



# 2024 Legislative Highlights

108<sup>th</sup> Nebraska Legislature | Second Session

## Nebraska Legislature adjourns with significant gains for early childhood

The second session of the 108th Nebraska Legislature adjourned sine die April 18, ending this year's 60-day session. First Five Nebraska was fortunate to work with state senators and Governor Jim Pillen to introduce and pass several pieces of early childhood legislation that will positively impact the lives of Nebraska families and children.

They include streamlining state licensing requirements to allow more seamless operations of child care businesses, standardizing a number of local regulations regarding oversight of child care, offering additional services to mothers served through Medicaid who are at risk of an adverse birth outcome, allowing the state to determine child care subsidy reimbursements by assessing both market rates and the cost of providing care and providing funding for evidence-based home visiting programs which are known to improve outcomes for children and families.

Fifteen state senators are departing the Unicameral this year due to term limits or opting to not run for re-election. We thank them for their dedication and service to our state. They are: Senator Joni Albrecht (District 17), Senator Carol Blood (District 3), Senator Bruce Bostelman (District 23), Senator Tom Brewer (District 43), Senator Steve Erdman (District 47), Senator Steve Halloran (District 33), Senator Lou Ann Linehan (District 39), Senator John Lowe (District 37), Senator Mike McDonnell (District 5), Senator Fred Meyer (District 41), Senator Julie Slama (District 1), Senator Tony Vargas (District 7), Senator Lynne Walz (District 15), Senator Justin Wayne (District 13) and Senator Anna Wishart (District 27).

### Interim Studies

First Five Nebraska is looking forward to working with state senators on interim studies this year. The studies give senators the opportunity to take a closer look at topics of interest and can lead to future legislation. Interim studies focused on early childhood are:

- **LR349** (Senator Lou Ann Linehan, District 39) Examine the funding sources, including tax incentives and other methods, used for early childhood education programs in Nebraska.
- **LR423** (Senator Ben Hansen, District 16) Examine child care providers in Nebraska and the shortage of child care options in rural Nebraska.
- **LR427** (Senator John Fredrickson, District 20) Examine use of the child care subsidy program as an incentive to recruit and retain employees in the child care industry.
- **LR429** (Senator Brian Hardin, District 48) Examine the Child Care Licensing Act and availability and affordability of liability insurance for licensed child care providers in Nebraska.
- **LR433** (Senator Jen Day, District 49) Examine the availability and access to data regarding maternal and infant health care in Nebraska.

First Five Nebraska will publish updates on the interim studies on our website, social media channels and newsletter in the coming months. As always, we will continue to work with lawmakers to advance sound, fiscally responsible policies that promote quality early learning experiences for Nebraska's young children.

### **LB856 | Change eligibility requirements for the federal child care subsidy program**

- **Introducer:** Senator John Fredrickson (Dist. 20)
- **Summary:** Senator Fredrickson's priority bill, LB856, was intended to enable more child care employees to benefit from the child care subsidy by excluding the income eligibility requirement for qualifying employees. The bill was amended to address technical restrictions that could otherwise prevent eligible child care employees from benefitting from the subsidy if their own children are receiving care in the same programs where they work. The amendment also contained provisions enabling family child care home providers who meet subsidy eligibility requirements to enroll their own children in other programs to receive subsidized care. Due to fiscal constraints, Senator Fredrickson introduced AM3218 to remove the \$10M fiscal note that would have covered the income eligibility exclusion. The other technical provisions remained in the bill.
- **Bill Status:** As amended, LB856 passed Final Reading with a 38-7-2 vote and was signed into law by Governor Pillen on April 15.



LB874 aims to streamline regulations for Nebraska's early care and education field. By reducing administrative burdens and costs for providers, the legislation is expected to free up resources for improved quality of care, increase capacity and create a more stable industry.

Additionally, regular regulatory review and enhanced legislative oversight will promote transparency and accountability within the system.

### **LB857 | Create the Nebraska Prenatal Plus Program**

- **Introducer:** Senator George Dungan (Dist. 26)
- **Summary:** LB857, Senator Dungan's priority bill, creates the Prenatal Plus Program, offering additional services to mothers receiving Medicaid coverage who are at risk of an adverse birth outcome. These services include nutrition counseling, psychosocial counseling and support, general health education, breastfeeding support and targeted case management. The bill identifies which mothers are eligible for Prenatal Plus services and allows the Nebraska Department of Health and Human Services to offer an enhanced payment structure to providers. As amended, LB857 sunsets June 30, 2028.
- **Bill Status:** LB857 passed Final Reading on a 45-0-0 vote and Governor Pillen signed it into law on April 2.

