



DISASTER RELIEF PROJECT

Disaster Guide

A Resource for
Pro Bono Attorneys
and Nebraskans

Contributors

Heather Bernt, *Legal Aid of Nebraska*

Brigitta Bogue, *Legal Aid of Nebraska*

Patrick Carraher, *Legal Aid of Nebraska*

Steven Chase, *Nebraska Department of Labor*

Annie Christenson, *Legal Aid of Nebraska*

Arianna Crum, *Legal Aid of Nebraska*

Theresa Cusic, *Legal Aid of Nebraska*

Jane Francis, *Nebraska Department of Insurance*

Tania Garcia-Rangel, *Legal Aid of Nebraska*

Jennifer Gaughan, *Legal Aid of Nebraska*

John Milligan, *Legal Aid of Nebraska*

Shirley Peng, *Legal Aid of Nebraska*

Tessa Peters, *Nebraska Attorney General's Office*

Margaret Schaefer, *Legal Aid of Nebraska*

Liliana Shannon, *Legal Aid of Nebraska*

Anna Tremmel, *Legal Aid of Nebraska*

Chris Vogt, *Legal Aid of Nebraska*

Lea Wroblewski, *Legal Aid of Nebraska*

Funding provided by

Legal Services Corporation

Lincoln Community Foundation

Revised 2018

Images: FEMA News Photo



Contents

A. Nebraska Emergency Management Agency	04
B. Federal Emergency Management Agency Assistance	06
C. Landlord/Tenant	18
D. Employer/Employee Issues	28
E. Banking and Financial Issues	36
F. Consumer Disaster Recovery Issues	40
G. Insurance Issues	50
H. Wills and Estates	58
I. Health Care Issues	62
J. Personal Bankruptcy Issues	66
K. Replacing Lost Documents	68
L. Public Benefits	76
M. Immigration	82
N. Family Concerns	84
O. Resources and Referrals	86
P. Endnotes	98



Nebraska Emergency Management Agency

NEMA is an agency within the Nebraska Military Department and they are “charged by statute to reduce the vulnerabilities of the people and communities of Nebraska from the damage, injury and loss of life and property resulting from natural, technological, or man-made disasters and emergencies.”¹

Political Subdivision Assistance

Political subdivisions may receive financial assistance as a result of a disaster or emergency through the Governor's Emergency Funds. Once the Governor signs a State of Emergency Proclamation, the Governor's Emergency Funds can be used. A political subdivision can only get assistance from this Fund when the "disaster/emergency costs exceed ordinary capacity" which is determined if they meet certain threshold deductibles. There are certain categories that the funds cannot be used for, such as repairing Federal-aid highway routes. NEMA manages the fund, and a political subdivision must notify NEMA within 24 hours of an incident to be eligible for funds.²

NEMA requires that the local Emergency Manager submit a NEMA Incident Status Report detailing the potential or actual damage.³ After this information is recorded, the political subdivision must determine if they can handle the disaster on their own or if they will need assistance. It is up to the local Chief Elected Official to declare a State of Emergency and submit an official Local Emergency Declaration. This Local Emergency Declaration notifies NEMA that the subdivision does not have or no longer has the resources to properly handle the disaster/emergency.⁴ If the political subdivision decides not to declare a disaster, then the political subdivision is financially responsible for handling the disaster/emergency situation.

This declaration then must be sent to NEMA via fax or email with a copy of the Incident Status Report to make the declaration operative.⁵ It is important to note that a Local Emergency Declaration is not a request for state assistance. In order to receive state assistance, a political subdivision must complete an application from the NEMA Public Assistance Officer (PAO).⁶ Once NEMA receives a political subdivision's declaration they will contact the local Emergency Manager to learn more about the magnitude of the disaster. If necessary, NEMA's PAO and NEMA's Response and Recovery Supervisor will assist the local Emergency Manager with the necessary paperwork for getting state assistance.⁷

If the governor issues a State Disaster Declaration then "NEMA may deploy a field team to the affected jurisdiction to serve as a liaison with that jurisdiction." NEMA will also provide reimbursement for eligible expenses; however, eligibility is based on FEMA Public Assistance Guidelines. It is important to note that "entities that self-deploy are not eligible for reimbursement." Entities must be requested by the declared jurisdiction.⁸ If NEMA determines that federal assistance is necessary to handle the disaster they can "request a Joint Preliminary Damage Assessment (PDA) with FEMA Region VII in lieu of the initial state inspection. If NEMA makes a PDA request, a Federal representative(s) will accompany state and local representatives on a detailed survey of the damaged facilities."⁹ If the PDA finds a Federal Disaster Declaration probable, "the local jurisdiction will be notified of the procedures to follow."¹⁰ If there is a Federal Disaster Declaration, the declared jurisdictions are eligible for Federal Emergency Management Assistance (FEMA) and entities can apply for reimbursement under FEMA; however, they cannot be self-deployed entities.¹¹



Federal Emergency Management Agency assistance¹²

When the President of the United States declares a “major disaster” anywhere in the United States or its territories, federal assistance is made available to supplement the efforts and resources of state and local governments and voluntary relief organizations pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, found at 42 USC 5121.

For an up-to-date listing of current counties declared as disaster areas, visit www.fema.gov. It is important to note that a Public Assistance (PA) declaration primarily assists jurisdictions in repairing infrastructure and public works, and is a separate declaration from an Individual Assistance (IA) declaration. An Individual Assistance declaration assists affected households. The two declarations are not concurrent. For more information on PA and IA declarations, please visit www.fema.gov.

Individuals, families, and businesses in disaster-affected counties may be eligible for federal assistance. It is essential to register with FEMA to ensure access to all available assistance. You may register with FEMA and apply for disaster assistance by calling the FEMA Helpline at 1-800-621-3362 (TTY: 1-800-462-7585) or by visiting www.fema.gov.

Disaster survivors should read FEMA's Applicant Guide, titled "Help after a Disaster: Applicant's Guide to the Individuals and Households Program." You will be mailed a copy of this publication after registering with FEMA. You may also read a copy online at: www.fema.gov/help-after-disaster.

It is important to understand that not everyone who has suffered because of a disaster is entitled to federal disaster assistance. In order to ensure consistent and effective assistance is provided in the wake of a disaster, the Stafford Act disaster housing program is administered as part of a standard sequence of delivery. After a disaster occurs, emergency assistance, including food, shelter, clothing, and medical needs, may be provided for disaster survivors. These services are administered primarily by voluntary agencies.

Programs to restore applicants to their pre-disaster standard of living start once their basic needs have been met. The Stafford Act and other federal assistance programs provide funds only to make a home safe, sanitary, and functional. Disaster survivors must first contact their insurance company to file a claim for disaster related damages. If disaster survivors do not have homeowners' insurance, or their net insurance settlement is less than the verified damage determined, they may be eligible for housing assistance.

How do I apply for disaster help?

You can apply online at www.fema.gov or via phone by calling the FEMA Helpline at 1-800-621-FEMA (3362), TTY 1-800-462-7585.

What information should I have available when applying?

You will need your Social Security Number, your pre-disaster address, your current address, a phone number where you can be reached, insurance information, total household annual income, and a description of losses caused by the disaster. If you want disaster assistance funds transferred directly into your bank account, you will also need to provide a routing number and account number.

You will be given a FEMA registration number. This is very important, please write it down and keep it somewhere safe.

What happens after I apply for disaster assistance?

Please note that it may take up to 48 hours for your registration to appear in FEMA's system.

You may find it helpful to create an online account which will allow you to track the progress of your application. You may create an account at www.disasterassistance.gov. Creating an online account is not required.

FEMA will mail you a copy of your application and an Applicant Guide which will explain the entire process.

You may be contacted by an inspector, who will schedule a time to review your damages. It is very important you provide a working phone number so this inspector is able to reach you. If an inspector cannot contact you, your application will experience delays.

You may be asked to complete additional paperwork.

You may always call the FEMA Helpline at 1-800-621-FEMA (3362), TTY 1-800-462-7585 to check on the status of your application.

How does my insurance, or lack of insurance, affect my FEMA application and benefits?

If you have homeowner's insurance, you should still apply for FEMA assistance. However, you will need to work through your insurance company's claim process before being eligible for any FEMA benefits (and you may not be eligible for any FEMA benefits at all). You should provide FEMA with a decision letter from your insurance company. If your insurance company's settlement does not cover all your losses, or your insurance claim is denied, FEMA assistance may be available.

If you do not have homeowner's insurance, and your home or its contents were damaged, a FEMA inspector should contact you within 10-14 days of your application to inspect your home.

I received an SBA loan application in the mail. I don't own a business, and I wanted a grant from FEMA, not an SBA loan—why did I get this?

The Small Business Administration (SBA) serves an important role in disaster recovery. SBA loans are not just for business owners: homeowners and renters may also benefit from the loans. Interest rates are typically very low, with favorable terms for borrowers. Most FEMA grants are intended to meet immediate, emergency needs and may not cover all of your disaster-related losses. SBA loans are better suited to meet these non-emergency disaster-related needs.

If you receive an SBA loan application, it is very important that you complete and submit it. Even if you are approved, you are under no obligation to accept any loan. After reviewing your application, SBA may determine you are not eligible for a loan and refer you to FEMA. At this stage in the process, you may now be eligible for additional FEMA grant funds. If you fail to complete the loan application, you will miss out on the possibility of these additional grant funds.

The application should take approximately 30 minutes to complete. If you need assistance completing it, you may contact the SBA Customer Service Center at 1-800-659-2955.

The FEMA letter said I had no damage/insufficient damage, but I think that is wrong. What do I do now?

You may always appeal FEMA's decision if you believe it is incorrect. When you appeal FEMA's decision, you are asking FEMA to review your case again. It's important that you do this in a timely matter. You must appeal within 60 days of the date on FEMA's decision letter. All appeals must be in writing. You may mail or fax your appeal. You may be appealing FEMA's decision regarding your eligibility, the amount or type of help provided to you, late applications, requests to return money (also called "recoupment"), or questions regarding continued help.

1. Your appeal should explain in writing why you disagree with the decision. You may include documents which support your explanation; for example, a contractor's estimate showing how much it will cost to repair your home.
2. Your appeal should include your full name, date and place of birth, and address. Your letter must be either notarized, include a copy of a state issued identification, or include the following statement, "I hereby declare under penalty of perjury that the foregoing is true and correct." You must sign the letter.
3. If someone other than you or the co-applicant is writing the letter, then a statement must be included saying that that person may act for you.
4. Include the FEMA application number and disaster number (shown at the top of your decision letter) in your letter of appeal. Mail your appeal letter to:

FEMA
National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-8055

5. You may also fax your appeal to 1-800-827-8112. Attn: FEMA.

How long does it take to get FEMA help?

You should be contacted by a FEMA inspector within 10-14 days of application. The inspection will be scheduled as soon as possible, but keep in mind inspectors are often very busy after a disaster and have many homes to inspect. If the inspection shows you have uninsured eligible damage or need to rent housing while displaced from your home, a check can be printed and put in the mail within two days of the inspection. If you have chosen to use electronic deposit, the funds are deposited almost immediately after approval. The money often arrives before the official letter explaining the award, which will come in the mail.

I got a check from FEMA. Can I spend it on whatever I want?

No. It is very important that you spend the money in the way FEMA intended. FEMA will send you an award letter with an explanation of the funds, and it is important that you spend the money appropriately and keep documentation of this.

For example, FEMA "Housing Needs" assistance must be spent on housing. You may not spend it on replacement clothing or food, even if you need these things because of the disaster. If you do not use the money properly, you may not be eligible for additional help. You may also be required to pay the money back (also called "recoupment of funds"). If you aren't sure whether a specific expense is qualified for use of FEMA funds, you should contact FEMA to ask.

I received a rental assistance check, but there are no places to rent.

If you are eligible for housing assistance but cannot find rental housing within a reasonable commuting distance of your damaged dwelling, you should contact FEMA or visit a Disaster Recovery Center. FEMA will evaluate your situation and may authorize a travel trailer or mobile home to provide temporary housing.

What if I don't get enough FEMA money to meet my needs?

FEMA funds and other disaster aid programs are only intended to meet essential needs. There may be other sources of funding, such as SBA loans that can assist you in your recovery. You should apply for all available assistance.

If you feel the amounts FEMA has approved for specific needs are too low, you can always appeal the decision. Keep in mind you will need to explain why you believe you are entitled to additional funds. See above for more information about appeals.

Other people in my neighborhood, city or state got FEMA help but I didn't. Why?

FEMA's eligibility criteria are the same for everyone. But keep in mind that each person's situation is unique: FEMA will examine the damage to their individual home, their insured or uninsured status, etc. If you feel FEMA's decision is incorrect, you may always appeal the decision. See above for more information about appeals.

I have a new phone number, how do I update my application?

It is very important that you keep FEMA updated with current contact information, including phone number and address. You may update FEMA by calling the FEMA Helpline at 1-800-621-FEMA (3362), TTY 1-800-462-7585, or by visiting a Disaster Recovery Center. It is important to keep a record of all communication with FEMA, including the date, time, and who you spoke to. If you provided written documentation, keep a copy of the documentation that you provided.

What are FEMA's citizenship/immigration requirements?

You must be a US citizen, non-citizen national, or qualified alien to qualify for a FEMA grant. Undocumented immigrants are not eligible for FEMA assistance. However, only one member of a household needs to be eligible to qualify the home for FEMA aid. An undocumented parent or guardian may apply for assistance on behalf of a minor child who is a US citizen, noncitizen national, or qualified alien.

I am undocumented and want to apply for aid on behalf of my eligible minor child, but I am afraid of being reported to immigration authorities. Will FEMA report me?

If you are an undocumented adult applying for aid on behalf of an eligible minor child, you will be asked to sign a FEMA release in the child's name. No information will be gathered about your immigration status or the status of other members of your household. You will not have to sign any documents regarding your immigration status.

Who is a qualified alien?

A qualified alien generally includes individuals who are lawful permanent residents (who have an alien registration card or “green card”) and individuals with legal status due to asylum, refugee or parole, withholding of deportation, or domestic violence.

What is a Disaster Recovery Center and what services do they provide?

A Disaster Recovery Center is an accessible facility or mobile office where applicants may go for information about FEMA and other disaster assistance programs. Applicants may also ask questions related to their individual FEMA case.

I lost my job because of the disaster and may lose my housing because of the lost income. Will FEMA make payments until I can return to work?

No, FEMA cannot make mortgage or rent payments on your behalf. If your job was affected by the disaster, you may be eligible for Disaster Unemployment Assistance.

Will FEMA pay for lost wages? I haven't been able to work since the disaster.

If you are unemployed because your employer's business was destroyed or closed because of the disaster, or you are unemployed because your house or car was destroyed, or because you can no longer get work due to the disaster, it is possible you can receive unemployment compensation benefits.

There is a federally funded Disaster Unemployment Assistance (DUA) program that would give you temporary income if you lost your job due to a “major disaster”, which is defined as “a hurricane, tornado, storm, flood, earthquake, drought, ice conditions, fire, or other catastrophe. These funds are only available if the President declares a major disaster.”¹³

For more information on how to file your claim see the section below on Employer/Employee Issues.

I had damages to my farm or ranch. Can FEMA help?

FEMA funds are intended to assist you with disaster-related damage to your home or personal property. If you have damages to your crops, livestock, farm equipment, or buildings, you may be eligible for the USDA's disaster assistance program. To determine eligibility, contact your local Farm Service Agency office.

More information can be found on www.fsa.usda.gov.

The inspector told me I was going to get money from FEMA, but the FEMA letter said I am not eligible. Who is right?

Inspectors are contracted by FEMA to perform inspection work only, and are not authorized to comment on eligibility matters. The letter is correct, and not the inspector.

If the FEMA letter determined you are not eligible, please see the section above on appeals.

What will FEMA accept as proof of occupancy?

FEMA will accept several types of documents, including but not limited to the following: utility bill for the damaged dwelling with your name or name of co-applicant, credit card statement sent to the damaged dwelling with your name or name of co-applicant, pay stubs sent to the damaged dwelling with your name or name of co-applicant, and current driver's license or state identification card with the address of the damaged dwelling.

What will FEMA accept as proof of home ownership?

FEMA will accept several types of documents, including but not limited to the following: deed, mortgage documents, homeowner's insurance policy, property tax bill, and property tax receipts.

I missed the FEMA inspector's call. Should I try to call them back?

No. FEMA inspectors are busy inspecting other houses and you will likely be unable to reach them. You should wait for the inspector to contact you again. Inspectors will try to contact you three times to arrange an inspection of your property. It is important you keep your contact information updated so the inspector can reach you.

I have insurance and filed a claim with my insurance agent, but I have no place to live. Can FEMA help me?

Many homeowner's insurance policies include coverage for additional living expenses (ALE). ALE coverage includes the cost of housing, food, and other daily essentials. Your policy will specify the amount of ALE coverage provided. ALE coverage is only available when the insured property is uninhabitable because of a loss covered under the homeowner's insurance policy. If your housing costs exceed this amount, or your policy does not include ALE coverage, FEMA may be able to provide assistance.

My insurance settlement is not enough to meet my needs/cover my losses. Can FEMA help?

First, carefully review your settlement documents and your insurance policy. If you lost your policy (your actual insurance contract) in the disaster, you may call your insurance company and request that a new copy be sent to you. Be sure you understand what kinds of damages and losses are covered by your policy. If you believe your insurance company has refused a claim for a damage or loss that is covered by your policy, you should contact your insurance company to appeal the decision. See the Insurance section appearing later in this Manual for additional information on insurance appeals.

FEMA may be able to provide assistance if you still have unmet needs after utilizing your insurance policy to its full extent. While anyone affected by a disaster should register with FEMA, your application will likely be denied as "ineligible" if you have homeowner's insurance. If you still have unmet needs after exhausting your insurance policy, you may contact FEMA to inquire about available assistance. You should explain that you have had a change in circumstances: you have made a claim on your insurance policy, utilized it in the intended manner, and still have unmet disaster-related needs. You should include the settlement information from your insurance company, explaining your insurance company's decision regarding your claim.

Are insurance deductibles covered by FEMA funds?

No.

What insurance documents does FEMA need?

FEMA is not allowed to duplicate any benefits already provided to you by your insurance company. Therefore, FEMA needs to know how your insurance company handled your claim. Supporting documents to explain the handling of your claim may include a settlement detailing funds awarded or a denial letter.

My insurance company told me they can't inspect my house for weeks. Can FEMA help?

FEMA may be able to help if your insurance settlement is delayed. Your settlement is considered delayed if it has been longer than 30 days since you filed your claim and no decision has been made. You need to write a letter to FEMA explaining the circumstance. You should include documentation from the insurance company proving that you filed the claim. If you filed over the phone, you should include the claim number, date of filing, and any estimates given to you by the insurance company regarding how long the settlement will take.

Please note that if FEMA provides any financial assistance because of a delayed insurance settlement, this assistance will be considered an advance. You must pay FEMA back the funds once your insurance settlement is complete.

I need to pay money back to FEMA. Where do I send it?

You have several options for paying money back to FEMA. You may pay by personal check, money order, credit card, or by returning the uncashed US Treasury check.

Make all personal checks or money orders payable to FEMA. Be sure to include your FEMA registration number, which will be included on your Notice of Debt letter, or your Bill for Collection number. If FEMA cannot identify you and associate your personal check or money order with an outstanding debt, it will be returned to you.

