

LB702 | Change provisions relating to the availability of tax credits under the School Readiness Tax Credit Act

- **Introducer:** Senator Matt Williams (District 36)
- **Summary:** LB702 was intended to reauthorize the School Readiness Tax Credit for five more years, offering a nonrefundable tax credit to eligible providers and a refundable tax credit to eligible child care employees. LB702 was included in an amendment to LB730, which was voted out of the Revenue Committee and placed on General File. Unfortunately, LB730 was not prioritized and did not advance from General File this session.
- **Resources:** [FFN Testimony](#) | [FFN Policy Brief](#)

LB741 | Provide for review of stillbirths under the Child and Maternal Death Review Act

- **Introducer:** Senator Wendy DeBoer (District 10)
- **Summary:** LB741 authorizes the State Child and Maternal Death Review Team to review stillbirths and would add medical and governmental records of stillbirths to the records which can be obtained by the team for purposes of such review. LB741 was approved by the Governor on April 18.
- **Resources:** [FFN Testimony](#)

LB758 | Change provisions relating to the Nebraska Farm-to-School Act

- **Introducer:** Senator Tom Brandt (District 32)
- **Summary:** LB758 expands the Nebraska Farm-to-School Program Act to include early childhood programs. The bill was approved by the Governor on March 3.
- **Resources:** [FFN Testimony](#)

LB838 | Require the State Department of Education to create an aid program relating to the early childhood workforce

- **Introducer:** Senator Mark Kolterman (District 24)
- **Summary:** LB838 was intended to provide state funding to cover health insurance costs for the early childhood workforce. An amendment to LB838 was filed in committee to define more clearly what the funding could be used for (premiums, deductibles or other health insurance-related expenses) and who would be eligible for this funding (full-time employees and qualifying early childhood programs, and self-employed individuals at qualifying early childhood programs). LB838 failed to advance out of the Education Committee.
- **Resources:** [FFN Testimony on LB838](#) | [FFN Testimony on AM1889](#)

LB854 | Require notice to the Department of Health and Human Services in certain cases of alleged out-of-home child abuse or neglect

- **Introducer:** Senator Jen Day (District 49)
- **Summary:** LB854 requires the Department of Health and Human Services Division of Children and Family Service to notify the Division of Public Health of any alleged out-of-home child abuse or neglect by a licensed child care provider. The notification will also include information on whether or not an investigation is being undertaken by law enforcement or the department. LB854 was amended into LB1173. LB1173 was approved by the Governor on April 19.
- **Resources:** [FFN Testimony](#)

LB865 | Change provisions relating to reimbursement for child care and state intent to appropriate federal funds

- **Introducer:** Senator Wendy DeBoer (District 10)
- **Summary:** LB865 appropriates funds to the Nebraska Department of Health and Human Services to set child care reimbursement rates at the 75th percentile as determined by the market rate survey for FY2022-23 and FY2023-24. LB865 was included in a committee amendment to the main budget bill, LB1011. LB1011 was approved by the Governor with line-item vetoes on April 4.
- **Resources:** [FFN Letter of Support](#)

LB868 | Change provisions relating to a classification system administered by the State Department of Education

- **Introducer:** Senator Adam Morfeld (District 46)
- **Summary:** LB868 would change a definition error excluding certain people from being eligible for the School Readiness Tax Credit program because they do not meet the basic education requirement. LB868 was voted out of the Education Committee but failed to advance beyond General File
- **Resources:** [FFN Testimony](#)

LB890 | Change the Tax Equity and Educational Opportunities Support Act (TEEOSA)

- **Introducer:** Senator Lynne Walz (District 15)
- **Summary:** LB890 would make several changes to the Tax Equity and Educational Opportunities Support Act (TEEOSA), including how 4-year-olds are calculated in the TEEOSA formula and providing equalization aid for 158 school districts. LB890 advanced out of the Education Committee but lacked

enough votes to advance beyond the first round of debate on General File.