### **LB874 | Change requirements relating to child care licensing and child care facilities**

- **Introducer:** Senator Eliot Bostar (Dist. 29)
- **Summary:** LB874, prioritized by Speaker John Arch (Dist. 14), streamlines and clarifies state licensing requirements under the Child Care Licensing Act and standardizes local regulations governing child care. The bill provides for the portability of background check documentation for child care staff if they change employers, allows providers to obtain a dual license to adjust their staffing with changes in attendance, standardizes the permissive exemption on property taxes for operating a child care program and requires a report to the Legislature on licensing regulations promulgated by state agencies.
- **Bill Status:** LB874 passed Final Reading, 46-0-1, and the Governor approved it on April 15.

### **LB898 | Adopt the National Crime Prevention and Privacy Compact**

- **Introducer:** Senator Teresa Ibach (Dist. 44)
- **Summary:** LB898 enters Nebraska into the National Crime Prevention and Privacy Compact, which facilitates background check information sharing among states and the federal government. This would include federally mandated background checks in child care, the state agency or in court.
- **Bill Status:** LB898 did not advance out of the Judiciary Committee and was indefinitely postponed at the end of the session.



LB904 allows the Nebraska Department of Health and Human Services to determine child care subsidy reimbursements by assessing both market rates and costs of providing care. The bill also establishes the 75th percentile of the market rate as the baseline for subsidy reimbursement.

LB1178, amended into LB904, creates the Intergenerational Care Facility Incentive Grant Program that allows eligible applicants to make capital improvements and purchase materials or equipment necessary to co-locate child care programs with nursing homes and assisted living facilities. Research shows intergenerational programs can produce developmental and quality of life benefits for children and older adults.

**LB904 | Change provisions regarding child care reimbursement rates, create the Intergenerational Care Facility Grant Program, provide for use of the Medicaid Managed Care Excess Profit Fund**

- **Introducer:** Senator Wendy DeBoer (Dist. 10)
- **Summary:** LB904 allows the Nebraska Department of Health and Human Services to determine child care subsidy reimbursements by assessing both market rates and costs of providing care. The bill also establishes the 75th percentile of the market rate as the baseline for subsidy reimbursement. [LB1178](#) (Intergenerational Care Facility Grant Program bill) was amended into LB904 through [AM2734](#).
- **Bill Status:** LB904 passed Final Reading on a 45-0-2 vote and the Governor signed it into law on April 15.

**LB913 | Require a state plan amendment for postpartum coverage under the Children’s Health Insurance Program**

- **Introducer:** Senator Megan Hunt (Dist. 8)
- **Summary:** LB913 would extend coverage of mothers covered by the unborn child option in the Children’s Health Insurance Program (CHIP). The bill required the Nebraska Department of Health and Human Services to submit a state plan amendment to provide postpartum coverage for at least 6 months and specifies that coverage would be identical to the postpartum offerings in Medicaid.

- **Bill Status:** LB913 was amended to [LB62](#) via AM2321, but the amendment was withdrawn prior to Final Reading. The bill then remained on General File and was indefinitely postponed at the end of the session.

**LB946 | Change requirements for payments to Child Care Subsidy program providers**

- **Introducer:** Senator Jen Day (Dist. 49)
- **Summary:** LB946 amends the State Plan for Services to pay child care providers participating in the child care subsidy based on a child’s enrollment in a provider’s program rather than their attendance.
- **Bill Status:** LB946 was not advanced by the Health and Human Services Committee and was indefinitely postponed at the end of the session.

**LB997 | Require the State Department of Education to establish criteria for salary supplements for child care and early education providers**

- **Introducer:** Senator Teresa Ibach (Dist. 44)
- **Summary:** LB997 creates the Child Care Wages Fund with the intent of making distributions to the Child Care WAGE\$ Nebraska program to provide salary supplements to child care providers working with children age 5 or younger in licensed child care.
- **Bill Status:** LB997 did not advance from the Education Committee. It was indefinitely postponed at the end of the session.

**LB1003 | Change a requirement relating to child care licensing in cities, villages or counties**

- **Introducer:** Senator Ben Hansen (Dist. 16)
- **Summary:** LB1003 allows municipalities to establish their own staff-to-child ratio requirements in child care. First Five Nebraska testified in opposition to this bill.
- **Bill Status:** LB1003 did not advance from the Health and Human Services Committee and was indefinitely postponed at the end of the session.

**LB1054 | Adopt the Child Care Safety and Security Act**

- **Introducer:** Senator Lynne Walz (Dist. 15)
- **Summary:** LB1054 creates the Child Care Safety and Security Fund with a \$300K appropriation. The Fund would help communities establish safety and reunification procedures for child care providers.
- **Bill Status:** The Health and Human Services Committee advanced LB1054 to General File, but it was not taken up for debate by the full Legislature. It was indefinitely postponed at the end of the session.