Mail your personal check, money order or your completed credit card form to:

FEMA
P.O. Box 530217
Atlanta, GA 30353

US Treasury checks which have not been cashed or deposited may be returned to FEMA at:

Department of the Treasury
Bureau of Fiscal Service
Philadelphia Financial Center
Attn: Treasury Check Return
1300 Townsend Road
Philadelphia, PA 19154-1026

Include your name, Social Security number, and FEMA application number on any correspondence.

My home is not damaged but a public road/bridge is damaged so that I can't access my home. Can FEMA help?

Yes. If damages to a public road or bridge prevents or restricts you from accessing your home, FEMA may be able to provide assistance.

If I own the road/bridge should I apply for help?

Yes. If the private road or bridge damage prevents or restricts access to your home, FEMA may be able to provide assistance.

What if I share ownership and responsibility for the road/bridge?

All households who share in the responsibility of maintaining the private road or bridge should be encouraged to register, particularly if the damages prevent or restrict access to their homes.

How do I get a FEMA trailer?

If you are eligible for housing assistance from FEMA but are unable to find a residence to rent within a reasonable commuting distance of your damaged home, contact FEMA at 1-800-621-3362 or visit a Disaster Recovery Center. FEMA will evaluate your situation and may then authorize a temporary housing unit (a travel trailer or mobile home). In large-scale disasters, FEMA will conduct a study of the community's available housing stock and then make a decision regarding the need for temporary housing units.

How long can I use it?

If you are approved for a FEMA temporary housing unit, you will need to meet with a FEMA housing specialist to prove your continued eligibility each month. This process is called "recertification." Generally, temporary housing units are available for 18 months from the date of disaster declaration assuming you remain continuously eligible. FEMA may also grant an extension to this 18 month time period.

My family is too big for the trailer, what now?

FEMA temporary housing units come in a variety of sizes. If the largest size available is still too small for your family, it may be possible for your family to get two. You should speak with your FEMA housing specialist about your concerns.

Can I have a ramp built for my trailer?

Yes. Speak with your FEMA housing specialist or call the FEMA Helpline at 1-800-621-FEMA (3362), TTY 1-800-462-7585.

What if a storm damages my trailer?

When you move into your trailer, you will be provided a maintenance number. If you do not have the maintenance number, call the FEMA Helpline at 1-800-621-3362 or speak with your FEMA housing specialist.

**After the storm the price of gas/water/etc. was very high.
Is that price gouging?**

"Price gouging" happens when a supplier raises their prices on necessities after a disaster occurs. In many states price gouging is illegal; however, in Nebraska there is no statute prohibiting price gouging. However, Nebraska does have a statute that makes it illegal for a supplier to commit an "unconscionable act...in connection with a consumer transaction." If the price gouging is severe enough that a court would deem it unconscionable, then charges could be brought against that supplier.¹⁴

If you suspect that price gouging has happened and want the Attorney General's Office to investigate, you should file a complaint with the Nebraska Attorney General's Office at <https://protectthegoodlife.nebraska.gov> or call (402) 471-2683.

When the US gives money to disasters in other countries, does that mean there is less for me and my state/disaster?

No. If federal disaster assistance is designated for your area, the disaster relief funds for your state will not be affected by any funds provided for international relief efforts.

**My vacation/rental/second home was damaged;
can FEMA help?**

No. FEMA's disaster assistance program is intended to meet immediate needs, and as such is limited to an applicant's primary residence. However, if you own a secondary home that is rented out or occupied by a family member, you may be eligible for assistance from the Small Business Administration (SBA).

Will FEMA pay my utility bills?

No. FEMA cannot pay utility bills. However, local agencies may have funds designated for emergency utility assistance. Contact your local Red Cross or United Way for referral to a local agency. You may reach the United Way by calling or texting 2-1-1 for more information or visit <https://www.heartlandunitedway.org/211-resource-hotline>.

In addition, many utility companies will make special allowances or set up special payment plans after a disaster. Be sure to contact your utility company directly, explain your situation, and inquire about the availability of assistance programs.

**I lost food because of the power outage;
can FEMA pay me for it?**

No. FEMA's disaster assistance program does not cover food loss. Voluntary agencies in your area may be able to assist with immediate food needs.

If you have homeowner's insurance, it is possible your policy covers food spoilage due to a covered loss. The basic homeowner policy does not cover such loss, but you may have purchased an additional premium or "rider" to cover this cost. Review your insurance policy or contact your insurance company for more information.

Can FEMA buy food for me?

No, but Nebraska may provide Disaster Food Stamp Benefits that current Food Stamp recipients would be eligible for. Contact Nebraska Department of Health and Human Services at 402-471-3121 to find out if this assistance is available.¹⁵

Can FEMA help with debris removal (trees, actual storm debris)?

FEMA does not typically pay for cleaning up debris. However, if the debris is keeping you or emergency workers from safely reaching your home, FEMA may be able to provide help. In a large-scale disaster such as the 2011 Joplin tornado, debris removal may actually be coordinated by the local city government. Contact local officials to see what assistance is available.

Debris removal may also be covered by your homeowner's insurance policy. Review your policy or contact your insurance company for more information.

Will FEMA reimburse for the generator I bought?

FEMA will reimburse for generators purchased post-disaster only in very special circumstances. The applicant must first be eligible for FEMA assistance. The generator must be purchased or rented to power a medically-required appliance or piece of equipment. The generator must be purchased or rented on or after the governor's declaration of a state of emergency up to the end of the incident period or the date power is restored to the applicant's home, whichever occurs first.

You will need to send FEMA a copy of the proof of purchase or rental receipts for the generator, and proof the appliance or equipment in question is required for medical purposes (for example, a letter from a physician on letterhead explaining the medical need for the appliance or equipment).

You may send the above information to:

FEMA Individuals & Households Program
National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-8055

You may also fax the above information to: 1-800-827-8112

However you choose to send it, be sure to also include your name, last four digits of your Social Security number, disaster number, and registration number. Please ensure this information appears on all pages of your correspondence, and keep a copy for your records.

Do I have to repay the government for help I received?

Under normal circumstances, grants from the Individuals & Households Program do not have to be repaid. Recoupment may occur if the federal government later finds you have misspent the funds allocated (used them for a purpose other than that specified by FEMA), or have received an incorrect amount of funds (either due to fraud or mistake). Loans from the Small Business Administration must be repaid.

Where should I mail my receipts to FEMA?

You may mail receipts to:

**FEMA Individuals & Households Program
National Processing Service Center**
P.O. Box 10055
Hyattsville, MD 20782-8055

You may also fax receipts to: 1-800-827-8112

However you choose to send it, be sure to also include your name, last four digits of your Social Security number, disaster number, and registration number. Please ensure this information appears on all pages of your correspondence, and keep a copy for your records.

I have a lot of damage but my FEMA letter says \$0. Why?

Your letter from FEMA will state a reason for the denial. Once you have found the stated reason, you may refer to the Applicant's Guide for additional information. Applicants are most commonly denied because they have insurance to cover the loss. Please refer to the appeals section to appeal your denial.



Landlord / Tenant

Most of Nebraska's landlord/tenant law comes from Nebraska's Uniform Residential Landlord and Tenant Act.¹⁶

May I terminate my lease because of the disaster?

If the residence is destroyed by fire, flood or has other serious damage that is not your fault, then you may move and terminate your lease if you cannot live there in a normal way. After you move, you have fourteen (14) days to give your landlord written notice that you are ending your lease. If you do this, you will not owe any rent from the day you move out. Make sure to save a copy of any notice you send to your landlord.¹⁷

If the premises are totally unusable because of the disaster, do I have to permanently move out even though I want to stay?

Your landlord can use the eviction procedures to evict you. If you have a verbal rental agreement, meaning there is no agreement in writing, then your landlord can terminate your lease even if you are still paying rent and not causing trouble. Your landlord is required to give you thirty (30) days' notice in writing that he or she is terminating your lease. If you have a written lease, then the landlord is required to follow the procedures in your lease to terminate the lease.¹⁸

In addition, the public officials may deem the property unsafe and demolish the property.¹⁹

If the dwelling is partially unusable because of the disaster and I don't want to permanently move out, can my rent be partially abated?

Yes. If the dwelling is partially unusable because of a disaster, and you vacate the unusable part of your dwelling, and it is also lawful for you to stay in the dwelling, then your rent should be reduced to its current fair rental value.²⁰ Reducing the amount you pay your landlord can have other legal consequences, including your landlord claiming that you are not paying the amount of rent you owe and trying to legally evict you. Do not pay your landlord less in rent unless you have an agreement in writing with your landlord setting forth the new rent amount or, without first speaking with an attorney.

May I withhold payment of rent because of the disaster or because the landlord has failed to repair the dwelling in a timely manner after the disaster?

According to NEB. REV. STAT. § 76-1419, your landlord must:²¹

- A. Keep your home up to the local housing code standards materially affecting health and safety. If your city has no local housing code standards, your landlord must do all of the following:
 1. Make all repairs and do whatever is necessary, after receiving written or actual notice, to put and keep your home in a fit and habitable condition.

2. Keep all common areas of the home in a clean and safe condition, including ensuring that stairways, approaches, and entry ways are safe to use and can support people.
3. Maintain in good and safe working order and condition all electrical, plumbing, sanitation, heating, ventilation, air conditioning, and other facilities and appliances, including elevators, supplied or required to be supplied by him or her.
4. Keep the foundation, floor, walls, ceilings, and roof weatherproof, waterproof, and rodent proof.
5. Provide and maintain appropriate receptacles and conveniences for the removal of ashes, garbage, rubbish, and other waste incidental to the occupancy of the dwelling unit and arrange for their removal from the appropriate receptacle.
6. Supply running water and reasonable amounts of hot water at all times and reasonable heat except where the building that includes the dwelling unit is not required by law to be equipped for that purpose, or the dwelling unit is so constructed that heat or hot water is generated by an installation within the exclusive control of the tenant and supplied by a direct public utility connection.

If you are without hot or cold running water, electricity, gas, or other essential service (and those services are available after the disaster) you must give your landlord written notice of the problem. If the landlord either deliberately or negligently fails to provide water/hot water, electricity, heat, or other essential service(s), you may be able to pay for repairing the service and deduct this expense from future rent. Or, you can find another place to stay until the landlord fixes it. If you do this, you do not have to pay rent for the days you are not living at home. If your landlord tries to evict you for not paying your rent, you may have a defense to the eviction because your landlord did not fix the problem. You should call a lawyer for advice about this.²² Do not reduce your rent payments without first speaking with an attorney.

Do I have to keep paying rent to my landlord while I am not living at my house/apartment?

"If the residence is destroyed by fire, flood or has other serious damage that is not your fault, then you may move and terminate your lease if you cannot live there in a normal way. After you move you have fourteen (14) days to give your landlord written notice that you are ending your lease. If you do this, you will not owe any rent from the day you move out."

Make sure to save a copy of any notice you send to your landlord.²³ If you are without hot or cold running water, electricity, gas, or other essential service, you can find another place to stay until the landlord fixes it. If you do this, you do not have to pay rent for the days you are not living in the home.²⁴ Otherwise, read the terms of your lease to see if it discusses rent abatement. If the lease says nothing about it then talk to your landlord and if the landlord allows it, make sure to get that in writing. Reducing the amount you pay your landlord can have other legal consequences, including your landlord claiming that you are not paying the amount of rent you owe and trying to legally evict you. Do not pay your landlord less in rent unless you have an agreement in writing with your landlord setting forth the new rent amount, or without first speaking with an attorney.

What can happen and what should I do if I cannot pay the rent on my dwelling because of job or salary interruptions following the disaster?

You should look at your lease to see if it addresses this. Talk to your landlord or property manager about your circumstances to see if you can get a different payment arrangement. If you get approval for this, get that in writing.

Your landlord can evict you for not paying rent. If you receive a 3-day notice of nonpayment of rent from your landlord, also known as a “3-day Notice to Quit”, you have 3 days to pay the amount due. It will usually say that unless you pay the rent in full within 3 days, your lease will terminate. Your landlord may send you a 3-day notice in the mail, hand it to you in person, or leave it on your door. You need to pay the entire amount of back due rent within these three days or the landlord is entitled to begin proceedings to evict you. The landlord cannot put you out himself, even if you did not pay the amount due within 3 days. He needs to get a court order in order to evict you.²⁵

If you pay within the 3 days, then the landlord must accept it and you can stay in your dwelling. However, if you offer to pay only part of the amount due, the landlord does not have to accept it. If you cannot pay your rent in full within the three days, or if you try to pay the back rent after the 3 days, the landlord does not have to accept it. The landlord instead can sue you in court to have you evicted (in court this is called a “restitution of premises” lawsuit). If the landlord files an action in court to have you evicted, a hearing will be scheduled. You have the right to attend the hearing and tell your side to the court. If the court determines that your landlord gave you a proper 3-day notice and that you did not pay the amount due within the 3 days, the court can issue an order to evict you. The court can also order you to pay the back rent due, plus other damages and court costs. If the court orders your eviction, the landlord can now have the sheriff force you to move out. You probably will not get your deposit money back because of the past due rent as well.²⁶ See “If you have been sued (received papers from the court)” below for more information on what to do if you have been sued.

How could I pay rent if I wanted to?

Your lease should specify where to pay rent, but ask your landlord if it does not.²⁷

How do I contact my landlord?

During disasters phone networks may not be working. If you know where your landlord lives, you should try contacting your landlord there, but you may need to rely on your landlord’s other tenants, friends, or family for help locating your landlord.

Can my landlord rent my home/apartment to someone else while I am gone?

If you are gone without notifying your landlord for one full rental period or 30 days, whichever is less, you have technically abandoned your dwelling. If a tenant abandons the dwelling, the landlord can take immediate possession and can try to rent out the dwelling to someone else. If the landlord rents the dwelling before your lease expires, your lease will expire the date the new tenant moves in.²⁸

If you have not paid rent and your landlord has given you notice, your landlord can start an eviction proceeding against you. If you are evicted, they can then rent out the dwelling to another tenant.²⁹

My landlord told me to move out the next day because he wants the dwelling for his daughter who lost her home in the disaster. He told me if I didn't move out, he would change the locks. Do I have to move out?

No. As long as the eviction process isn't completed and there is not a court judgment against you allowing the landlord to take possession of your place, your landlord cannot lock you out of your unit. "The landlord must have a constable, sheriff, or a person from the court come to evict you (make you move). If the landlord comes his or herself and tries to put you out, call the police."³⁰

If you have been locked out without an eviction order, you should first contact an attorney. "You can send or give your landlord a written notice about the lockout and demand that your landlord let you back in the unit. Be sure to keep a copy of the notice yourself. After you send or give notice to your landlord, you can sue your landlord to get back into your unit, or, you can simply state in the notice that the rental agreement is ended (if you want to terminate your lease and move out). Whichever you do, you can also sue for money damages equal to what 3 months' rent plus your attorney's fees, security deposit, and prepaid rent. Again, you should talk to an attorney about this."³¹

If your landlord has taken or locked up your personal property and you are still living in the unit, then call the police and report that your property has been taken.³²

What should I do if I am served with an eviction lawsuit?

Your landlord can start the eviction process to remove you from the property or to sue you for damages that you may have caused. "If you have been sued, the papers you receive will have the name of the court at the top and state your name as the defendant. *If you receive papers like this, you need to contact an attorney.* Please note that if you have been evicted by a court and you receive public housing benefits or you apply in the future for public housing benefits, an eviction could affect your ability to obtain these benefits. You should contact an attorney right away if you are sued for eviction."³⁴

You will be served.

A sheriff or process server will serve you with a Summons that will tell you the court date, time and place for your hearing. The Summons will also give you a deadline for filing your Answer.³⁵

You must file an Answer.

The Answer is your chance to respond to the landlord's claims and this must be done by the deadline indicated in your Summons. If you need an Answer form, the county court clerk's office may have sample Answer forms.³⁶ You can also visit lawhelpne.legalaidofnebraska.org for information about landlord tenant issues, including a sample answer form.

You should write in your Answer why you should not be evicted and/or why you do not owe the money the landlord is asking for. You should speak to an attorney before filing an Answer.

- A. If you do not file an Answer, or if you do not appear at the hearing, the landlord may get the eviction approved and any money he/she is asking for. This is called a default judgment. You will receive a copy of the judgment in the mail.
- B. If your landlord is trying to evict you and you do not have an attorney to represent you, make sure you attend the hearing. Bring any relevant paperwork with you, along with any witnesses you may want to testify.

Reasons why the landlord might not be able to evict you even if you didn't pay your rent.

- 1. Your landlord stopped your electricity, gas, water or other necessary service.
- 2. Your unit was in such poor repair that the judge believes it should not be lived in.
- 3. If your landlord is trying to evict you because he claims you have not paid your rent, but you have receipts for your rent payments. Take those receipts to show the judge at the hearing. Your landlord may not be able to continue with the eviction if he accepted even part of the rent that is due before you go to court.
- 4. Your landlord came into your home without any notice or came at unreasonable times of the day or night.
- 5. Your landlord failed to give you the proper written three day notice for nonpayment of rent, and/or 14-30 day notice for violating terms of the lease, and/or a proper 30 day notice to terminate a month to month rental agreement.

If you are evicted, you need to move.

If the court orders that you are evicted, you need to move out right away. If you don't, a sheriff or officer has the authority to forcibly remove you and your property within 10 days of the court eviction order. This can even happen the day of the court order; this is why it is important to move out immediately.³⁷

Move your property out right away:³⁸

If you have been evicted by the court and need to move, get your property out of the unit right away. Even if you do not have another place to live, put your things in storage or move them to a friend's house. If you leave property there, it is often difficult to get your property back, even though your landlord should not immediately throw it out on the curb or throw it away. The landlord must give you a written notice that he is storing your property and tell you where you can pick it up. You could be charged fees if the landlord has to store the property. These fees often add up to hundreds of dollars so it is important to move everything out when you leave. If the landlord gave you the notice in person, you have at least 7 days to get the property and pay him the fees. If the landlord sent the notice to you in the mail, then you have at least 14 days from the day the notice was postmarked to get the property and pay him the fees.

If you do not pick up your property and pay the fees before the deadline, your landlord can sell it at a public sale or possibly dispose of the property as he sees fit. The landlord must then return whatever money he gets from the sale to you minus the costs of storage and of the sale. If your landlord cannot find you, he must give the money to the State Treasurer's Office. If the landlord thinks the property is worth \$2,000 or less, and you have not picked it up and paid the fees on time, then he can keep the property for himself or get rid of it.

There will be a second hearing to decide if you have to pay the landlord money damages.

If you file an Answer, there will be a second hearing about money you may owe the landlord for unpaid rent, late fees or damages. If you believe that you do not owe this money, then you should contact an attorney for advice. You should attend this hearing because if you do not, the court may enter a default order requiring you to pay the money damages your landlord is asking for.

May I recover damages against my landlord for injuries or property damage I suffered as a result of the disaster?

No, this is why it is important to have renter's insurance. If you do have renter's insurance you should file a claim with them regarding your property damage. Be sure to know what your insurance does and does not cover. Check to see if it covers damages caused by floods. You may need to buy an additional policy to cover flood damage.³⁹

FEMA has an Individual and Household Plan that may assist renters that have property damage. To learn more about this plan, visit www.fema.gov/recovery-directorate/assistance-individuals-and-households-fact-sheet.

Can I recover damages against my landlord if they didn't know about the possibility of flooding?

