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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

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TITLE 206 BEHAVIORAL HEALTH SERVICES

CHAPTER 1 SCOPE AND DEFINITIONS

001. SCOPE AND LEGAL AUTHORITY. This title governs the administration of Nebraska's Public Behavioral Health System. These regulations are authorized by and implement the Nebraska Behavioral Health Services Act, Nebraska Revised Statute (Neb. Rev. Stat.) §§ 71-801 to 71-831.

002. DEFINITIONS. For purposes of this Title, the definitions in Neb. Rev. Stat. § 71-804 and the following apply.

002.01 ACTIVITIES OF DAILY LIVING. Activities that allow individuals to live successfully in non-institutional settings. Development of daily living skills involves an organized service which provides skill building needed by the consumer in such areas as personal hygiene, self-care, interpersonal skills, self-direction, meal preparation and nutrition, as well as, other related areas required to successfully live independently in the community. This may also be referred to as "basic daily living skills".

002.02 ADULT WITH SEVERE AND PERSISTENT MENTAL ILLNESS. An individual who:

- (A) Is age 19 and older;
- (B) Has a primary diagnosis of schizophrenia, major affective disorder, or other major mental illness under the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. Developmental disorders or psychoactive substance use disorders may be included if they co-occur with the primary mental illnesses listed above;
- (C) Is at significant risk of continuing in a pattern of either institutionalization or living in a severely dysfunctional way if needed mental health services are not provided, and this pattern has existed for 12 months or longer or is likely to endure for 12 months or longer; and
- (D) Has a degree of limitation that seriously interferes with the individual's ability to function independently in an appropriate and effective manner, as demonstrated by functional impairments which substantially interferes with or limits at least two of three areas:
 - (i) Vocation or education;
 - (ii) Social skills; or
 - (iii) Activities of daily living.

002.03 ASSESSMENT. The process that a provider completes with each consumer to gather information and documentation needed to identify the individual's status, strengths, preferences, and needs in order to develop a service plan.

002.04 CONSUMER. An individual or family member of an individual with lived experience with a mental illness or substance use disorder.

002.05 CONFLICT OF INTEREST. A conflict of interest is when an organizational matter to be acted upon confers a personal benefit, financial or otherwise, direct or indirect, to a member of the Regional Governing Board, an employee, a volunteer, a student, a consultant, or person related by kinship, or personal or professional association.

002.06 CO-OCCURRING DISORDER. The coexistence of both a mental health and substance use disorder.

002.07 DOCUMENTATION. The written, dated, and where applicable, signed evidence to substantiate performance as part of an organized system of official records.

002.08 FUNCTIONAL IMPAIRMENT. Serious limitations an individual has which substantially interfere with or limit functioning in major life activities, as determined through an assessment by qualified personnel. In adults, it is the degree of limitation that seriously interferes with the individual's ability to function independently in an appropriate and effective manner in any of the functional areas of vocational and educational, social skills, or activities of daily living.

002.09 FUNCTIONAL LIMITATIONS IN ACTIVITIES OF DAILY LIVING. Functional limitations in activities of daily living are an inability to consistently perform the range of practical daily living tasks required for basic adult functioning in the community in any of the following areas:

- (A) Grooming, hygiene, washing of clothes, and meeting nutritional needs;
- (B) Care of personal business affairs;
- (C) Transportation and care of residence;
- (D) Procurement of medical, legal, or housing services; or
- (E) Recognition and avoidance of common dangers or hazards to self and possessions.

002.10 FUNCTIONAL LIMITATIONS IN SOCIAL SKILLS. Limitations that consist of:

- (A) Repeated inappropriate or inadequate social behavior or an ability to behave appropriately or adequately except with extensive or consistent support or coaching or only in special contexts or situation;
- (B) The ability to participate in adult activities only with extensive support or coaching and when involvement is mostly limited to special activities established for persons with behavioral health diagnoses; or
- (C) A history of dangerousness to self or others.

002.11 FUNCTIONAL LIMITATIONS IN VOCATION AND EDUCATION. Limitations that consist of:

- (A) An inability to be consistently employed or an ability to be employed only with extensive supports, except that a person who can work but is regularly unemployed because of acute episodes of mental illness is considered vocationally impaired;
- (B) Deterioration or decompensation resulting in an inability to establish or pursue educational goals within a normal time frame or without extensive supports; or

- (C) An inability to consistently and independently carry out home management tasks, including household meal preparation, washing clothes, budgeting, or child care tasks and responsibilities.

002.12 MILITARYSERVICE. Full-time duty in the active military service of the United States, a National Guard call to active service for more than 30 consecutive days, or active service as a commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration. Military service may also include any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause. (From the Servicemembers Civil Relief Act, 50 U.S.C. App. 501 et seq., as it existed in 2016.)

002.13 NATIONAL ACCREDITATION. The standards set by The Joint Commission, the Commission on Accreditation of Rehabilitation Facilities, the Council on Accreditation, or other nationally recognized accreditation organization approved by the Director.

002.14 PERSON-CENTERED CARE. Services and supports designed around the needs, preferences and strengths of an individual.

002.15 PROVIDER. An organization or individual that has contracted with one of the Regional Behavioral Health Authorities or the Division to provide publicly-funded behavioral health services to consumers.

002.16 PSYCHOLOGICAL TRAUMA. Trauma from events or experiences that confront the person directly or as a witness to an event or experience where there exists an immediate perceived threat of death, extreme human suffering, severe bodily harm or injury, coercive exploitation or harassment, or sexual violation.

002.17 RECOVERY. A process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

002.18 REGIONAL BEHAVIORAL HEALTH AUTHORITY. The regional administrative entity responsibility for each behavioral health region.

002.19 REGIONAL BEHAVIORAL HEALTH AUTHORITY NETWORK. Providers who have contracted with a Regional Behavioral Health Authority to form a network to provide behavioral health services in that Region.

002.20 TRAUMA-INFORMED SERVICES. Services that are informed about, and sensitive to, trauma-related issues present in survivors; but they need not be specifically designed to treat symptoms or syndromes related to sexual or physical abuse or other trauma. Trauma-informed services are designed to include a basic understanding of how trauma impacts the life of an individual seeking services.

002.21 TREATMENT. Recovery-oriented and person-centered clinical evaluations or interventions provided to consumers to ameliorate disability or discomfort or reduce signs and symptoms of a behavioral health diagnosis.