**LB1055 | Require development of a reading instruction system and programming for adults and children, create a steering committee and provide for a literacy coordinator**

- **Introducer:** Senator Lynne Walz (Dist. 15)
- **Summary:** LB1055 appropriates \$10M to create a professional learning system to provide sustained professional learning and training in high-quality instruction in reading for teachers and early childhood educators who teach students birth through fifth grade. It also appropriates \$2M to support adult literacy programs and creates a Literacy Steering Committee.
- **Bill Status:** The Education Committee did not advance LB1055 to General File and it was indefinitely postponed at the end of the session.

**LB1083 | Change provisions relating to the Nebraska Career Scholarship Act**

- **Introducer:** Senator Danielle Conrad (Dist. 46)
- **Summary:** LB1083 includes early childhood education programs of study in the Nebraska Career Scholarship Act. Scholarship recipients must obtain an internship, apprenticeship or employment related to their major.



Evidence-based home visiting services support the well-being of families and promote the healthy physical, social and cognitive development of young children. These programs pair families with trained nurses, early childhood educators or other professionals who tailor services to meet the specific needs of each family. Participation in home visiting programs is voluntary and free of charge to families at risk.

Benefits of these programs include:

- Healthier pregnancies and improved maternal care
- Stronger parenting skills and parent-child relationships
- Better academic and social outcomes for children

*First Five Nebraska issue brief*

- **Bill Status:** The Education Committee did not advance LB1083 to the full Legislature for debate. It was indefinitely postponed at the end of the session.

**LB1124 | State intent to appropriate funds to the Department of Health and Human Services**

- **Introducer:** Senator Tony Vargas (Dist. 7)
- **Summary:** LB1124 appropriates \$900K per year over two fiscal years from the state General Fund to the Nebraska Department of Health and Human Services for evidence-based early intervention home visiting programs. LB1124 was amended into LB1412, the state mainline budget bill, with funding from the Medicaid Managed Care Excess Profit Fund.
- **Bill Status:** LB1412 passed on a 42-6-0 vote with an emergency clause, so went into effect the day after Governor Pillen signed it on April 1.

### **LB1125 | State intent to appropriate funds to the Department of Health and Human Services**

- **Introducer:** Senator Anna Wishart (Dist. 27)
- **Summary:** LB1125 appropriates \$500K from the Medicaid Managed Care Excess Profit Fund to the Nebraska Department of Health and Human Services for evidence-based early intervention nurse home visiting programs for two fiscal years. LB1125 was amended into [LB1412](#), the state mainline budget bill.
- **Bill Status:** LB1412 passed on a 42-6-0 vote with an emergency clause, so it went into effect the day after Governor Pillen signed it on April 1.

### **LB1178 | Create the Intergenerational Care Facility Incentive Grant Program**

- **Introducer:** Senator Anna Wishart (Dist. 27)
- **Summary:** LB1178 creates the Intergenerational Care Facility Incentive Grant Program that allows eligible applicants to make capital improvements and purchase materials or equipment necessary to co-locate child care programs with nursing homes and assisted living facilities. LB1178 was amended into [LB904](#) through [AM2734](#).
- **Bill Status:** LB904 passed Final Reading on a 45-0-2 vote and the Governor signed it into law on April 15.

### **LB1254 | Provide for a professional learning system and regional coaches for teaching students to read**

- **Introducer:** Senator Lou Ann Linehan (Dist. 39)
- **Summary:** Portions of LB1252 and [LB1254](#) were included in [AM3061](#) to [LB1284](#). The amendment appropriates \$2 million from the Education Future Fund for the 2024-25 and 2026-27 fiscal years to create a professional learning system to provide training in reading for educators who teach children from age 4 through third grade.



Quality child care is an instrumental component to our state's economic stability and growth. Access to these programs helps create employment opportunities for working parents, improves workplace productivity for employers and increases our state's revenue. Unfortunately, our state does not have enough quality care options to meet the demand of all working parents.

Elizabeth Everett  
FFN Policy Advisor  
Testimony in support  
of LB1416

- **Bill Status:** LB1284 passed Final Reading on a 42-0-5 vote with an emergency clause. It went into effect April 16, the day after Governor Pillen signed it.

### **LB1416 | Adopt the Child Care Capacity Building and Workforce Act**

- **Introducer:** Senator Eliot Bostar (Dist. 29)
- **Summary:** LB1416 creates the Child Care Capacity Building and Workforce Grant Program and the Family Child Care Home Grant Program to support the child care workforce, child care programs and working families. LB1416 was amended into [LB164](#) through [AM3104](#); the amendment removed funding provisions for the original bill.
- **Bill Status:** LB164 passed Final Reading on a 37-6-3 vote. Governor Pillen approved LB164 on April 16.