No, you are responsible for getting insurance to cover any loss or damage to your personal belongings.⁴⁰

All my personal belongings were destroyed when the roof fell in on the place I rent. What help can I get from my insurance company?

Contact your insurance agent immediately. However, if your roof was in bad repair, you gave your landlord written notification of this before the roof fell in, and your landlord did nothing to fix it, then you may be able to recover damages from your landlord.

According to NEB. REV. STAT. § 76-1419, your landlord must:⁴¹

- A. Keep your home up to the local housing code standards materially affecting health and safety, if your city has a local housing code.
- B. Make all repairs and do whatever is necessary, after receiving written or actual notice, to put and keep your home in a fit and habitable condition.

What should I do if I do not have insurance on my personal belongings?

Unfortunately, the obligation to replace your belongings falls on you. This is why it is crucial to have renter's insurance. Contact charitable organizations and the Nebraska Emergency Management Agency 24-hour number at 402-471-7421 or visit nema.nebraska.gov/recovery/public-assistance to learn which organizations may be offering assistance.

If my personal belongings are lost or damaged as a result of the flood or other disaster, may I recover from my landlord under the landlord's hazard insurance policy?

Probably not. You are responsible for getting insurance to cover any loss or damage to your personal belongings. Renter's insurance is not as expensive as one might think. "For approximately the cost of a delivered pizza dinner each month, renters insurance can protect your personal belongings and save you from legal or medical expenses associated with an accident in your home."⁴²

Is flood damage covered under my insurance policy?

It depends on your policy. You should check your policy or contact your insurance agent.

Does my automobile insurance cover the damage to my car resulting from the disaster?

It depends on your policy. You should check your policy or contact your insurance agent.

May I recover damages against my neighbor whose property damaged my property during the disaster?

If your neighbor can argue that the disaster was an "extraordinary force of nature" or "Act of God," probably not. This means this disaster "must have been so unusual and extraordinary" that no one could reasonably anticipate or expect it to happen. If the disaster was the sole cause of the damage, meaning that your neighbor did not purposefully or negligently participate in causing the damage, then you cannot recover damages against your neighbor.⁴³

What can I do with someone else's property which the disaster carried onto my land?

If the property is an important document or important keepsake, you can try to find the person who owns the property if this is possible. If not, you should check if a government agency or charity has a lost and found that you can turn it into for safekeeping.

May I sue the local, state, or federal government for damages caused by the disaster?

Usually not. Sovereign immunity protects federal, state and local governments from most such lawsuits. The government also could use the Act of God defense.

Must I continue paying rent for my commercial lease space even though it has been rendered totally or partially unusable by the disaster?

You should read your lease. Nebraska's Landlord Tenant Act discussed in this Handbook only applies to residential leases.

HOMEOWNERS & MORTGAGES

My house was damaged and I can't live in it. Do I have to make my mortgage payments?

Typically, yes. If your home was completely destroyed typical mortgage contracts state that you should use any insurance payouts to rebuild the house. Homeowners always have the option to rebuild with their insurance payouts. These payouts are typically made in your name AND your mortgage lenders name. You need your lender's endorsement before you can use the money. Sometimes lenders pressure homeowners to use the money to pay off the mortgage instead of rebuilding, but homeowners have a right to rebuild if they want to. If your home was damaged but still livable, you most likely will still have a mortgage.⁴⁴ You should contact your mortgage servicer as soon as possible to tell them about your house damage. Your mortgage servicer may be able to work something out for you.⁴⁵

Do I have to pay my mortgage note while I am not living at the property?

See the above answer.

What should I do if I receive a notice that my lender is going to foreclose on my home for non-payment of the mortgage?

You should see a lawyer immediately or if you do not want to keep your home you can let the foreclosure happen.

Can my mortgage holder foreclose on my home if I can't make the payments?

Yes. They can always foreclose if you are not making payments.

PERSONAL PROPERTY

Who is responsible to replace my personal property that was located on someone else's property (leased property, rented out to a customer, etc.)?

If you had insurance on your personal property, you should check your policy. If you do not have insurance on your personal property, then you are responsible for replacing it.⁴⁶

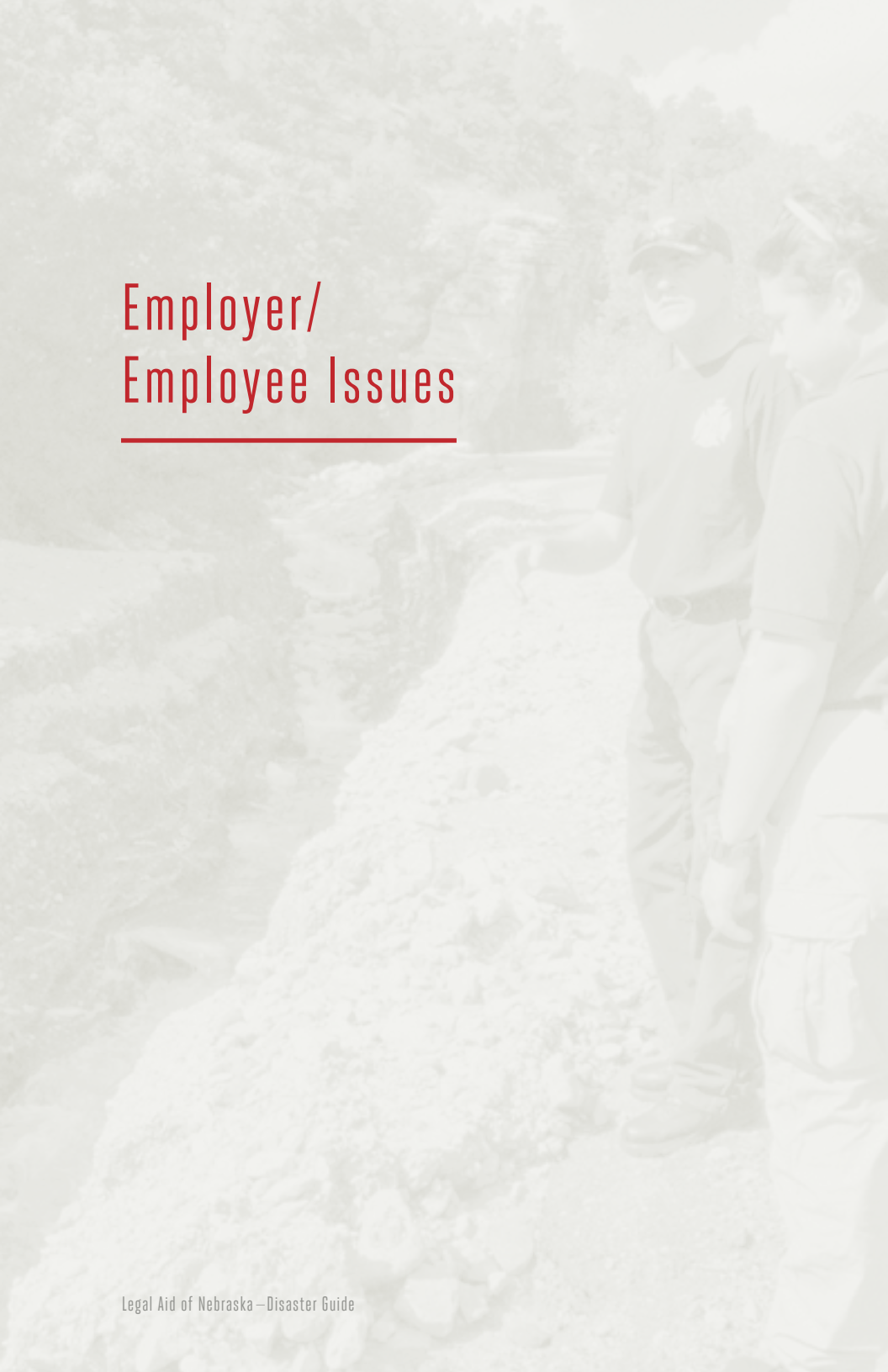
Who is responsible for the value of my personal property that was stolen (looted)?

If you know who stole your property, you can hold him or her responsible. You should file a police report. If you have insurance, you may be able to file an insurance claim. You should check your policy.

Are there any programs available to me to recover the value of my lost personal property?

If you are insured you should contact your insurance company. If not, contact or visit:

1. *DisasterAssistance.gov* for government assistance for disaster victims;
2. Nebraska Office of Emergency Management for a list of charitable organizations providing assistance. *www.nema.ne.gov/index.shtml*;
3. Local non-profits, voluntary, faith-based, and community organizations.

The background of the page is a faded, light-colored photograph. It depicts two individuals, likely emergency responders or construction workers, standing on a large pile of rubble and debris. The person on the left is wearing a dark cap and a dark shirt, while the person on the right is wearing a light-colored shirt and pants. They appear to be looking at something off-camera. The overall tone is somber and professional.

Employer/ Employee Issues

UNEMPLOYMENT COMPENSATION

What is unemployment insurance?

Unemployment Insurance (UI) is a program designed to provide temporary financial assistance to workers who are unemployed through no fault of their own. "Unemployment benefits are financed exclusively by an employer tax. Claimants do not pay into the unemployment benefits system. Eligibility for unemployment benefits are governed by Nebraska Employment Security Law, Nebraska Administrative Code, and federal regulations."⁴⁷

What are the eligibility requirements for unemployment insurance benefits?

To be eligible for unemployment insurance benefit payments, you must:

1. Meet the "minimum earning requirements from insured work during the base period." These requirements are adjusted annually. Typically, you will need to have worked for at least six months in order to meet minimum monetary qualifications.⁴⁸
2. If you are a non-citizen you "must establish that [you are] in satisfactory immigration status and authorized to work in the United States when earning the wages used to establish [your] claim." You must provide information from your employment authorization documents issued by the United States Citizenship and Immigration Services. You may also be asked to "provide legible copies of [your] employment authorization documents. The Nebraska Department of Labor verifies immigration status and work authorization through an electronic system maintained by the Department of Homeland Security."⁴⁹
3. You must not have been fired due to your own misconduct.
4. You must not have quit your job without good cause (Good cause in Nebraska "is limited to the conditions of work, compelling health reasons, or quitting to escape spousal abuse").
5. You must not have refused a job offer "of suitable employment" or you will be disqualified for 12 weeks.
6. You must not have refused to accept a referral from the Nebraska Department of Labor Employment Service or you will be disqualified for 12 weeks.
7. You cannot be a full-time student unless you were a student "at the time you earned the majority of the wages in your base period. An exception may apply if you are enrolled in a training program which has been approved by the Commissioner of Labor."
8. You must have the ability to work four or more days of the week. Unfortunately, you will be disqualified if you have a sickness or injury that would inhibit you from working four or more days. Also, if transportation and family caretaking prevent you from working four or more days you will be disqualified.

9. You must not be on a Leave of Absence. "You have to be completely separated from your employer or working reduced hours." If you are a school teacher on a summer break, you may be disqualified during your breaks.
10. You must not have had an Unemployment Claim last year and are refiling this year. Nebraska law does not allow "back-to-back unemployment claims unless you have worked in insured employment since the effective date of your prior claim and earned at least six times the previous weekly benefit amount. Your new claim must meet both the minimum monetary requirements and the requalification requirement."
11. If you are notified that you were "selected to receive reemployment services, then you are required to take part in this program." You may be disqualified from the benefits if you do not.⁵⁰

When & how do I file for unemployment insurance benefits?

You should file your initial claim the SAME week you are unemployed or working reduced hours. Your claim will not start on the date your job ended or the date your hours were reduced: instead "your claim is effective the week you apply." You should know that once you file your claim it will take several weeks to process and you are required to "file a weekly claim every week online at [neworks.nebraska.gov](http://newworks.nebraska.gov), even while you are waiting for your claim to be processed or while you have an appeal pending. You have from 12:01 a.m., Sunday to midnight Friday to request benefits for the previous week." Make sure you always do this on time because if you are late you may be denied benefits.

You have to file online at neworks.nebraska.gov (NEworks). However, if you cannot access a computer, you can use computers at your local Nebraska Department of Labor office. You can call the Nebraska Department of Labor's Administrative Office at 402-471-9000 to get information regarding the closest office.

Visit Nebraska Unemployment Compensation Benefits online at Nebraska's Department of Labor website at dol.nebraska.gov/UIBenefits to get the step-by-step process for filing benefits. If you need help because your claim involves the military, federal, or out-of-state wages you should call Nebraska Claims Center at 402-458-2500. It is also important that you fill out your own claim rather than have someone else do it to protect your privacy. Before filing your claim you will need the following information:

- Social Security Number
- Complete home mailing address, including ZIP code
- Telephone number
- Email address
- County you live in
- Driver's license number or State ID card number
- If you select direct deposit, your bank routing number and account number
- The company names for all your employers from the past 18 months as they appear on your paycheck stubs or W-2 forms
- Complete mailing addresses of employers, including ZIP code and the city in which the business is physically located
- Your start and end dates with each employer, including month, day, and year
- Your reason for leaving each employer (lack of work, voluntary quit, discharge, leave of absence, still employed)
- Employment authorization number and expiration date (if a non-citizen)

- If you worked in another state besides Nebraska in the last 18 months, you must call the Nebraska Claims Center at 402-458-2500 to file a combined wage claim
- If you served in the military the past 18 months, DD 214 Member #4 Form. You must call the Nebraska Claims Center at 402-458-2500 to file a military claim
- If you worked for the federal government as a civilian employee in the last 18 months, Standard Form 8 or Standard Form 50. Also, compile your total wages earned with the federal employer in the last 18 months and indicate how you were paid (hourly, weekly, monthly). You must call the Nebraska Claims Center at 402-458-2500 to file a federal claim.⁵¹

What do I do while my claim is pending?

1. You should know that once you file your claim it will take several weeks to process and you are required to "file a weekly claim every week online at neworks.nebraska.gov, even while you are waiting for your claim to be processed or while you have an appeal pending. You have from 12:01 a.m., Sunday to midnight Friday to request benefits for the previous week." Make sure you always do this on time because if you are late you may be denied benefits.
2. There are work search requirements that require you to "make an active search" for employment every week you claim benefits. You must contact at least 2 potential employers in person or by mail, phone, or online. If you are filing a claim based on full-time employment your active work searches must be for full-time employment as well. If you are filing a claim based on part-time employment your active searches can be for part-time or full-time employment. "The active work requirement for each week benefits are claimed can be waived if you are on a temporary layoff with a definite return to work date, attached to certain industries or are a member in good standing with a union hiring hall." Take this seriously because the department will check to verify that you did make these contacts. Benefits may be denied if you do not comply with the work search requirements.
3. You must report these work searches on a log online every week or you will be disqualified to receive benefits. However, you don't have to do this if you are a union member with a hiring hall, have a return-to-work date, or are in a TRADE or Approval Training program.
4. You can log your work searches in two different ways:
 - a. You can log them online in NEworks as soon as you make them, but before you submit your weekly claim for benefits or
 - b. You can log the previous week's work searches the same time you claim your weekly benefits online in NEworks.
5. AFTER SUBMITTING YOUR WEEKLY CLAIM FOR BENEFITS, YOU CANNOT LOG YOUR WORK SEARCHES FOR THE PREVIOUS WEEK.
6. Make sure to report any work or earning on your weekly claims and that you are reporting your gross earnings (amount before deductions and taxes) not your net earnings (after deductions and taxes).
7. Read any communication you get from the Nebraska Department of Labor and make sure they have your current address. The Department will send letters explaining additional things you will need to do.
8. If you find full-time employment stop claiming benefits immediately, do not wait to stop claiming until you are paid. If you "intentionally [misreport] your wages [this] may be considered fraud, which is subject to severe penalties."⁵²

Are disaster unemployment insurance benefits available?

If you are unemployed because your employer's business was destroyed or closed because of the disaster, or you are unemployed because your house or car was destroyed, or because you can no longer get work due to the disaster, it is possible for you to receive unemployment compensation benefits.

There is a federally funded Disaster Unemployment Assistance (DUA) program that would give you temporary income if you lost your job due to a "major disaster", which is defined as "a hurricane, tornado, storm, flood, earthquake, drought, ice conditions, fire, or other catastrophe." These funds are only available if the President declares a major disaster. DUA benefits are only offered during the benefit period. This is a 26-week period which begins the Sunday after the date the major disaster began. The Nebraska Department of Labor declares the 30-day benefit application period wherein your DUA claim must be filed.⁵³

Who qualifies for Disaster Unemployment Assistance?

To be eligible for DUA you must be a worker or self-employed "in the disaster area at the time it occurred and whose major source of livelihood is damaged due to the disaster." In addition, one of the following must apply to you.

As a direct result of the disaster, you:

- A. Have a week of unemployment following the date the major disaster began; or
- B. Are unable to reach the place of employment; or
- C. Were to have started work and do not have the job or are unable to reach the job; or
- D. Become the breadwinner or major support for a household because the head of household died as a direct result of the major disaster; or
- E. Cannot work because of an injury caused as a direct result of the major disaster. It is important to note that "DUA is not available if you are entitled to regular unemployment insurance benefits or waiting week credit. There is no waiting week period for DUA."⁵⁴

How do I file a claim?

You can file for DUA online at NEworks, neworks.nebraska.gov/vosnet/Default.aspx, or call 402-458-2500.

- A. You will need your Social Security number and proof of income.
- B. If your employer does not report your income for unemployment purposes "you may use copies of check stubs, W-2 forms, or other proof" along with your Social Security card.
- C. If you were self-employed, "you will need a copy of your Social Security Card and a complete set of your federal income tax return from the most recent completed tax year." Forms needed may include:
 - Form 1040—U.S. Individual Income Tax Return
 - Schedule C—Profit or Loss from Business
 - Schedule C-EZ—Net Profit from Business
 - Schedule F—Profit or Loss from Farming
 - Schedule K-1—Partner's Share of Income, Credits
 - Schedule SE—Self Employment Tax

Income reported on IRS Forms 4797 or 4835 cannot be used as proof of income.”

You can Mail or Fax Proof of Income to:

UI Benefits Special Programs (DUA)

Nebraska Department of Labor

P.O. Box 94600

Lincoln, NE 68509-4600

Fax: 402-458-2595

1. You will also have to file a weekly claim to keep receiving DUA benefits online at *dol.nebraska.gov*. You are required to report all income from the week (wages, vacation, holiday pay) even if you have not received that money yet.
2. If you want to appeal a decision you have 60 days to “send a letter of appeal [that] includes your Social Security Number and signature, and an explanation of why you disagree” to:

UI Benefits Special Programs (DUA)

Nebraska Department of Labor

P.O. Box 94600

Lincoln, NE 68509-4600

Fax: 402-458-2595

3. Or you can appeal online at *dol.nebraska.gov*.
4. It's important to note that your DUA benefits do need to be reported on your federal income taxes. “You may withhold 10 percent of your benefits for this purpose.”
5. For more information contact Unemployment Insurance Benefits Special Programs (DUA) at 402-458-2500.⁵⁵

What is an employer's obligation in regards to termination of employees?

Nebraska is an “at-will” employment state. This means without a written contract or other proof that you can only be fired “for cause”, the employer can fire you for any reason. However, an employer cannot fire you for illegal reasons. If you were fired due to discrimination, retaliation for whistleblowing, or for performing legally protected activities these are illegal reasons.⁵⁶

What is an employer's obligation with respect to group insurance?