- **Resources:** [FFN Testimony](#)

LB905 | Provide for mental health screenings

- **Introducer:** Senator Lynne Walz (District 15)
- **Summary:** LB905 recommends maternal depression screens occur at perinatal and well-child visits. Nebraska is one of seven states that have nothing in statute in regarding to maternal depression screens. A recommendation, while nonbinding, has the ability to draw attention to this issue. LB905 was approved by the Governor on April 18.
- **Resources:** [FFN Testimony](#) | [FFN Blog Post](#)

LB929 | Require submission of a Medicaid state plan amendment or waiver to extend postpartum coverage

- **Introducer:** Senator Anna Wishart (District 27)
- **Summary:** LB929 would expand Medicaid for postpartum coverage from 60 days to 12 months. The bill did not advance from the Health and Human Services Committee.
- **Resources:** [FFN Testimony](#)

LB973 | Redefine terms and change powers under the Nebraska Investment Finance Authority Act

- **Introducer:** Senator Matt Hansen (District 26)
- **Summary:** LB973 would change the Nebraska Investment Finance Act, including updates to the definition of an economic impact project to include projects with public agencies and nonprofit child care facilities. LB973 did not advance from the Banking, Commerce and Insurance Committee.

LB1024 | Adopt the Economic Recovery Act, create the Economic Recovery and Incentives Division and Housing Division of the Department of Economic Development, change provisions of the Middle Income Workforce Housing Investment Act, provide for grants, state intent regarding appropriations, and provide for a transfer from the Cash Reserve Fund

- **Introducer:** Senator Justin Wayne (District 13)
- **Summary:** LB1024 provides \$335 million to recovery efforts in North and South Omaha and other underserved areas of Nebraska. LB1024 allocates funding to support affordable housing, infrastructure improvements, crime prevention projects, child care support, and other recovery initiatives. LB1024 was approved by the Governor on April 18.
- **Resources:** [FFN Testimony](#)

LB1107 | Change provisions relating to provider reimbursement for an absent child under the federal child care subsidy program

- **Introducer:** Senator Jen Day (District 49)
- **Summary:** LB929 would ensure Nebraska will stay in compliance with federal regulations that require states to delink provider payments from a child's occasional absences to the extent possible. The bill failed to advance from the Health and Human Services Committee.
- **Resources:** [FFN Testimony](#)

LB1131 | State intent to appropriate federal funds for bonus payments for teachers, child care workers, and health care workers

- **Introducer:** Senator Adam Morfeld (District 46)
- **Summary:** LB1131 would appropriate federal funds for FY2021-22 to provide bonus payments of \$1,000 each for every teacher, child care worker and health care worker. The bill failed to advance from the Appropriations Committee.
- **Resources:** [FFN Testimony](#)

LB1203 | Appropriate federal funds for child care programs

- **Introducer:** Senator Tom Briese (District 41)
- **Summary:** LB1203 would appropriate \$100.5 million of federal funds to the early childhood field.

Although most of the LB1203 provisions were not included to LB1014, the American Rescue Plan Act package, FFN was able to work with Senator Stinner and Senator Williams to introduce an amendment on Select File. The amendment appropriates \$4 million to the Department of Health and Human Services to contract with a statewide nonprofit organization to provide grants to communities to help start up or expand child care programs. This amendment was adopted on Select File and LB1014 was approved by the Governor on April 13.

- **Resources:** [FFN Testimony](#) | [FFN Policy Brief](#) | [FFN Press Release](#)

LB1215| Adopt the Small Business Assistance Act and provide for grants

- **Introducer:** Senator Suzanne Geist (District 25)
- **Summary:** LB1215 creates the Small Business Act, which provides start-up grants of \$25,000 for new businesses with five or fewer employees, \$12,500 grants for small businesses that have been in existence no longer than five years, and business counseling to small business grant recipients Child care programs will be eligible for this grant program. LB1215 was included in AM1943, which was attached to LB450 on Select File. LB450 was approved by the Governor on April 18.

