



STATE of NEBRASKA

EXECUTIVE OFFICE

LINCOLN

Executive Order
No. 4

By virtue of the authority vested in me as Governor of the State of Nebraska, it is ordered as follows:

WHEREAS, the United States Congress has provided: "The term 'State Mental Health Authority' means the State health authority, except in the case of any state in which there is a single state agency, other than the State health authority charged with responsibility for administering the mental health program of the State, it means such other State Agency;" (42 U.S.C. §201(m); and

WHEREAS, the Nebraska Department of Public Institutions is charged with responsibility for administering the mental health program of the state (§§71-5001, et seq., R.R.S., 1943).

WHEREAS, the United States Congress has further identified separate responsibilities for the State mental health authority as compared with those of the State Agency as the latter term is defined in federal law. (P.L. 96-79, effective October 4, 1980); and

WHEREAS, the Nebraska Legislature in designating the Department of Health as the State health planning and development agency (i.e., State Agency) under P.L. 93-641, 42 U.S.C., section 300k et seq., did not preclude the designation by the Governor of a separate State mental health authority;

WHEREAS, it is in the best interests of the State of Nebraska that the State mental health authority charged under Nebraska statutes with the responsibility for administering mental health programs of the State be so identified and designated by the Governor of the State of Nebraska for purposes of complying with the federal statutes and regulations, which include, but are not limited to, State mental health authority planning responsibilities as well as responsibilities granted State mental health authorities relating to grants for mental health planning and programs which, among other provisions of federal law, are found in P.L. 94-63, 94th Congress, July 29, 1975, and subsequent amendments;

THEREFORE, as Governor of Nebraska, I do hereby designate the Department of Public Institutions, effective September 1, 1980, as the State Mental Health authority for the State of Nebraska, as its single state agency, and all express or implied designations to the contrary are hereby revoked.

In official recognition whereof, I hereby affix my signature, this 9th day of July, 1980.

CHARLES THONE, Governor of Nebraska

ALLEN J. BEERMANN, Secretary of State