If an employer had to close your place of work this would eliminate the group insurance coverage for you and your dependents. However, your employer would be required to give you notice of this and inform you of your conversion rights, under COBRA, to switch your group coverage to individual coverage. Typically COBRA allows former employees to continue the same coverage in an individual policy for up to 18 months.⁵⁷

What can employers do with regards to the payment of salaries to terminated employees?

Nebraska law requires employers to pay all earned, unpaid wages in full on the next regularly scheduled pay date or “within two weeks, whichever is sooner.” This includes earned and unused vacation and paid time off benefits.⁵⁸

Does Nebraska have any legal restrictions against firing, suspending or disciplining employees?

Nebraska is an employment at-will state so an employer can hire, fire, suspend, or discipline an employee for any reason or for no reason at all. If there is an employment contract or union protections this may be different, but you would need to look at the terms of that contract and at the protections to see if they would prevent the employer from doing this. However, there are some legal restrictions on employers. According to the Nebraska's Fair Employment Practice Act, an employer cannot discriminate against an employee because of their age (40 and up).⁵⁹ The Act also states that an employer cannot discriminate against an employee because of their race, color, religion, sex, disability, marital status, or national origin.⁶⁰ An employer is also banned from retaliating against you if you file a complaint of discrimination or if you refuse to participate in illegal activities that your employer requests you to do.⁶¹

Does Nebraska have a whistleblower statute?

Yes. An employer is banned from retaliating against you if you file a complaint under the Nebraska Fair Employment Practice Act, assist with ongoing "investigations, proceedings, or hearings under the act", or if you refuse to participate in any illegal activities.⁶²

Are there exceptions to Nebraska's employment-at-will doctrine?

Yes, the exceptions include:

1. Denial of employment based on race, color, religion, sex (including pregnancy), national origin, disability, marital status, age (40 and up);
2. Termination of employment based on any of the above characteristics;
3. Harassment of any employee based on any of the above characteristics;
4. Unequal treatment based on any of the above characteristics; and/or
5. Retaliation because you have opposed or made a complaint about illegal discrimination or harassment.

DEADLINES: Employees cannot protect their rights unless they take some kind of action, like filing a civil rights complaint or a lawsuit, within a reasonable time frame after something bad happens at work. Complaints under the Nebraska Fair Employment Practice Act and the Nebraska Age Discrimination in Employment Act must be filed with the Nebraska Equal Opportunity Commission within 300 days of the alleged discrimination. Federal law allows 300 days for filing employment discrimination complaints with the Equal Employment Opportunity Commission (EEOC).⁶³

An aerial photograph showing a large area of flooding. A road runs diagonally from the top right towards the bottom center. In the background, there are some buildings and trees. The water is a light brown color, and the surrounding land is green. The text "Banking and Financial Issues" is overlaid in a dark red color.

Banking and Financial Issues

The local banks are not cashing my checks or letting me withdraw money from teller stations. What can I do?

Since you are a noncustomer of the bank, they may be suspicious whether you have funds in your account. You should ask the bank to call your bank to check the balance. If this does not work, unfortunately you may have to open a new account wherever you are.⁶⁴

My direct deposit is not showing up in my account, and I need money. Is there somebody who can help me clear this up with the bank?

The transaction may just be delayed. During disasters banks may have more protocols they have to follow. You should talk to your bank about the delay to find out more information. You may also want to talk to the person who made the deposit to see if they have any information about it as well.⁶⁵

If my ATM card does not work, what should I do?

Contact your bank immediately. They may tell you the bank's verification system is not working. If you need funds immediately, you should cash a check or use a credit card. You can also contact an emergency service organization that may be able to provide assistance like FEMA and the Red Cross.⁶⁶

I am no longer working due to the storm and don't have the income to live on and meet my payments. If I miss some loan payments, how will this affect my credit? Will I be charged late fees?

You should contact your bank immediately to see if you can work something out. During disasters, the FDIC encourages banks to help those recovering from disasters. Your bank may allow you to delay or skip some loan payments and waive late fees. They also may work out a new payment plan for you due to your situation.⁶⁷

I need longer term financing until insurance checks come in and I can find another job. Will banks help?

Some banks may help because of the disaster; however, not all banks offer unsecured loans.⁶⁸

Where can I find a list of banks that are working with displaced people?

Some banks may help because of the disaster; however, not all banks offer unsecured loans. You can contact your bank directly to see if they've adopted a policy for assisting displaced people.

What about the contents of my safe deposit box? Does FDIC insurance cover safe deposit boxes?

The FDIC does not insure safe deposit boxes. Even though safe deposit boxes are typically in a bank's vault, this may not protect it from damage during a disaster. You should contact your bank to learn of the condition of your safe deposit box.⁶⁹

How will I get my Social Security check?

Your Social Security check should still be going to your account at your local bank. If your funds have not been deposited, contact your bank or the Social Security Administration directly.

If you don't have direct deposit, visit the nearest office of the Social Security Administration which can be located by calling 1-800-772-1213 (TTY 1-800-325-0778) or visit www.socialsecurity.gov/emergency.⁷⁰

If your DirectExpress prepaid debit card was lost or destroyed, you should call the DirectExpress card Customer Service Department at 1-888-741-1115. You will have one free replacement per year and after that it is \$4 per replacement.⁷¹

I am worried about ID theft since my home was severely damaged during the storm or I am not sure where my belongings are at the moment.

Contact one of the three nationwide reporting companies below to place a "fraud alert" on your credit file. If you do this, creditors will be alerted and they will take extra precautions before any new accounts are opened in your name or any changes are made to your current accounts. Contact one of the following:⁷²

Equifax: 1-800-525-628 or www.equifax.com

Experian: 1-888-EXPERIAN (397-3742) or www.experian.com

TransUnion: 1-800-680-7289 or www.transunion.com

What happens if my bank has lost my records?

Banks are required to be prepared when disasters happen. This means they must have some sort of back up record system.⁷³

If my local bank was destroyed, is my money still insured?

Yes, the Federal Deposit Insurance Corporation (FDIC) insures money up to \$250,000. So as long as your account balance was not over this amount, it is insured. Nevertheless, it is a good idea to keep track of your financial records if you have to reconstruct your accounts.⁷⁴

The background image shows two workers in safety gear (hard hats and overalls) standing in a muddy, debris-filled area. They are surrounded by a large pile of broken wood and branches, suggesting a disaster site like a flood or landslide. The image is faded to allow text to be overlaid.

Consumer Disaster Recovery Issues

What Nebraska laws prohibit price gouging?

“Price gouging” happens when a supplier raises their prices on necessities after a disaster occurs. In many states price gouging is illegal. Nebraska does not have a statute prohibiting price gouging. However, Nebraska does have a statute that makes it illegal for a supplier to commit an “unconscionable act...in connection with a consumer transaction.” If the price gouging is severe enough that a court would deem it “unconscionable”, then charges could be brought against that supplier.⁷⁵

If you suspect that price gouging has happened and want the Attorney General's Office to investigate, you should file a complaint with the Nebraska Attorney General's Office at: protectthegoodlife@nebraska.gov or call (402) 471-2683.

What is “Home Equity Fraud”?

Home equity is the fair market value of the home minus the mortgage and other liens on the home. Home equity loans can be used to make repairs on your home; you would pay a fixed amount each month like a mortgage. If you cannot make the payments, then you could lose your home.

Home equity fraud happens when one tries to steal someone's home equity. Vulnerable populations such as elderly, low-income, or disabled individuals are common victims of home equity fraud.

There are many ways scam artists can commit home equity fraud, such as:⁷⁶

- Home repair scams that offer “easy financing” for home improvements;
- Caretakers, friends, family that have gained senior homeowner's trust persuade seniors to sign over their homes to them;
- Refinancing scams;
- Deed forgeries;
- Foreclosure consultants who request a large upfront fee or request that the homeowner sign over the deed to them before they do any work;
- Home equity skimming, which occurs when a homeowner finances a sale to a buyer (After the buyer pays a small down payment and the house is sold and the deed is recorded, the buyer takes out an equity loan and then takes the money and leaves. The seller should put a lien on the deed so that banks won't allow home equity loans.);
- Blank documents, like service contracts or registered mail receipts, are given to a homeowner to sign but really they are tricked into signing a lien or deed transfer; and/or
- Fake lenders who set up shop in devastated areas and get homeowner signatures for loans and then take the loan money.

Be Cautious about the Following Scams

Appliances

After a disaster, it is important to think about replacing appliances that may have been damaged for safety reasons. Damaged appliances can cause fires, explosions, or electrical shock. If your appliance technician says that you need to replace an expensive or major appliance you should ask for their opinion, what materials would be used, and replacement cost in writing and discuss this with your insurance adjuster before committing to anything.⁷⁷ It wouldn't hurt getting a second opinion. Do not pay for anything upfront or if the work is not completed.

Automobiles

If your car was "submerged in water to the point that rising water has reached over the floorboard, entered the passenger compartment and caused damage to any electrical, computerized or mechanical components," call your insurance company and have it checked out by a car dealer or repair shop.

Sometimes car dealers try to sell cars that have been damaged after a flood. If you're buying a used vehicle, inspect it carefully. Look at hidden parts or crevices to check for mud or silt, which indicates water damage. Nebraska law requires that cars that have been "submerged in water to the point that rising water has reached over the floorboard, entered the passenger compartment and caused damage to any electrical, computerized or mechanical components" must be "designated as flood damaged [and] would receive a salvage title."⁷⁸

Before you buy a used car, get the Vehicle Identification Number (VIN) to do a title search for the current owner's name and address, purchase date, purchase price, sales tax, if owner is a car dealer, and odometer reading. The National Insurance Crime Bureau (NICB) has a database for salvaged vehicles you can check if you have the VIN: www.nicb.org/theft_and_fraud_awareness/vincheck/vincheck.

Charity Scams

Some "charities" are scams. Instead of using their donations for what they say they will be used for, scam artists keep the money for themselves. Here are some warning signs to be on the lookout for:

1. Requests for donations due to people needing help urgently
2. A charity name you have never heard of before
 - Go to www.give.org to find out if the charity actually exists
 - Get a number to call to see if it is real
 - Ask for a brochure to be sent to you in the mail
3. A charity that cannot send you a brochure, donor form, or that does not have a website
4. Door-to-door solicitors that accept donations made out to them personally
5. If the only way you can donate is by giving cash to the solicitor
6. If you are asked over the phone to provide your confidential information (i.e. credit card number or bank account number)⁷⁹

Choosing a Contractor

Home repair scams are common after disasters. Check with the Better Business Bureau before choosing a contractor or get recommendations from friends, relatives, neighbors, co-workers, insurance agents, or claims adjusters.

See whether the company is local. Does it have a track record with references in the area? Ask the contractor if you can see their previous work. Ask for the names and phone numbers of their previous clients and if they would be willing to talk with you. If they give you the client list, ask the previous client if they are satisfied with the work, if the contractor did what he or she promised to do, and if they would hire the contractor again. Also check the company vehicle to see if it displays the company name, address, and phone number.

Find out if the contractor has worker's compensation and liability insurance.

Get at least two bids in writing to compare the costs, but know that lower costs doesn't always mean a better deal and higher costs doesn't mean better quality.

Look at the contractor's business license, and keep the number.

Check to see if the contractor is licensed in Nebraska. The Nebraska Contractor Registration Act requires contractors and subcontractors doing business in Nebraska to register with the Nebraska Department of Labor. "All contractors with one or more employees must provide current Worker's Compensation Certificates of Insurance with the Department of Labor..."⁸⁰

Nebraska law requires anyone doing electrical work to be licensed by the Nebraska State Electrical Division. To find out if an electrician is licensed in Nebraska call 402-471-3550.⁸¹

The Contract

Before signing any contract make sure the contract is a detailed written contract that specifies the following:⁸²

1. A list of all materials that will be used in terms of quality, quantity, color, size and/or brand name should be included.
2. A payment schedule should also be established. On home remodeling projects, you should expect to make a down payment representing approximately one-third of the total contract price. Excluding the down payment, you should not make payment for any incomplete work. All of these terms should be spelled out in the contract and clearly understood by both you and the remodeler/builder.
3. The contract with your builder or remodeler should state that the work is to be performed in accordance with all applicable building codes and zoning regulations. If you are remodeling, check with the Building & Safety Dept. to find out what permits are needed to proceed with your project.
4. Do not sign a partial or blank contract! Read each clause carefully and ask any questions you may have before signing. Then, retain a copy of the contract as soon as you sign and file it in your records.
5. Any warranty (including terms, conditions, and oral promises) offered by the contractor should be in writing in language you can understand. You should read it carefully. Make sure the written contract includes: the contractor's full name, address, telephone number, and proof of Workers Comp and liability insurance.

Be skeptical if anyone comes to you regarding work that they believe needs to be done on your home.

Be on the lookout for typical warning signs of a possible scam:

1. The “contractor” uses high-pressure sales tactics like “special deals.”
2. A small repair quickly turns out to be a big repair.
3. The contractor demands money before any services are done or before the work is completed.

You should call the Nebraska Attorney General’s Consumer Division at 800-727-6432 if you suspect a scam is occurring or if you are a victim of a scam.⁸³

Storm Chasers

Unfortunately, disasters attract scam artists who take advantage of those who need help rebuilding or repairing. Storm chasers are out-of-town contractors that travel to places hit by disasters to “provide home repair services.” These contractors may not be licensed or may do poor quality work. The Better Business Bureau suggests that storm victims.⁸⁴

- Get the company’s complete name, address and phone number. Be skeptical of any vague or hesitant answers, or no offers of contracts, brochures, or anything in writing. Beware of high-pressure sales tactics. A reputable company will be happy to let you check them out first.
- Make sure your contractor has all the appropriate permits for the work they are doing and verify that the company has liability and worker’s comp insurance. If a contractor cannot provide proof, beware. If possible, verify that the insurance is active by contacting the contractor’s insurance company directly.
- If it is an out-of-town or out-of-state company, ask how any warranty issues or problems will be addressed after the work is done and the company is gone.
- Ask for references from previous jobs and check them out before signing the contract.
- Before work starts, have a signed, written contract including start and completion dates, exact costs, specific work to be done, and warranty information. Read any fine print carefully and understand all terms before signing.
- Get at least 3-4 quotes from contractors and insist that payments be made to the company, not an individual.
- If you have damage, check with your homeowner’s insurance to have an adjuster sent to determine if and how much they will cover to repair or replace damaged property.
- Be highly suspicious of a contractor that asks you to pay for the entire job upfront. He may take your money and never return.

Debris Removal

Debris removal scams are common after disasters. If anyone approaches you about removing debris be skeptical. Here are some tips provided by the Federal Trade Commission:⁸⁵

- Check with local officials to find out whether tree and debris removal contractors need to be licensed in your area. If so, confirm that the license for the contractor you’re considering is current. Never sign any document or pay any contractor before verifying their license.
- Call Nebraska Consumer Protection Office at 402-471-2682.

- Ask a contractor to provide their license and certificate of insurance once they are on your property. If a contractor tells you certain work is covered by your insurance, call your provider to confirm.
- Get a written estimate and sign a written contract that includes a description of the work to be performed, what materials are included, when the work will be finished, the price, and the address and phone number of the contractor. Read all agreements carefully before you sign. Make sure all blanks in a bid or contract are filled in. Speak with your neighbors about what they are paying for similar work.
- Pay with a credit card or check, and be wary of contractors who ask for a deposit in cash or to be paid in cash. Negotiate a reasonable down payment with full payment to be made only upon satisfactory completion of work.
- Trust your gut. If you have any doubts about hiring someone or entering into a contract, take your business elsewhere.

Door-to Door Sales (Cooling off rule)

Sometimes door-to-door salesmen come after disasters. If:

1. A door-to-door salesperson comes to your home or a place that is not the salesperson's permanent place of business (even if you invite them); and
2. You buy something from them for more than \$25

Then, according to the Federal Trade Commission, you can cancel your purchase and get a full refund if you sign and date one copy of the cancellation form and mail the form to the designated address "before midnight of the third business day after the contract date."

Salespeople are required to tell you about your right to cancel and they must provide you with two copies of a cancellation form. However, there are some exceptions.

The Cooling-Off Rule does not cover sales:

- Under \$25
- Of goods or services not primarily intended for personal, family, or household purposes (The rule applies to courses of instruction or training)
- Made entirely by mail or telephone
- Resulting from prior negotiations made by you at the seller's permanent business location where the goods are regularly sold
- Needed to meet an emergency such as the sudden appearance of insects in your home, and you write and sign an explanation waiving your right to cancel
- Made as part of your request for the seller to do repairs or maintenance on your personal property (purchases made beyond the maintenance or repair request are covered)
- Involving real estate, insurance, or securities
- Involving the sale of automobiles, vans, trucks, or other motor vehicles sold at temporary locations, if the seller has at least one permanent place of business
- Involving arts or crafts sold at fairs or locations such as shopping malls, civic centers, and schools.⁸⁶

If the salesperson is not following the Cooling-Off-Rule, you can contact the Federal Trade Commission by phone at 1-877-382-4357, TTY: 1-866-653-4261 or online at www.ftc.gov

For local business salespeople you can also file a complaint with the Nebraska Attorney General's Office online at protectthegoodlife.nebraska.gov/file-consumer-complaint.⁸⁷

Fake Disaster Officials

Some scam artists pretend to be NEMA, FEMA, or other governmental agency personnel like the US Small Business Administration (SBA). Please note that FEMA or SBA shirts or other gear are not proof that someone is with a particular agency or organization. Make sure if anyone is claiming to be with a particular agency that they have a laminated photo identification card on their person. Employees of these agencies are required to have their photo identification card at all times.⁸⁸

Flood Restoration

It is possible that you can restore many of your possessions. However, you must be extremely careful. After a flood, the foundation of your home may have been weakened, there may be electrical system shortages, and waters may have left harmful residue that could make you sick. If you are not sure about a possession, it's better to throw it away rather than risk getting sick.

You don't have to do this alone. There are professionals that can do this for you. If the flood was declared a federal disaster, then check to see if there is a hotline that can give you information about any agency programs that are servicing the area.

For more detailed information on this topic, see: American Red Cross, "Repairing Your Flooded Home" at www2.redcross.org/static/file_cont333_lang0_150.pdf.

While you are restoring your home, you should consider flood-proofing your home to prepare for the next flood that may happen. You should get flood insurance as well.⁸⁹

Home Ownership Issues

If you have a mortgage and your home is damaged, you still have to pay your mortgage. If your home is damaged and you can't live there, you still have a mortgage. It is important that you contact your mortgage lender right away to discuss the damage with them. They may give you a grace period in which your payments will be suspended for a period of time.

Mortgage help from FEMA may be available if you face foreclosure proceedings

FEMA offers a Disaster Housing Program that helps homeowners who have been forced out of their homes by disasters. Disaster Home Repair Assistance is a part of this program. It provides grants for minor disaster-related repairs. Contact the FEMA Disaster Helpline at 1-800-621-FEMA.

"If you have a mortgage insured by the FHA (HUD) or VA, you may have additional protections, like a forbearance on the mortgage payments or a period of suspended payments. The FHA has extended its foreclosure moratorium and also offers extended payment plans on FHA mortgages. Call 1-888-297-8685 for further information."⁹⁰

The U.S. Small Business Administration offers low interest loans of up to \$200,000 to individual's whose homes were destroyed or damaged by disasters. If you are given a loan, be careful in using your home as security because if you can't repay the loan, you could lose your home. You should have a lawyer look over the loan documents as well.⁹¹

Paying for Repair Work

There are plenty of home repair scams after disasters. If someone offers to do any type of yard work, debris removal, or work around your home, never pay them up front. Never pay in cash. Typically once these scam artists get your money, you will never see them again.⁹²

Instead of paying your contractor with your insurance check or cash, have your bank create a Certificate of Completion. This way, the bank will pay your contractor in installments for work completed after your approval.

FEMA offers a Disaster Housing Program that helps homeowners who have been forced out of their homes by disasters. Disaster Home Repair Assistance is a part of this program. It provides grants for minor disaster-related repairs. Contact the FEMA Disaster Helpline at 1-800-621-FEMA.

"If you used a credit card to pay for a product or service in dispute, you may be able to recover your money. Write the credit card company a letter with the details of the matter; you must do this within 60 days after you get the disputed bill."⁹³

If you suspect a repair scam, call Nebraska Consumer Protection Office at 402-471-2682.

"If you suspect fraud, waste, or abuse involving FEMA disaster assistance programs, report it to Dept. of Homeland Security's Inspector General's Office at 1-800-323-8603."⁹⁴

Identity Theft

Guarding Against Identity Theft in the Aftermath of a Disaster

In order to receive relief benefits or to replace important government documentation after a disaster, it is necessary to provide your personal information. However, you must be extremely cautious when doing so because scam artists can pretend to be government representatives in order to get access to your personal information. If you are approached by a person stating they are a government representative, ask for their identification. The best way to avoid scam artists is to contact the government agency you need to get relief benefits from or replace important documentation yourself.⁹⁵

Take care with your Social Security number. Scam artists will try to get it from you. If you mistakenly give your personal information to a scam artists, if your wallet or purse was stolen, or if you want to better prepare yourself against identify theft:⁹⁶

1. Call the credit card companies and notify them that your card was stolen;
2. Place a fraud alert and get your credit report, by calling:
 - Equifax: 800-525-6285
 - Experian: 888-397-3742
 - TransUnion: 800-680-7289 Report identify theft to the Federal Trade Commission;
3. Close new accounts opened in your name;
4. Remove bogus charges from your accounts;
5. Correct your credit report; and
6. Consider adding extended fraud alert or credit freeze.

For more detailed information regarding these steps, visit www.identitytheft.gov. In addition, visit www.consumer.ftc.gov/features/feature-0014-identity-theft or call 1-877-IDTHEFT for more information on how to respond or protect your personal information.⁹⁷

If you have a fraud alert on your credit report, Nebraska has a Fair Credit Reporting Act that requires creditors to ask for proof of identification before any credit can be taken out in your name. A fraud alert lasts 90 days. If you wanted to have an extended fraud alert, which lasts 7 years, you will need to file a complaint with your local police department and send a copy of your police report to the credit reporting agencies listed above.

Nebraska's Attorney General's Office also can help you with billing dispute mediation, law enforcement contacts, ID theft kits, and security freezes. Contact the Nebraska Attorney General Consumer Protection Division by phone at 402-471-2682 or 800-727-6432. Their Spanish line is 402-471-3891 or 888-850-7555.⁹⁸

You can also find more detailed information regarding how scam artists commit identity theft and what you should do by reading Nebraska Attorney General's "Identity Theft Repair Kit" at *ago.nebraska.gov/resources/dyn/files/392571za5a5011a/_fn/AGO_IDTheftBroch_122910.pdf*

If you have to leave your home for a while, it may be a good idea to place a hold on your mail. You can place a hold on your mail free of charge by:

- Visiting *holdmail.usps.com/holdmail*;
- Completing a hold form at your local post office; and
- Calling 1-800-ASK-USPS (1-800-275-8777).

Job Scams

Scam artists target disaster victims who are in need of jobs. They advertise in typical places where legitimate employers advertise; however, they require you to pay them before you are hired to hold your spot, for training materials, or for some sort of certification. Another way they scam those looking for work are by asking for their credit card or bank account information to pay for things. Scam artists also try to take peoples' money by posing as job placement services that promise services in exchange for up-front fees.

Make sure to check out the legitimacy of anyone offering you a job or of a job placing service. You should look them up on Better Business Bureau or Nebraska's Attorney General's Office.

To report a job scam, contact the Nebraska Attorney's General's Consumer Protection Office at 402-471-2682 or you can file a complaint with the FTC at *www.ftccomplaintassistant.gov/#crrt&panel1-1*.⁹⁹

Pest Control

When disasters happen you may have to deal with pests. Before hiring any company you should:

- Be wary of exterminators who show up uninvited and offer a free inspection. They may use scare tactics to pressure you into authorizing immediate and costly treatments.
- Deal with a qualified and licensed pest management company.
- Ask friends and neighbors to recommend pest control companies they have used successfully and how satisfied they were with the service. You can do this online through a community bulletin board or neighborhood listserv.
- Get bids from several companies. Ask about their training, and their approach to controlling pests.
- Be wary of choosing a company based on price alone. Quality is the most important factor.
- Before you sign a contract, get details on the extent of the infestation, the proposed work plan, and the number of visits required and anticipated to solve the problem. A reputable

company will inspect your property before quoting you a price or beginning any pesticide application. The company also should give you a written inspection report, and a plan for preparing for treatment and preventing further infestation.

- Find out if the pest control company has liability insurance to cover any damage that occurs to your home or furnishings during treatment.
- If you get a written "guarantee," look for what it covers, how long it lasts, what you must do to keep it in force and what is required for continuing control, prevention, and management.
- Read the EPA's Citizen's Guide to Pest Control and Pesticide Safety, which offers more tips on how to choose a pest control company.¹⁰⁰

Rental Listing Scams

Scammers can use rental listings to take advantage of disaster victims. Scammers promise to find people housing if they pay money upfront either by wiring money or by paying a security deposit or first month's rent before you have signed a lease. If you are given a contact make sure to read it carefully.

You can report scams to local law enforcement or to the Federal Trade Commission at www.ftccomplaintassistant.gov/#crnt&panel1-1.¹⁰¹

Utility Related Scams

Some scam artists pretend to be utility workers after a disaster. For example, they may offer to fix your service during power outage if you pay them up front, but they never fix your power. Ask for identification before you let anyone in. In fact, it is better if you don't let anyone in your home who you do not have an appointment with. Do not pay any utility or service provider in cash. You should also be skeptical of any special promotions that come from multiple providers because competitors do not advertise together.

To report a scam contact the Nebraska Attorney's General's Consumer Protection Office at 402-471-2682 or you can file a complaint with the FTC at www.ftccomplaintassistant.gov/#crnt&panel1-1.¹⁰²

Water Treatment or Purification Devices

After a disaster you should check with your local water-utility office to learn about your water's condition before using it. Do not drink any tap water unless local authorities say it is safe. After a disaster, scam artists often try to sell water treatment devices and offer "free" home water tests which turn out to be sales promotions. In-home testing cannot give you an accurate reflection of your water condition. In addition, be skeptical of any claims of government approval of water tests or water treatment products. If you see a product that has an EPA registration number on it, that only means the product has been registered with the EPA. However, just because it has been registered does not mean that it has been approved by the EPA.¹⁰³

Victims of Scams

If you or someone you know are a victim of one of the above scams, contact the Nebraska Attorney's General's Consumer Protection Office at 402-471-2682 or you can file a complaint with the FTC at www.ftccomplaintassistant.gov/#crnt&panel1-1.

Insurance Issues

Can I obtain immediate financial assistance from my homeowner's insurance company to pay for additional living expenses while I am displaced from my damaged or destroyed property?

Under your home owner's insurance policy, you may be entitled to additional living expenses. It is important that you ask your insurance company about these benefits. After the disaster ask your insurance company for a copy of the policy so that you can confirm what things are covered. Cash advances are not required of any company, although most companies do provide cash advances to their customers when necessary.

Do I have to continue paying my insurance premium even after the disaster?

Generally you must continue to pay your policy premiums, but there are circumstances under which some companies will grant extensions on payment deadlines.¹⁰⁴

What is covered under the typical homeowner's policy?

The following things are generally covered by someone's homeowner's policy: the dwelling and any other structures on the property, personal property, additional living expenses, and comprehensive personal liability protection. Other miscellaneous associated coverages may also be included. It is important that the insured is familiar with his/her policy.¹⁰⁵

What do I do to preserve my claims and protect my right to get paid under my policy?

It is very important that you call your insurance company, agent, or broker as soon as possible after a disaster and report your loss. You'll find a list of phone numbers for insurers' claims offices on the website of the Department of Insurance at www.doi.nebraska.gov/brochure/out11241.pdf. It is a good idea to write down the date and names of anyone you speak to. Write down all claim numbers (your vehicles will be a separate claim from your home/personal property). Provide your insurance company with your updated contact information, and check your phone and messages regularly, returning all missed calls in a timely fashion. Document all damages as thoroughly as possible, including taking several photos and documenting when/where the damage happened including as much details as possible.¹⁰⁶ Also, avoid disposing of any items until the insurance company has examined them. Doing so could jeopardize the settlement you receive. Keep in mind that the adjuster may see them when he first comes out to inspect your property; however, unless he has specifically examined the damaged items and told you what to do, you should not dispose of them.

I have a renter's insurance policy. What does that do for me?

If you have a renter's insurance policy that you think may cover your damage, call your agent, insurance company, or broker as soon as possible to report your loss.¹⁰⁷

Are there any special insurance considerations for condominium owners?

Condominium owners should check for coverage for damage under both the association policy and your individual coverage under your owner's insurance policy.¹⁰⁸

What is "proof of loss?"

Upon the receipt of the notice of loss, the insurer should advise the insured (you) as to what is necessary to constitute proof of loss. Your policy may specify a timeframe in which the proof of loss must be submitted back to the insurance company. Upon the receipt of the notice of loss, the insurer should advise the insured (you) as to what is necessary to constitute proof of loss. Your policy may specify a timeframe in which the proof of loss must be submitted back to the insurance company (This can vary from 6 months to 3 years. Be sure to read your policy, or check with your agent or company to find what your specific policy provides).

Be sure to document all damages. Take detailed photos of all damages. If you have to remove or replace any property for mitigation purposes, take photos before and after you make any changes to the damages. Keep all receipts of anything you buy to mitigate damages. Avoid disposing of any items until your insurance adjuster has had a chance to look at it.

What are my duties as the insured?

An insured person has the burden of establishing any loss resulting from a peril they are insured against. Most policies include the duty to mitigate damages. This means that as the insured, you have the duty of preventing further damage to your property after it has been affected by a covered loss (for example, covering broken windows after a hail storm to avoid further water damage). For more information, or a more detailed explanation of your duties as the insured, consult your insurance company, agent, or broker. Your policy will also outline your duties after a loss.¹⁰⁹

What do I need to do in order to get an insurance adjuster to my house to look at my damage?

When you first contact your insurance company, request that they send an adjuster to take a look at your property. If you are having problems getting an insurance adjuster out to your home, contact your insurance company. Always try to resolve problems with your insurance company directly. If you are unable to reach a satisfactory agreement with your insurance company, contact the Nebraska Department of Insurance at (402) 471-2201 or their Consumer Affairs Hotline 877-564-7323.¹¹⁰

Someone claiming to be from my insurance company or the Nebraska Department of Insurance has asked me to pay them money in order to expedite my claim. Is this legitimate?

No. Victims should be aware of anyone who claims that they are working on behalf of the government, the Nebraska Department of Insurance, or your insurance company and asks for money to help expedite your claim. Ask this person for their name and credentials and immediately report them to your insurance company or contact the Nebraska Department of Insurance. All people claiming to work for your insurance company should have a photo ID that identifies them as an employee of your insurance company.¹¹¹

Is there anything that I should do in order to prepare for the insurance adjuster to come look at my property?

Try to make a list of all the damaged and destroyed property. Take pictures, collect names, addresses, and phone numbers of witnesses, obtain repair estimates, keep a record of expenses, such as alternative housing, etc., and locate bills and receipts for lost items if possible. Make a list of when and where you purchased things, as well as brand names, and model numbers. Be sure to mitigate damages to avoid further damage to your property. If your property is wet, attempt to get it dry to avoid mold damage. Document all damages with detailed photos before and after you complete any mitigating repairs.¹¹²

I have been approached by a “public adjuster.” What is this?

A public adjuster is an individual who, for a fee, represents homeowners in claims negotiations with their insurance companies. Public adjusters may offer to help customers get more money for their insurance claims. Their fee is usually a percentage of the claims payment.

You should always try to work directly with your insurance company to resolve a claim. If you cannot come to an agreement or you have difficulty resolving your claim, you may consider hiring a public adjuster. However, you should be aware that you will have to pay a fee.¹¹³

Before signing a contract with a public adjuster, be sure to verify with the Nebraska Department of Insurance that he or she is licensed as an insurance consultant. You may call the Insurance Consumer hotline at 877-564-7323 or visit www.doi.nebraska.gov.

How much can I be reimbursed for the repairs by my insurance company?

Most insurance companies will only pay for the reasonable cost of repair. If prices quoted for repairs appear inflated, get another estimate and obtain your insurance company's agreement before undertaking repairs. Be cautious if a contractor asks you to sign a document before giving you an estimate. The document may be a contract authorizing the contractor to do the work or an assignment of benefits form authorizing the contractor to obtain payment from your insurer.

Remember that your claim will only be approved to the extent that it does not exceed your policy limit. If you undertake repairs at an inflated price, you may reach your maximum policy limit very quickly.¹¹⁴

What is the difference between Replacement Cost and Actual Cash Value?

Replacement Cost provides you with the dollar amount needed to go out and replace the damaged item with one of similar kind and quality without deducting for depreciation (the decrease in value due to age, obsolescence, wear and tear, etc.). An insurer will generally not pay full replacement cost until a repair is completed or the item replaced.

You will be allowed a limited time to complete repairs or replace property. Consult your policy or ask the adjuster how long you have. In some instances, companies will grant an extension.

Actual cash value policies pay you the amount needed to replace the item minus depreciation.¹¹⁵

I need money now and can't wait for an adjuster to look at the property. What should I do?

Some policies provide for reimbursement for temporary housing and relocation costs while your home is being repaired, and for car rental costs while your car is being repaired or replaced. It is also important that you try to mitigate damages as much as possible. Boarding up windows, tarping roofs, and other quick repairs to make the structure as secure and weatherproof as possible are very important. Clearing debris and moving property to secure areas are important to do. However, you should always check with the insurance company before taking any such actions. Also, avoid disposing of any items until the insurance company has examined them. Take photos of everything along the way in order to document the process.¹¹⁶

Will making emergency repairs on my own, or hiring someone to do so, negatively affect my insurance payout?

No. Most homeowner's policies cover materials and reasonable labor expenses for temporary and emergency repairs. If possible, try to get several estimates. When you make your initial call to the insurance company, ask the representative whether the company will reimburse you for work you do yourself. It is important to remember to keep all receipts.¹¹⁷

Are there any circumstances where I should just sign my insurance proceeds over to a contractor?

No! If you have extensive repair work to be done, the contractor may ask for periodic payments as the work progresses, but reputable contractors rarely ask for full payment in advance. Make sure you review the contract you sign with the contractor. Ensure that there are clear terms and that it calls for payment upon completion. If you have a mortgage on your home, it is imperative you also talk with your lender as they may have specific requirements as to how any insurance funds are distributed and paid out.¹¹⁸

My insurance company has offered to settle my claim and I'm not sure if it is a fair settlement amount. Who should I consult with?

You should consider consulting with an attorney before signing any releases or waivers and before cashing any checks from the insurance company which might be deemed the full and final payment of your claim. It is important that you have taken steps to be fully aware of the full extent of your damages and the full value of your claim before you attempt to settle with the insurance company. In some cases you may have to get estimates or physically get the work completed before you can agree to a specific figure with the insurance company.¹¹⁹

My insurance company has offered me significantly less than I believe I am owed, or has denied my claim all together. What should I do?

Any denial or limiting of your claim by the insurance company should be given to you in writing. If you do not receive this in writing you should demand it requesting the specific reasons. An attorney should review these reasons. Ask for any documents or reports prepared by the insurance company that factored into their decision. Most policies require that you bring suit against the insurance company within one year from the date of occurrence of the damage. Also, when you and the company do not agree on the scope of the loss, most policies contain an Appraisal or Arbitration option that you may choose to invoke. Consult your policy to see which option is available to you and what your obligations are. You also have the option of filing a written complaint with the Nebraska Department of Insurance or consulting an attorney if you have more questions.¹²⁰

I don't know if the damage to my home is covered by my insurance policy.

Homeowner's insurance policies generally cover most storm-related disaster damage with the exception of damage caused by flooding. You should check and see if you have a separate flood insurance policy. The federal government provides coverage for flooding under the National Flood Insurance Program.¹²¹

My policy is not going to cover all the damage to my home and personal property, what can I do?

It is possible that you are eligible for benefits from FEMA. See the FEMA section of this manual.

Does the damage my car received in the disaster get covered under my auto insurance or my homeowners insurance?

It depends on your policy. Consult with your insurer to see what is covered under your existing comprehensive policy. Damage to your car will not be covered by your auto insurance if you only have liability coverage on it.¹²²

I have my insurance settlement but it's going to be six months before I can move back into my home. Where can I live in the meantime?

Additional Living Expense coverage will pay you for the costs you incur in excess of your normal living expenses. It is important that you find out from your insurance company if there are any restrictions on how long you can stay or how much you are allowed for hotel room, etc. Other costs such as higher utility bills, and the cost of storage of your personal belongings may be covered.

What should bids for repairs include?

If possible, get bids from reliable, licensed contractors. Ask around, get references, and check with local organizations to see if they are reputable. The bids they give you should include details of the materials to be used and prices on a line-by-line basis. The bid should include amount of material to be used, the price for the materials, as well as the estimated time it will take and pricing for labor. This increases the speed and simplicity of adjusting the claim.¹²³

What about fallen trees? Does insurance pay to remove them?

The general rule is that the tree must cause damage to your home or property before the insurance company will pay for clean up or removal. If it is physically on your house the insurance company should pay for its removal.¹²⁴

What happens when a tree on adjacent property falls and causes damage?

Unless you can prove that your neighbor was negligent in some way, the neighbor's policy covers his/her house and your policy covers your house, irrespective of where the fallen tree originated from. The general rule is that a person is not liable for injuries or damage caused by a disaster or an "Act of God" where there is no fault or negligence.

What happens when someone else's property ends up on my property?

When personal property is carried away by wind or flooding and comes to rest on the land of another, it still remains the property of the original owner and the original owner may enter and retrieve it. If the landowner refuses to let the original owner of the property enter or appropriates the property for the landowner's use, the original owner of the property will have an action against the landowner. On the other hand, the landowner has no obligation to preserve the property and may move the property if necessary to use the land, provided such action is taken in a reasonable manner.¹²⁵

My business owns vehicles which were damaged in the disaster. Which of my insurance policies covers them?

This depends on the type of insurance coverage you have, and what caused the loss. Check

with your insurance company to see what policies you have and what they cover.¹²⁶

My business was damaged in the disaster. Does my commercial property policy cover the damage to the building and its contents?

Commercial property policies generally pay for direct physical loss or damage to the covered property resulting from a covered loss. Such properties often include exclusions. It is important for you to be aware of what those are.¹²⁷

Does my business commercial property policy entitle me to replacement costs?

Policies typically pay cash value, which takes into consideration the depreciation of the property. However, endorsements may be available which will provide coverage on a replacement cost basis.¹²⁸

My business cannot operate in light of the disaster. Will my insurance cover my lost business?

Business Interruption Insurance may entitle you to recover the net profits and fixed expenses you fail to earn because of the interruption of your business resulting from a disaster. The insured has the burden of establishing the business income loss incurred.¹²⁹

A faded background image showing a two-story house with a chimney and a window. In the foreground, there are people, including a man in a cap and a woman, standing in what appears to be a yard or garden.

Wills and Estates

Nebraska's Probate Code (NEB. REV. STAT. §§ 30-401 to 30-406, 30-2201 to 30-2902, 30-3901-30-3923, and 30-4001 to 30-4045 and the Public Guardian Act) governs wills and estates. This code is the best resource for this body of law and determines what happens to a decedent's (the person who passed away) debts and assets. If the decedent had a will then the will determines who will serve as the personal representative and how the property will be distributed.

A relative died as a result of the disaster. What should we do?

1. Collect and freeze the assets of Decedent.

- B. This means that you should not use or give away any of your relative's assets (money and/or property). If a court case is filed to probate the estate, the court will appoint a personal representative who will take temporary possession and control of all of the decedent's property.¹³⁰
- C. If you improperly give away any property or money, the person who received the property or money (the distributee) must return the money or property to the estate.¹³¹

2. Find out if there is a will

To determine if the decedent had a will, search the places that wills are typically kept:

- Safe or locked box
- Safety deposit box
- The decedent's personal files
- With a trusted friend or relative
- With the decedent's attorney
- The court house that has jurisdiction over the decedent's county

If the decedent's home was destroyed by the disaster, finding the will may be impossible in the debris. Therefore, the best source for finding the will would be with the decedent's attorney or if the decedent had a safety deposit box with a bank. See Neb. Rev. Stat. § 30-2409.01 for further instruction regarding safety deposit boxes. It is a good idea for anyone who has a will to tell their loved ones where that will is kept or that a copy of that will is with their attorney.

Nebraska Law allows a testator (the one executing the will) or their agent to file their will with the court that has jurisdiction over the testator's residence for safekeeping. You can notify the court of the testator's death and then the court can notify and send the will to the selected person or the court can send the will to another "appropriate court".¹³²

Nebraska Law requires anyone in possession of a decedent's will to deliver that will "with reasonable promptness to a person able to secure its probate and if none is known, to an appropriate court." If this is not done, that person may be liable for damages for the failure to deliver the will.¹³³

3. Determine if a probate will be required.

Sometimes property is owned by more than one person. If your relative owned property with someone else, such as a joint bank account, that property will now be owned by the remaining account holder. Other times, someone may be listed as a beneficiary on an account. If that is the case, then the account will transfer to the beneficiary. Contact the financial institution for information on whether there is a beneficiary and what information is necessary to transfer the account. Assets such as an automobile may have a transfer on death designation on the title. If so, contact the DMV to transfer title to the person designated. Real estate may also be jointly owned or may have a transfer on death designation.¹³⁴

You can use a small estate affidavit to transfer property when the following are true:¹³⁵

- A. The value of all of the deceased's entire estate does not exceed \$50,000;
- B. The deceased died more than thirty days ago, as shown in a certified copy of the death certificate attached to the affidavit;
- C. Appointment of a personal representative is not pending or granted;
- D. No other person has a right to the property or everyone who has inherited an interest in the property also signs the affidavit.

Your liability to any creditors' of the deceased cannot be more than the value of any property you inherit. A creditor cannot recover from you for a debt of the deceased (1) three years after the decedent's death or (2) one year after distribution of the inherited property, whichever date is later.

If your relative had a trust, it may be unnecessary to file a probate. Contact the attorney that prepared the trust or a Trust and Estate attorney to find out how to distribute the property through the trust.

4. If a probate will be required, immediately set up an appointment with a probate attorney.

The attorney will open the estate by filing a court action for a probate. After this, a personal representative will be chosen to settle any debts of estate and allocate the remaining assets.

- A. The attorney will need biographical information of the decedent and you should be prepared to give the attorney the following information:¹³⁶
 - I. For the decedent:
 - a. Name, address, date of birth, Social Security number, marital status, family information
 - b. Copy of the death certificate
 - c. Whether the decedent had a safe deposit box, an attorney, accountant, financial planner, insurance agent
 - d. Detailed information regarding all of the decedent's assets (accounts, investments, certificates, stocks, bonds, etc.)
 - e. Detailed information of the decedent's retirement plan
 - f. Whether the decedent owned a business or was a partner in business
 - g. Whether the decedent had life insurance
 - h. The personal property owned by the decedent
 - i. Information regarding any debts of the decedent
 - II. For the potential Personal Representative:
 - a. Name, address, phone, email, date of birth, Social Security number, marital status, family information
 - b. If a surety bond is required, the personal representative must have this before they can become the personal representative. The attorney will be able to explain if a bond is needed and how much it will be.
 - III. For all known heirs
 - a. Name, address, phone, email, date of birth, Social Security number, marital status, family information.

Duties of the Personal Representative

The court will appoint a personal representative to administer the estate. Typically, if there is no will, the surviving spouse or another heir will become the personal representative. The person wishing to be the personal representative must file with court “any required bond and a statement of acceptance of the duties of the office.”¹³⁷

The personal representative will take temporary possession and control of all of the decedent's property. It is the personal representative's job to pay off any creditors, transfer property, and pay taxes.¹³⁸ Within the first three months of appointment, the personal representative will be responsible for inventorying (making a list) all of the decedents property owned at the time of their death along with an estimate of their worth. This list of inventory must be sent to the court.¹³⁹ If the personal representative management of the estate is deemed improper, they may be held personally liable to anyone who suffered damage as a result of the personal representative's improper management.¹⁴⁰ For a list of transactions that a personal representative is authorized to do, refer to NEB. REV. STAT. § 30-2476.

Additionally, if there is a complaint about a personal representative, a judge is entitled to make the personal representative appear in court and give a “full account of any money, goods, chattels, bonds, accounts, or other papers belonging to such estate which have come into his or her possession.”¹⁴¹

Distribution of Assets

No claim can be enforced against an estate until a personal representative has been appointed.¹⁴² If the estate is not big enough to settle all of debts, Nebraska law requires the personal representative to make payments in the following order:¹⁴³

- A. Costs and expenses of administration
 1. Meaning “expenses incurred in taking possession or control of estate assets and the management, protection, and preservation of the estate assets, expenses related to the sale of estate assets, and expenses in the day-to-day operation and continuation of business interests for the benefit of the estate.”
 2. Reasonable funeral expenses;
 3. Debts and taxes with preference under federal law;
 4. Reasonable and necessary medical and hospital expenses of the last illness of the decedent, including compensation of persons attending the decedent and claims filed by the Department of Health and Human Services;
 5. Debts and taxes with preference under other laws of this state;
 6. All other claims
- B. No preference shall be given in the payment of any claim over any other claim of the same class, and a claim due and payable shall not be entitled to a preference over claims not due.

If the estate is large enough to pay off all debts, what is left over will be distributed to the decedent's heirs which is governed by NEB. REV. STAT. §§ 30-2301-30-2321 or pursuant to the provisions of the will.



Health Care Issues

Information on Public Health Assistance

For information concerning Nebraska disaster relief assistance services, visit:

Nebraska Emergency Management Agency (NEMA)

www.nema.ne.gov/index.shtml or nema.nebraska.gov/recovery/public-assistance

Nebraska Department of Public Health

<http://health.mo.gov/index.php> or dhhs.ne.gov/publichealth/Pages/public_health_programsandservices.aspx

Do I need to get any vaccines before I return to clean up my home, which sustained damage in a flood?

According to Nebraska Department of Health and Human Services, you will not be required to get a tetanus shot. However, it is recommended that adults have one every 10 years. Floods do not increase the risk of getting tetanus, but if you have a severe or deep cut, you should check with your doctor to see if you need a tetanus shot. This is important because if you get a serious infection, that may require you to stay in the hospital for a long time. Also, no one is immune to tetanus because they had it before, so keeping up with your tetanus shots is the best way to prevent it.¹⁴⁴

How should I clean up mold in my home?

According to the Center for Disease Control and Prevention (CDC):¹⁴⁵

1. You should remove any wet objects that were wet for least two days because mold is growing on those objects, even if you cannot physically see it.
2. Remove items made from cloth, unless you can wash those items in hot water. It is very important that the water be hot.
3. Remove items that cannot be easily cleaned (leather, paper, wood, carpet).
4. Clean mold off hard surfaces (floors, stoves, sinks, countertops, plates, tools) with bleach mixture.
 - For mixture only use 1 cup of bleach for 1 gallon of water.
 - If the item has a rough surface be sure to scrub the surface with a stiff brush.
 - Use CLEAN water to rinse the item.
 - Leave the item out to dry.
 - NEVER mix the bleach with other cleaners or ammonia.
 - ALWAYS wear rubber boots, rubber gloves, goggles and a N-95 mask.
 - Keep windows and doors open when cleaning with the bleach.

If you do not do this after a flood, mold will continue to grow and you will get sick.

To get more information, you should visit the Environmental Protection Agency's website that has a page dedicated for how homeowners and renters should clean up mold.

www.epa.gov/mold/moldguide.html

www.epa.gov/mold/mold-cleanup-after-floods

According to Nebraska Department of Health & Human Services, Nebraska does not have any required procedures that must be done to clean up mold. However, they do have suggestions:¹⁴⁶

1. If the mold is present in an area of less than 10 square feet
 - A. Then you probably can handle the cleanup if you do not have allergies, asthma or immune disorders. You should wear protective gear (goggles, gloves, N-95 respirator).
2. If the mold is present in an area greater than 10 square feet or you have allergies, asthma, immune disorders, or cannot get protective gear then:
 - A. You should hire a professional company to clean up the mold.
 - B. More protective equipment will be needed in areas greater than 10 square feet like a full or half respirator with a HEPA filter and a full suit of disposable clothing.
 - C. You also may need to seal vents and keep area under negative pressure, potentially with a HEPA filtered exhaust.

I evacuated from the flood and now I have no means of paying for my prescription medications what can I do?

There are a couple of things you can do. You should contact your doctor to see if they can give you some samples of your medication. Try visiting a free medical clinic as well. Some pharmaceutical companies have Pharmaceutical Assistance Programs to help people with their medication. You should visit the websites below to determine if your prescription's companies provide an Assistance Program:

www.medicare.gov/pharmaceutical-assistance-program/index.aspx?drug_id=12010&drug_name=Estring or www.pparx.org.

If you have a Medicare plan, you should read Medicare April 2015 publication "Getting Medical Care & Prescription Drugs in a Disaster or Emergency Area" which can be retrieved at: www.medicare.gov/Pubs/pdf/11377.pdf.

My family member was in a hospital before the storm and we need to know where he/she was evacuated. How can we find out?

Call Nebraska's Emergency Management Agency 24-hour contact line 402 471-7421 or Toll Free 1-877-297-2368 to learn where family members have been relocated. Visit their website at www.nema.ne.gov.

You should also watch the news to see if they provide any information for patient relocations.

Are there exceptions to the HIPAA (Health Insurance Portability and Accountability Act of 1996) requirements in the event of a disaster?

Yes, there are exceptions to the HIPAA rule against disclosures:

Treatment Exception

- A. Treatment, payment, or health care operations
- B. To the individual or the individual's personal representative
- C. For notification of or to the person involved in an individual's health care or payment for health care, for disaster relief or for facility directories
- D. Pursuant to an authorization...¹⁴⁷

Notification Exception

There are also exceptions to the HIPAA rule against disclosures for notification purposes:¹⁴⁸

A covered entity also may rely on an individual's informal permission to disclose to the individual's family, relatives, or friends, or to other persons whom the individual identifies, protected health information directly relevant to that person's involvement in the individual's care or payment for care. This provision, for example, allows a pharmacist to dispense filled prescriptions to a person acting on behalf of the patient. Similarly, a covered entity may rely on an individual's informal permission to use or disclose protected health information for the purpose of notifying (including identifying or locating) family members, personal representatives, or others responsible for the individual's care, of the individual's location, general condition, or death. In addition, protected health information may be disclosed for notification purposes to public or private entities authorized by law or charter to assist in disaster relief efforts.

Serious Threats to Health or Safety Exception

Providers can share patient information in order "to prevent or lessen a serious and imminent threat to the health and safety of a person or the public, when such disclosure is made to someone they believe can prevent or lessen the threat."¹⁴⁹

Facility Directory Exception

Health care facilities keep patient directories. If a patient gives informal consent, the facility can tell those who ask if the patient is at the facility, the facility's location, and the patient's condition.¹⁵⁰



Personal Bankruptcy Issues

A survivor of a natural disaster may need to consider filing for bankruptcy depending on their financial situation.

“Bankruptcy laws help people who can no longer pay their creditors get a fresh start by liquidating their assets to pay their debts, or by creating a repayment plan.”¹⁵¹

What is involved in the bankruptcy process?

A debtor who wants to file for bankruptcy must complete credit counseling at least 180 days before filing for bankruptcy, and must have pay statements at least 60 days before filing for petition for bankruptcy.¹⁵² Bankruptcy begins when a petition is filed in the bankruptcy court by an individual, as a couple, corporation, or some other type of entity. Along with filing a petition, the debtor must file a statement “listing assets, income, liabilities, and the names and addresses of all creditors and how much they are owed.” Once this is done this will prevent debt collection actions, like lawsuits or wage garnishments, from proceeding. A debtor’s creditors will be notified once the petition is filed. What happens next depends on the type of bankruptcy that is being filed.¹⁵³

A Chapter 7 Bankruptcy is called Liquidation. A debtor must be under income maximums to be eligible for this type of bankruptcy. If a debtor's income is over the eligible amount, then they must file a Chapter 13 Bankruptcy. A trustee will be taking control over all of a debtor's assets and then liquidate those assets, meaning they will turn them into cash. The cash will then be used to pay off creditors who have secured claims. There is certain property that is exempt from being liquidated. If there are no assets to liquidate that is called a "no-asset" case. Creditors who have unsecured claims will only get payment if the case is an asset case, and then only if the creditor files a proof of claim with the court. When a bankruptcy court discharges an individual's debt, that individual no longer has to pay off that debt. Once the petition is filed, the whole process can take a few months to get the discharge.¹⁵⁴

A Chapter 12 Bankruptcy is called Adjustment of Debts for a Family Farmer or Fisherman with Regular Annual Income. If a Nebraska family farmer with regular income is struggling to pay off their debt, he or she can typically file for this type of bankruptcy and propose a plan to pay back any debts over a maximum period of 3 years. A trustee will be appointed to make sure the creditors are paid back as planned. This type of bankruptcy allows a family farmer to continue their business operations while this payback plan is going on.¹⁵⁵

A Chapter 13 Bankruptcy is called Adjustment of Debts of an Individual with Regular Income. People tend to favor a Chapter 13 Bankruptcy rather than a Chapter 7 Bankruptcy because a Chapter 13 Bankruptcy allows a debtor to keep their property that a Chapter 7 Bankruptcy would liquidate. A Chapter 13 Bankruptcy allows a debtor to create a plan to pay back the creditor over a time frame of usually 3-5 years. There will be a hearing where the court will approve or reject the debtor's repayment plan. The court will appoint a trustee, as a middle man, to make payments to creditors based on the individual's expected income. While Chapter 7 Bankruptcy will discharge the debt of the individual, a Chapter 13 Bankruptcy does not. The individual will still have to pay the debt, although some of the debt is eliminated. While the plan is in effect the individual cannot be sued or have their wages garnished by creditors.¹⁵⁶

For further information regarding the process and for a checklist, visit www.neb.uscourts.gov/pdf/prosebpa.pdf.

Which debts are not discharged in bankruptcy?

For each chapter of bankruptcy there are different debts that are discharged. Section 523 of the Bankruptcy Code is the best source to determine which debts are and are not discharged for that particular bankruptcy. Typically, student loans, late child support or alimony payments, damages for willful and malicious injuries to person or property, debts gained from fraud, and government imposed fines or penalties are not discharged. But again, you should look at the Code provisions for the type of bankruptcy you wish to file, for a complete list. You should also seek out a bankruptcy attorney to help you with the process.¹⁵⁷



Replacing Lost Documents

Some of my important documents were destroyed during the disaster. What do I do?

Bank and Investment Account Records

Your bank and investment brokerage probably did not lose any records during the disaster. You should contact your bank and investment brokerage and request copies.

If your United States savings bonds, bearer securities, or registered securities were lost, destroyed, or stolen you can file a claim at the United States Treasury Department at www.treasurydirect.gov (click on Treasury Hunt).

Birth and Death Certificates

A. **Birth Certificate:**¹⁵⁸ To obtain a copy of a birth certificate if the birth occurred in Nebraska, you can request it from Nebraska Department of Health & Human Services. If the birth occurred outside Nebraska, you would need to visit that state's official website to get the application for the birth certificate. If you are using Nebraska Department of Health and Human Services:

1. Pay a fee generally less than \$25.
2. Fill out an application. This can be done:
 - a. Online at dhhs.ne.gov/publichealth/Pages/ced_bicert.aspx
 - I. You can use a Visa or MasterCard to pay the fee.
 - b. Or you can download the application and send it by mail to:
 - I. **Nebraska Department of Health & Human Services**
Division of Public Health
Vital Records
P.O. Box 95065
Lincoln, NE 68509-5065
 - II. You must send a check or money order made out to "Vital Records" to pay the fee.
3. Send an enlarged photocopy of a current government issued photo identification (i.e. Driver's licenses) if you're the person filling out the application.
 - a. If you are filling out the application online you must fax this to 402-742-2385 or email it to DHHS.VitalRecords@nebraska.gov.
 - b. If you are mailing the application you can include a photocopy with the application and fee.

It can take up to 10 business days to get the copy.

B. **Death Certificate:** You can obtain a copy of a death certificate for your spouse, parent, or child. To get a copy by mail:¹⁵⁹

1. Send a check or money order for the fee (generally less than \$25) made out to "Vital Records".
2. Download and fill out the Death Certificate Application from dhhs.ne.gov/publichealth/Pages/ced_decert.aspx.

Or you can send the following *required* information:

- a. Name of deceased
- b. City of death/County of death
- c. Month/day/year of death
- d. Your relationship to decedent
- e. A description of why the record is needed
- f. A photocopy of the current government-issued photo id of the person making the application (you), i.e. current driver's license

Send the following *necessary* information:

- a. Decedent's information only
- b. Year of birth/Birthplace
- c. Spouse's full name
- d. Father's full name
- e. Mother's full maiden name
- f. Funeral Director

3. Send all of this information to:

Nebraska Department of Health & Human Services
Division of Public Health
Vital Records
P.O. Box 95065
Lincoln, NE 68509-5065.

Marriage Certificates and Divorce Decrees

To get a copy of a marriage certificate or divorce decree, you can request them from Nebraska Department of Health & Human Services or you can get them from the county in which the marriage or divorce occurred. Visit that county's official website to get the application for either. There may be different procedures and fees involved for each county.

If you are using the Department of Health & Human Services you can get the marriage certificate application at dhhs.ne.gov/publichealth/Pages/ced_macert.aspx.

If you are using the Department of Health & Human Services, you can get the divorce certificate application at dhhs.ne.gov/publichealth/Pages/ced_dicert.aspx.

The filled-out application and a check or money order for the fee (generally less than \$25) made out to "Vital Records" should be mailed to:

Nebraska Department of Health & Human Services
Division of Public Health
Vital Records
P.O. Box 95065
Lincoln, NE 68509-5065.

Nebraska Driver's Licenses and Identification Cards

If your driver's license or state ID cards have been lost, stolen, or destroyed you may apply for a replacement Driver's License or ID card at any Nebraska Department of Motor Vehicles. You can apply whether you are in or out of Nebraska.

If you are still in Nebraska you must go a DMV to:¹⁶⁰

1. Submit a completed data form at a driver licenses office;
2. Have an acceptable proof of identification that includes name and date of birth;
 - a. Certified marriage license, certified divorce decree, certified birth certificate, valid unexpired passport, valid unexpired permanent resident card, etc. www.dmv.nebraska.gov/examining/pdf/verificationdocs.pdf.
3. Have two forms of proof of address;
4. Meet DMV vision and medical requirements; and
5. Pay the fee.

You will get your new card in about two weeks.

If you are out of state you can get a replacement ID or license by mail. However, if you are applying for replacement for a Commercial License or permit you have to appear in person. You must:¹⁶¹

1. Fill out an out of state renewal/replacement data form available at www.dmv.nebraska.gov/examining/pdf/outofstaterenewaldataform.pdf;
2. Send an acceptable proof of identification;
3. Have two forms of proof of address; and
4. Pay the fee.

There is an online application for replacements; however, you cannot use this service if your address has changed. So if your home was destroyed and you have moved permanently, you should not use the online renewal/replacement ID service. If you are still at the residence that appeared on your prior license or state ID card, if the license was due to expire within the next six months, it will be processed as an early renewal. Otherwise, it will be processed as a duplicate copy and have the same expiration date as the missing license. You can find the online application at www.nebraska.gov/dmv/dlr/index.cgi.¹⁶²

Vehicle Registration and Ownership Documents

To get a copy of a Certificate of Title you must:¹⁶³

1. Fill out an application for duplicate certificate of title available at www.dmv.nebraska.gov/dvr/pdf/dupttlapp.pdf;
 - a. This application must be signed by everyone who's name is on the title, except if a spouse holds the title;
2. Have all the signatures notarized; and
3. Turn this application in to any County Treasurer's office.

K

71

Passports

If your passport was lost, destroyed, or stolen the first thing you should do is report that it is missing. You must fill out Form DS-64 online. Once you report that the passport is missing you will get an email acknowledging the government has received your request. Then you will receive another email once your passport is submitted into the lost and stolen database.¹⁶⁴

In order to get a new passport, you must fill out Form DS-11 and then submit that form in person at a Passport Agency or Acceptance Facility. More information and Forms DS-64 and DS-11 can be found at travel.state.gov/content/passports/english/passports/lost-stolen.html.

Deeds and Mortgages

To obtain certified copies of house or land deeds, or mortgage instruments you can go to the Register of Deeds Department in the county wherein the property is located. Some counties may allow you to send in a request along with payment or to call to request a copy and pay with your credit card.¹⁶⁵

Credit, ATM, & Debit Cards

You must notify the banks associated with your credit, ATM or debit cards immediately if your credit cards are lost. You should request that the bank cancel the card and give you a replacement card. If you do this immediately that will help minimize your liability if someone finds your card and tries to use it.¹⁶⁶

Tax Returns

If you need an exact copy of your federal tax returns you should fill out Form 4506, which is a Request for Copy of Tax Return. The form can be retrieved at www.irs.gov/pub/irs-pdf/f4506.pdf and it should be mailed to the specified place listed on the form. You also must pay a fee in the form of a check or money order for each tax return you are requesting. However, if you lost your tax returns due to a **federally declared** disaster, the IRS will waive the fees and get you your copies faster in order to apply for benefits or to file claims. For more information about this specifically you can contact the IRS Disaster Assistance Hotline at 866-562-5227. You typically can only get an exact copy for returns filed in the past six years.¹⁶⁷

If you do not need an exact copy, you can request a transcript of your tax return—usually free of charge. You make your request:

1. Online at www.irs.gov/Individuals/Get-Transcript
2. By phone 800-908-9946
3. By mail by filling out Form 4506-T or 4506T-EZ (only for Form 1040 series tax return transcripts)

To get a copy of your Nebraska tax returns, you must fill out Form 23, a Nebraska Tax Return Copy Request which is available at www.revenue.nebraska.gov/tax/current/fill-in/f_23.pdf and mail the request to:¹⁶⁸

Nebraska Department of Revenue
P.O. Box 94818
Lincoln, NE 68509-4818

Social Security Number Cards

If your Social Security card was lost or stolen you can obtain a new card free of charge by:¹⁶⁹

1. Having the required documents, which will depend on your citizenship and type of card you are requesting
 - A. You will need original document or certified copies that are not expired for:
 - I. Proof of citizenship (i.e. US birth certificate or US passport)
 - II. Proof of age (i.e. US birth certificate or US passport)
2. For anyone who is 12 and older, appearing in person for an interview
3. Showing proof of Identity
 - A. Must be current, show your name, date of birth or age, and include a recent photograph (i.e. US driver's license, State ID card, and US Passport)
 - B. If you are not able to present these documents or get a replacement form within 10 days, then they will ask to see:
 - I. Employee ID card;
 - II. School ID card;
 - III. Health Insurance card (that is not Medicare); or
 - IV. US military ID card.

It is important to note that one document can only be used for proof of two of the above. For instance, you cannot use a US passport for proof of citizenship, age, and identity.

www.socialsecurity.gov/ssnumber/ss5doc.htm

Print and complete the Application for a Social Security Card, which is available at www.socialsecurity.gov/forms/ss-5.pdf.

Take or mail your application and documents to your local Social Security Office. You can find your local office by visiting secure.ssa.gov/ICON/main.jsp or by calling toll free 1-800-772-1213.

Social Security/SSI Prepaid Debit Cards

To replace your DirectExpress prepaid debit card, you should call the DirectExpress card Customer Service Department at 1-888-741-1115. You will have one free replacement per year and after that it is \$4 per replacement.¹⁷⁰

Medicare Card

If your Medicare card was lost, stolen, or destroyed and you have **Original Medicare** you have three options to request a replacement card:¹⁷¹

1. Online by using your online *my* Social Security account. If you do not have an account you can create one. Make sure to update your address if you are no longer at the residence that Social Security has on file. Your card will come to you in about 30 days. Visit: <https://secure.ssa.gov/RIL/SiView.do>
2. You can call the Social Security Administration at 1-800-772-1213 (TTY 1-800-325-0778) Monday through Friday from 7am to 7pm.
3. You can call your local Social Security Office.

If you have **Medicare Advantage Plan, Medicare Prescription Drug Plan**, or another plan you need to contact your plan to request a replacement card. You can find your plan's contact information:

1. From a Personalized Search (under General Search)
www.medicare.gov/find-a-plan/questions/home.aspx
2. Search by plan name
www.medicare.gov/find-a-plan/questions/search-by-plan-name-or-plan-id.aspx
3. Or call 1-800-MEDICARE

Medicaid Card

If your Medicaid card has been lost, stolen, or destroyed, contact Access Nebraska's Medicaid Eligibility Customer Service number Monday through Friday from 8am to 5pm.¹⁷²

Omaha (402) 595-1178

Lincoln (402) 473-7000

Rest of Nebraska (855) 632-7633

TTDD: (402) 471-7256

Electronic Benefit Transfer Card

If you have lost or misplaced your EBT card, call 1-877-247-6328 to request a replacement card. You will speak to an automated service and cancel your lost/stolen EBT card, and request a replacement card. Your replacement card will be mailed to you from Lincoln on the next business day and should be received two to three days after that.

For step-by-step instructions on how to request a replacement EBT card, dhhs.ne.gov/children_family_services/Documents/ReplacementCard.pdf.¹⁷³

Wills, Advance Directives and Other Estate Planning Documents

If the decedent's home was destroyed by the disaster, finding the will may be impossible in the debris. Therefore, the best source for finding the will would be with the decedent's attorney or if the decedent had a safety deposit box with a bank. See NEB. REV. STAT. § 30-2409.01 for further instruction regarding safety deposit boxes. It is a good idea for anyone who has a will to tell their loved ones where that will is kept or that a copy of that will is with their attorney.

Wills must comply with the statutes requirements in order for it to be enforceable in court.

If the original will was lost or destroyed by the disaster, as long as the copy of the will complies with what NEB. REV. STAT. § 30-2327 requires (that the will is in writing, signed by the decedent, and is signed by at least 2 witnesses of the decedent signing the will) then a copy is sufficient, if the copy is not being challenged of its validity. If someone is challenging the validity of the copy then one of the witnesses needs to testify in court to its validity according to NEB. REV. STAT. § 30-2430.¹⁷⁴

If a Power of Attorney or Advance Directive document of a family member has been lost or destroyed you should check to see if the person designated as the “agent” or “representative” has a copy of the document. Additional places to check for copies would be the family member’s health care providers or the family member’s attorney. If a copy cannot be found and your family member is competent to create a new Power of Attorney or Advance Directive you should seek out an attorney. If a copy cannot be found and your family member is not competent to create a new Power of Attorney or Advance Directive, you should consult an attorney about guardianship.¹⁷⁵



Public Benefits

SNAP / FOOD STAMPS

What are food stamps/SNAP Benefits?

The Supplemental Nutrition Assistance Program (SNAP) formerly known as Food Stamps, offers nutrition assistance to millions of eligible, low-income individuals and families and provides economic benefits to communities. SNAP benefits are a monthly grant of money to be used only to buy food, issued on an Electronic Benefits Transfer (EBT) card. ¹⁷⁶

Who is eligible?

Eligibility is determined on a household income and resource basis. The household is called an Eligibility Unit (EU). The combined monthly income of all household members after deductions may not exceed the program maximums.

Household income cannot exceed 120% of poverty level. Visit dhhs.ne.gov/children_family_services/Pages/fia_guidelines.aspx to see the income eligibility guidelines.¹⁷⁷ Households that meet the program guidelines for income and resources receive SNAP benefits for free. Households can be one person or a group of people who purchase and prepare meals together.

How do I get SNAP benefits?

To apply, an application must be completed and given to the Nebraska Department of Health and Human Services. For more information, contact your nearest Health and Human Services Office (dhhs.ne.gov/Pages/localoffices.aspx for a directory). Or, you may download an application form and mail it to the nearest Health and Human Services Office. You can also apply online through ACCESSNebraska at: dhhs.ne.gov/Children_Family_Services/AccessNebraska/Pages/accessnebraska_index.aspx. Through ACCESSNebraska you can: complete a self-screening to determine the programs for which you may want to apply, submit an application electronically, or print an application that you can submit by mail. You may also call the Customer Service Contact number between 8:00am–5:00pm Monday through Friday.

Customer Service Contact:¹⁷⁸

Call (800) 383-4278

In Lincoln (402) 323-3900

In Omaha (402) 595-1258

8:00 am - 5:00 pm Monday thru Friday

If you disagree with any action taken by the Nebraska Department of Health and Human Services (DHHS) which affects your benefits, you may request a fair hearing in writing or orally. Your case may be presented by a household member or a representative, such as a legal counsel, a relative, a friend, or other spokesperson. You may continue to receive your current level of assistance until a hearing decision is made IF (1) you request a hearing within ten days from the date of the agency notice, and (2) for SNAP benefits only, your certification period has not expired. A fair hearing request must be made within 90 days of the action or inaction. You or your representative have the right to examine your case record. At the hearing you may represent yourself or be represented by another person.¹⁷⁹

DISASTER FOOD STAMP BENEFITS

Are special Food Stamp benefits available after a disaster?

If the State deems your county an authorized disaster area, special food stamp policies will be activated. Disaster Food Stamp Assistance has special rules to follow and some income guidelines apply. For example, in order to get Disaster Food Stamp Assistance, a person must either live or work in a disaster-declared county and answer “yes” to at least one of the following questions:

- Has your home or self-employment property been damaged or destroyed by the disaster?
- Does your household have any other disaster-caused expenses?
- Has your income been delayed, reduced, or stopped because of the disaster?
- Does your household have any cash or money in a bank account which you cannot get to because of the disaster?

Under this special disaster program, there is a limit of one month's assistance. After that one month allotment, applicants wishing to continue food stamp benefits must apply for “regular” food stamps at their local DHHS office and meet the income and eligibility requirements for the regular food stamp program.

Applicants must bring documents to prove their identity (such as driver's license, wage stub, birth certificate) and where they live (such as rent or mortgage receipt, post office records, utility bills, driver's license). Disaster Food Stamp Assistance applications will be audited after the event. People who get benefits they are not entitled to will be required to pay them back.¹⁸⁰

What if I was already on food stamps but lost my food in the disaster?

In cases when food purchased with EBT benefits is destroyed in a disaster affecting a participating household, that household may be eligible for the replacement of the actual value of loss, not to exceed the household's one month SNAP allotment. The loss must be reported within ten days of the occurrence and the household's disaster must be verified. The local office must verify the disaster through a collateral contact or a community organization, such as the fire department, the Red Cross, or a home visit.

This policy applies in cases of an individual household disaster, such as fire, as well as natural disasters affecting more than one household. In cases where the Food and Nutrition Service has issued a disaster declaration and the household is otherwise eligible for disaster SNAP benefits, the household must not receive both the disaster allotment and replacement benefits for the same month under this provision. There is no limit on the number of replacements for food purchased with SNAP benefits which were destroyed in a household misfortune.¹⁸¹

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

(TANF) BENEFITS

What is TANF?

The Temporary Assistance for Needy Families (TANF) in Nebraska is called Aid to Dependent Children (ADC). The program provides cash assistance to low-income families with minor children. ADC income is used to pay for family living expenses like rent, utilities, food, clothing, and other necessities. ADC is often the only source of cash assistance for a family.¹⁸²

Could I be eligible for TANF?

In order to qualify for this benefit program, you must be a resident of Nebraska, either pregnant or responsible for a child under 19 years of age, a U.S. national, citizen, legal alien, or permanent resident, have low or very low income, and be either under-employed (working for very low wages), unemployed, or about to become unemployed. Adult recipients who are able to work are required to cooperate with the Employment First Process.¹⁸³

Could my family be eligible for TANF even if we are a two-parent family, but the principal wage earner in the household is unemployed?

In some instances, ADC families may consist of children and both parents. In other situations, there may be a parent absent due to separation, divorce, or death. In instances where both parents are absent, a different family member such as a grandparent, aunt, or uncle may receive ADC on behalf of the child(ren). All ADC adults who are able must participate in the Employment First program. Employment First provides training, education, work experience, and employment related activities and supportive services to ADC adults.¹⁸⁴

Could I be eligible for TANF if I am a caretaker for a child, but not that child's parent?

Possibly. For more information, contact your nearest Health and Human Services Office. To apply, an application must be completed and given to the Nebraska Department of Health & Human Services.¹⁸⁵

MEDICAID BENEFITS

What is Medicaid?

The Nebraska Medical Assistance Program, also known as the Medicaid Program, is a program that is jointly funded by the state and the Federal government to provide medical coverage to those who meet certain categorical eligibility criteria and who cannot afford to pay for medically necessary services. Covered services include inpatient and outpatient hospital services; nursing facility care; prescription drugs; services of physicians, dentists and other practitioners; screening and diagnostic services; home health services; mental health and substance abuse treatment; and medical supplies.¹⁸⁶

Could I be eligible for the Medicaid Program?

In order to qualify for this benefit program, you must be a resident of the state of Nebraska, a U.S. national, citizen, or permanent resident in need of health care/insurance assistance, whose financial situation would be characterized as low income or very low income. You must also be either pregnant, a child under age 19, a parent or relative caretaker of a dependent child(ren) under age 19, have a disability, blind, or age 65 or older.¹⁸⁷ Also, some former state wards and some cancer patients may be eligible for Medicaid.

Children's Health Insurance Program (CHIP) is an expansion of Medicaid as health care coverage for qualified children who are without other health insurance and who do not qualify for Medicaid. Federally called the Children's Health Insurance Program (CHIP), it provides the same services covered under Medicaid.¹⁸⁸

SOCIAL SECURITY BENEFITS

What are Social Security benefits?

Social Security benefits provide a source of income for eligible workers and their families when the worker retires, becomes disabled, or dies.¹⁸⁹

What type of benefits are available, and what are the eligibility requirements?

Social Security Retirement Insurance Benefits: To qualify for this benefit program, you must meet all of the following requirements:

- Have earned enough Social Security credits; and
- Are at least age 62 throughout the first month of entitlement.¹⁹⁰

Social Security Disability Insurance Benefits (SSDI): This benefit is paid to people who meet the following requirements:

- Have earned enough Social Security credits; and
- Are unable to work because of a disability that has lasted or will last for at least 12 months or end in death.¹⁹¹

Supplemental Security Income (SSI): To qualify for this benefit program, you must meet the following requirements:

- Be at least age 65;
- Be blind or disabled;
- Have limited income and assets; and
- Meet additional requirements.¹⁹²

Social Security Medicare Program: Medicare is a health insurance program for people who meet the following requirements:

- Are age 65 or older, and
- Received Social Security Disability benefits for at least 24 months.
- People with kidney failure or ALS, may also qualify for Medicare.¹⁹³

How are payments delivered to me?

The Treasury Department requires federal benefit payments to be made electronically. You can choose to get your payments by direct deposit to a bank or credit union account or to a Direct Express® Debit MasterCard® card account.¹⁹⁴

How do I begin the application process?

To apply online, visit www.socialsecurity.gov/pgm/medicare.htm.

If you would like to find out if you may be eligible for any of the benefits SSA administers, visit best.ssa.gov.

Once you have completed the eligibility screening questionnaire, you will be provided with a list of benefits for which you may be eligible. Print this page for your records before going to the application site.

Once you know which benefits you can apply for, go to www.ssa.gov/forms/apply-for-benefits.html to apply online.

You can also call 1-800-772-1213 (TTY: 1-800-325-0778) for additional information about SSA benefits and for application information.¹⁹⁵

Once Social Security has all the necessary documentation, such as proof of earnings or medical evidence of disability, they will send you a written decision. If you are denied and you think you are eligible, you should file a request for reconsideration within sixty days of the date of the initial decision. If you are denied again, you should request a hearing and contact Legal Services for possible legal representation.¹⁹⁶



Immigration

Do I need to be a U.S. resident or citizen to apply for emergency disaster assistance?

Short-term, non-cash, in-kind emergency disaster relief is available regardless of immigration status. This includes emergency medical care, shelter, food, and other essential needs.

Eligibility for long-term FEMA Assistance Programs, Individual and family Grant Programs, and Disaster Unemployment Assistance is restricted to “qualified” immigrants and victims of human trafficking. Contact FEMA to see if you are in a “qualified” immigrant status.

If you are not a qualified immigrant, another adult household member may qualify the household for assistance.¹⁹⁷

Can an undocumented immigrant apply for FEMA cash assistance on behalf of a child who is a U.S. citizen?

Yes, if the child is under 18 and lives with the undocumented person. No information on the adult’s immigration status is required. Only the child’s Social Security number is required.

Will I be considered a public charge and denied residency if I apply for emergency disaster relief?

No. Emergency disaster relief is not considered public cash assistance preventing you from becoming a resident. You will not be classified as a public charge solely because you have accepted emergency disaster assistance.

If I lost my Permanent Resident Cards (Green Card) in a natural disaster or tornado, how can I get a replacement?

Permanent residents and conditional residents (with a two-year card that has not expired) who need to replace a lost green card or conditional resident two-year card must fill out USCIS Form I-90 either:¹⁹⁸

- A. Online at www.uscis.gov/uscis-elis/e-filing-form-i-90-using-uscis-electronic-immigration-system or by
- B. Mailing the application. The form can be downloaded from www.uscis.gov/i-90
- a. If you are sending the application by *US Postal Services (USPS)* send to:

USCIS

P.O. Box 21262
Phoenix, AZ 85036

- b. If you are using *USPS Express Mail/Courier* send to:

USCIS

Attn: I-90

1820 E. Skyharbor, Circle S, Floor 1
Suite 100
Phoenix, AZ 85034

- C. There is a \$540 filing fee per application.

More information is available at www.uscis.gov/portal/site/uscis and www.uscis.gov/green-card/after-green-card-granted/replace-green-card.

If I lost my work permit in a natural disaster or tornado, how can I get it replaced?

Fill out and file immigration form I-765. Include two passport-type photos and a check or money order payable to USCIS in the amount of \$410-\$495 (This fee is subject to change; <https://www.uscis.gov/i-765>). This fee can be waived if you show inability to pay.

NOTE: If you had any interviews or appointments scheduled with United States Citizenship and Immigration Services, or with the Immigration Judge, please contact the Nebraska Immigration Legal Assistance Hotline at 1-855-307-6730.

How do I get the immigration forms I need to apply for new papers?

You can get immigration forms by mail from the INS by calling 1-800-870-3676. This service is available twenty-four hours a day, seven days a week. You can get help in completing immigration forms from the agencies listed under "IMMIGRATION" at the end of this guidebook. These agencies may also have copies of immigration forms. If you have any concerns about your current immigration status, contact one of these agencies for legal assistance before applying for a green card or a work permit, because if you are not eligible you will lose your money.

Do I need to let INS or the immigration court know that I have moved as a result of a natural disaster?

It depends on what type of immigration case you have whether you are required to notify Immigration Service of your new address and where you send the notification. To find out what to do in your particular case or situation, you can call the INS toll-free number: 1-800-870-3676.



Family Concerns

My child is living with a relative. How can I ensure the relative has legal authority to make decisions?

If your child is living with a relative you should consider completing a Temporary Delegation of Parental Powers form. Nebraska law allows you to give authority to another person regarding the care, custody, or property of your minor child. These forms are available at Nebraska Supreme Court's supremecourt.nebraska.gov/self-help/7253/temporary-delegation-parental-powers.

This power of attorney will only last 6 months, but can be renewed. In emergency situations, parental consent is not required for treating minors and medical providers are shielded from liability for not following protocol.¹⁹⁹

Is it still possible to do something about violence in our home?

Protection orders may protect people from abuse or harassment. If you want to file a protection order, be careful when you do research online to protect yourself. Browser history can reveal to an abuser that you are searching for help. You should use the internet at a local library, at a friend's house, or at work.

There are two types of protection orders. The first is a Domestic Abuse Protection Order, which is for those in close relationships who are being abused. "It is granted because someone attempted, threatened, caused bodily injury, or intimidated the other person by credible threat, or engaged in sexual contact or sexual penetration without consent." The second is a Harassment Protection Order, which does not need to be of close relationship and requires "a number of telephone or personal contacts that seriously terrify, threaten, or intimidate" you and "serves no legitimate purpose".

You can file a protection order free of charge with the district court clerk. After you file, the clerk will give your form to a judge and the judge may sign the order “ex parte” meaning you do not have to have a hearing before you get notice. Once the other party gets notice of the order they can request a hearing. If you don’t speak English ask for a court interpreter before the hearing.²⁰⁰

If you want to enter a battered women’s shelter in order to escape the abuse, for assistance in locating the nearest shelter you may contact:²⁰¹

Domestic Violence Hotline at 800-799-SAFE (7233);
Spanish line 1-877-215-0167; TTY 800-787-3224

National Sexual Assault Hotline: 1-800-656 HOPE (4673)

You should contact your local police department if you feel that you are in immediate danger.

What can be done about child abuse or neglect?

To report child abuse and neglect call the Adult & Child Abuse Hotline at 1-800-652-1999. Nebraska law requires that “any person who suspects that a child has been physically or sexually abused or neglected to report it promptly to the Nebraska Department of Health and Human Services.” You should contact your local police department to report the abuse or neglect if you feel the child is in immediate danger.²⁰²

In the event that I must move, how can I arrange for child support payments to be sent to a new location?

If you have a child support caseworker assigned to your case, you should contact him or her to request that your child support payments be forwarded to you at a different address. If you do not have a child support caseworker, you should contact Nebraska’s Child Support Enforcement Customer Service Call Center.²⁰³

- Call the Nebraska Customer Service Call Center to speak to a Customer Services representative between 7 a.m. and 6 p.m. Monday through Friday at 1-877-631-9973 Option 2.
- Call the Nebraska Child Support Payment Center to speak to a Customer Services representative between 7 a.m. and 6 p.m. Monday through Friday at 1-877-631-9973 Option 3.

How can I get counseling for myself or for my family?

Family or individual counseling services are located throughout the state. Refer to the United Way contacts in the index for your nearest United Way office. They can assist you with a referral to a local counseling service.



Resources and Referrals²⁰⁵

If you do not have a personal computer available to you, public libraries often allow Internet access free of charge.

FEDERAL ASSISTANCE

Federal Emergency Management Agency

FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

Register for Assistance:

Toll Free: 1-800-621-FEMA (3362) — TTY: 1-800-462-7585

Online Registration: www.fema.gov

Fax: 1-800-827-8112

Technical Assistance: 1-800-745-0243

General Address:

Federal Emergency Management Agency

P.O. Box 10055

Hyattsville, MD 20782-8055

Nebraska's FEMA Regional Office VII (Kansas City)

Phone: 816-283-7061

Federal Emergency Management Agency

9221 Ward Parkway, Suite 300

Kansas City, MO 64114-7061

Mitigation: National Flood Insurance Program and Hazard Mitigation Grant Program

(816) 283-7002

Response and Recovery Division: Disaster Response and Recovery Programs

(816) 283-7025

Disaster Preparedness Kits can be found at: www.ready.gov

U.S. Department of Agriculture

www.usda.gov

U.S. Department of Agriculture Farm Service Agency (FSA)

www.fsa.usda.gov

U.S. Department of Health and Human Services

www.hhs.gov

U.S. Department of Labor

www.dol.gov

U.S. Department of Revenue (IRS)

The IRS provides a toll free Federal Taxpayer Assistance number
1-800-829-1040

STATE ASSISTANCE

The Nebraska Emergency Management Agency

NEMA is a branch of the Military Department. NEMA "is charged by statute to reduce the vulnerabilities of the people and communities of Nebraska from the damage, injury and loss of life and property resulting from natural, technological, or man-made disasters and emergencies." If there is an emergency in Nebraska, local jurisdictions take charge in responding to the emergency. If they cannot effectively deal with the emergency, "the local political leader can declare an emergency and request state assistance." NEMA has the responsibility of developing Nebraska Emergency Operations Plans and to have efficient and effective responses to emergencies.

Nebraska Emergency Management Agency (NEMA)

2433 N.W. 24th Street
Lincoln, NE, 68524-1801

Operations—24 hour contact (402) 471-7421

SEOC (Toll Free) 1-877-297-2368

Fax - (402) 471-7433

www.nema.ne.gov/contact.html

Follow the web site's directions for searching individual counties and find the specific city in question to find out the local emergency coordinator and each location.²⁰⁶

The State Emergency Response Commission's (SERC): SERC "coordinates activities of the Local Emergency Planning Committee,...a group of representatives from all parties interested in Hazardous Materials in the community. They identify potential risks from hazardous chemicals, minimize those risks, prevent accidents, develop effective plans to deal with a chemical emergency, and provide the public with information about event that affect them."

www.nema.ne.gov/technical/serc-home.html

Phone: (402) 471-7176

Nebraska Floodplain Management: "The Department of Natural Resources Floodplain Section handles floodplain management matters for the state of Nebraska. Our section is responsible for coordinating an overall program aimed at addressing the wise use of land that is subject to flooding." Most homeowner insurance does not cover flood damage, so it is important to purchase separate flood insurance.²⁰⁷

To find your local Nebraska Floodplain Administrator dnr.nebraska.gov/fpm/community-floodplain-information-2

Nebraska Aging Information

dhhs.ne.gov/medicaid/aging/pages/ProgramsServices.aspx

Nebraska Department of Agriculture

Phone: 402-471-2341 — www.nda.nebraska.gov

Nebraska Attorney General Consumer Protection Division

Phone at 402-471-2682 or 800-727-6432
Spanish line is 402-471-3891 or 888-850-7555
ago.nebraska.gov

Nebraska Government Jobs

statejobs.nebraska.gov — dol.nebraska.gov — Phone: 402-471-2075

Nebraska Department of Insurance

Phone: 1-877-564-7323 (TDD) (800)-833-7352, (VOICE) (800) 833-0920
www.doi.nebraska.gov

Nebraska Homeland Security

www.nema.ne.gov/preparedness/homeland-security-home.html

**Nebraska Department of Health and Human Services
Community Based Mental and Behavioral Health Services**

dhhs.ne.gov/behavioral_health/Pages/beh_behindex.aspx

Nebraska Department of Natural Resources

Phone: 402-471-2363 — *www.dnr.nebraska.gov*

Nebraska Local Health Departments

Can find list of contact information at: *dhhs.ne.gov/publichealth/Pages/puh_oph_lhd.aspx#Websites*

Nebraska Department of Revenue

Phone: 800-742-7272 — *www.revenue.nebraska.gov*

Nebraska Department of Labor

Administration: 402-471-9000

Unemployment Insurance TAX:

UI Tax Help Line: 402-471-9898

UI Tax Help FAX: 402-471-9994

Unemployment Insurance Benefit Claims:

NE Claims Center Phone: 402-458-2500

(call for inquiries covering claims or claims processed)

NE Claims Center Fax: 402-458-2595

Benefit Overpayment Phone: 402-471-2865

Benefit Overpayment Fax: 402-471-2655

Visit *dol.nebraska.gov/Home/AboutUs* for complete list of Unemployment Insurance Tax Representatives and local Department of Labor offices

Nebraska Department of Environmental Quality

Phone: (402) 471-2186; Toll Free (877) 253-2603 — *www.deq.state.ne.us*

Nebraska Division of Children and Family Services

ACCESSNebraska: 1-800-383-4278

Child Support: 1-877-631-9973

Child Care Licensing: 1-800-600-1289

Child and Adult Abuse/Neglect Registry: 402-471-9272

Foster Care Licensing: 1-800-257-0176

dhhs.ne.gov/children_family_services/Pages/children_family_services.aspx

Nebraska State Patrol

Phone: 402-471-4545 — statepatrol.nebraska.gov

Nebraska Statewide Independent Living Council

Phone: 402-438-7979 — www.nesilc.org

LOCAL AREA AGENCIES ON AGING

Aging Office of Western Nebraska (AOWN)

1517 Broadway, Suite 122, Scottsbluff, NE 69361

Phone: 308-635-0851 — Toll free: 800-682-5140 — www.aown.org

Serves: Banner, Kimball, Box Butte, Morrill, Cheyenne, Scotts Bluff, Dawes, Sheridan, Deuel, Sioux, and Garden Counties

West Central Nebraska Area Agency on Aging (WCNAAA)

115 North Vine North Platte, NE 69101

Phone: 308-535-8195; Toll free: 800-662-2961

www.wcnaaa.com

Serves: Arthur, Chase, Dawson, Dundy, Frontier, Gosper, Grant, Hayes, Hitchcock, Hooker, Keith, Lincoln, Logan, McPherson, Perkins, Red Willow, & Thomas Counties

South Central Nebraska Area Agency on Aging (SCNAAA)

4623 2nd Avenue, Suite 4 Kearney, NE 68848

Phone: 308-234-1851; Toll free: 800-658-4320

agingkearney.org

Serves Blaine, Loup, Garfield, Wheeler, Custer, Valley, Greeley, Sherman, Buffalo, Phelps, Kearney, Furnas, Harlan, & Franklin Counties

Midland Area Agency on Aging (MAAA)

305 North Hastings, Room 202 Hastings, NE 68902

Phone: 402-463-4565; Toll free: 800-955-9714

www.midlandareaagencyonaging.org

Serves Adams, Clay, Hall, Hamilton, Howard, Merrick, Nuckolls & Webster Counties

Northeast Nebraska Area Agency on Aging (NENAAA)

119 Norfolk Avenue Norfolk, NE 68702

Phone: 402-370-3454; Toll free: 800-672-8368 — www.nenaaa.com

Serves: Antelope, Boone, Boyd, Brown, Burt, Cedar, Cherry, Colfax, Cuming, Dakota, Dixon, Holt, Keya Paha, Knox, Madison, Nance, Pierce, Platte, Rock, Stanton, Thurston, Wayne

Eastern Nebraska Office on Aging (ENOA)

4223 Center Street Omaha, NE 68105

Phone: 402-444-6536; Toll free: 888-554-2711 — www.enoa.org

Serves: Douglas, Sarpy, Dodge, Cass, & Washington counties

Aging Partners

1005 O Street Lincoln, NE 68508-3628 — Phone: 402-441-7070; Toll free: 800-247-0938

www.lincoln.ne.gov/city/mayor/aging/index.htm

Blue River Area Agency on Aging (BRAAA)

1901 Court St, Beatrice, NE 68310

Phone: 402-223-1376; Toll free: 888-317-9417 — www.braaa.org

Serves: Gage, Jefferson, Johnson, Otoe, Pawnee, Richardson, & Thayer Counties

Nebraska Community Action²⁰⁸

Blue Valley Community Action Partnership (BVCA)

402-729-2278 — www.bvca.net

Serves: Butler, Fillmore, Gage, Jefferson, Polk, Saline, Seward, Thayer, York

Central Nebraska Community Services (CNCS)

308-745-0780 — www.welcome2cncs.com

Serves: Boone, Colfax, Platte, Boyd, Holt, Wheeler, Brown, Keya Paha, Rock, Howard, Hamilton, Merrick, Nance, Blaine, Custer, Loup, Sherman, Valley, Garfield & Greeley

Community Action Partnership of Lancaster and Saunders Counties

402-471-4515 — communityactionnetworkorg.presencehost.net

Serves: Saunders and Lancaster

Community Action Partnership of Mid-Nebraska (MID)

308-865-5675; 877-335-6422 — www.communityactionmidne.com

Serves: Adams, Buffalo, Dawson, Franklin, Kearney, Lincoln, Nuckolls, & Red Willow

Community Action Partnership of Western Nebraska (CAPWN)

308-635-3089 — www.capwn.org

Serves: Cheyenne

Eastern Nebraska Community Action Partnership (ENCAP)

402-453-5656 — www.encapomaha.org

Serves: Douglas and Sarpy

Northeast Nebraska Community Action Partnership (NENCAP)

402-385-6300; 800-445-2505 — www.nencap.org

Serves: Knox, Antelope, Pierce, Thurston, Dakota, Wayne, Cedar, Dixon, Dodge, Washington, Madison, Stanton, Burt, and Cuming

Northwest Community Action Partnership (NCAP)

308-432-3393; 800-361-3393 — www.ncap.info

Serves: Box Butte, Cherry, Dawes, Sioux, and Sheridan

Southeast Nebraska Community Action Partnership (SENCA)

402-862-2411 — www.senca.org

Serves: Cass, Johnson, Nemaha, Otoe, Pawnee, and Richardson

HOUSING AND URBAN DEVELOPMENT CONTACTS

USDA Rural Development

Nebraska State Office - Business & Cooperative Programs

Federal Building, Suite 308

100 Centennial Mall North

Lincoln, Nebraska 68508-3859

402.437.5551 Phone

402.437.5093 TTY

855.207.0384 FAX

HUD Omaha Field Office

Phone: (402) 492-3101

Email: Customer Service at NE_Webmanager@hud.gov

Fax: (402) 492-3150

TTY: (402) 492-3183 or 800) 877-8339 or dial 7-1-1 (Not available in all areas)

IMMIGRATION

Immigration Office in Nebraska

US Citizenship and Immigration Services

1-800-870-3676

Omaha Field Office

1717 Avenue H

Omaha, NE 68110

Visit the following link for more information:

egov.uscis.gov/crisgwi/go?action=offices.type&OfficeLocator.office_type=SC

SENIOR SERVICES

Elder Abuse Hotline

1-800-652-1999 or 911

Elder AccessLine for free legal advice, resources, and brief services:

Call statewide 1-800-527-7249. In Omaha call 402-827-5656.

www.legalaidofnebraska.org

Contact your local Area Agency on Aging

Where to go for help if you cannot afford a lawyer

You may not be able to afford to pay a lawyer to represent you. If so, you may be able to get free help or you may be able to represent yourself in court. Some resources are:²⁰⁹

LOW-INCOME LEGAL SERVICES

Legal Aid of Nebraska

www.legalaidofnebraska.org

Legal Aid of Nebraska provides free civil legal services for low-income people.

Call Legal Aid of Nebraska's AccessLine® to see if you qualify for assistance.

You can also apply online. To complete an application, call:

402-348-1060 AccessLine® if you live in the Douglas Co. area

1-877-250-2016 AccessLine® if you live outside the Douglas Co. area

1-800-527-7249 Elder AccessLine® if you are 60 and over

1-800-729-9908 Native American AccessLine® if you are Native American

1-800-464-0258 Farm Ranch Hotline for farmers and ranchers

1-855-307-6730 Nebraska Immigration Legal Assistance Hotline (NILAH)

1-844-268-5627 Disaster Relief Response Hotline for victims of recent disaster, such as tornado, flood or train derailment

LAW SCHOOL LEGAL CLINICS

University of Nebraska College of Law Civil Clinical Law Program

law.unl.edu/civil-clinic-clients

A limited number of cases are accepted by the UNL Civil Clinical Law Program. Clients are represented by students under the supervision of College of Law faculty. The telephone number is 402-472-3271.

Creighton University School of Law Legal Clinic

law.unl.edu/civil-clinic-clients

For Douglas County residents only. A limited number of cases are accepted by the Creighton Legal Clinic. Clients are represented by lawyers assisted by third year law students. To complete an application for assistance call the Clinic at 402-280-3068 between 9:00 a.m. and 4:00 p.m. Monday through Friday.

SELF-HELP RESOURCES

Nebraska Supreme Court Self-help Forms

court.nol.org/self-help

The Nebraska Pro Se (Self Help) Committee has developed some self-help forms. Visit their website to see what forms are available.

Legal Aid of Nebraska's Access To Justice (A2J) Centers

Legal Aid of Nebraska's A2J Centers are self-help centers where low-income people can access legal resources including computers, forms, and self-help clinics.

Omaha

Located at 209 S. 19th Street on the second floor.
The A2J Center is open: Monday—Thursday 1:00pm to 4:00pm.

Call 402-348-1069 or toll-free at 1-888-991-9921,
or visit our website at legalaidofnebraska.org to find out more information.
The hours the A2J Center is open may vary.

Lincoln

For current A2J hours and location,
please call 402-435-2161 or toll-free at 1-800-742-7555,
or visit our website at legalaidofnebraska.org to find out more information.
The hours the A2J Center is open may vary.

SELF-HELP CENTERS

Lincoln (Lancaster County)

Open Monday 10-2 and Thursday 9-1

Guardian/Conservator assistance with annual accountings and reports:
2nd and 4th Thursday of each month, from 1:30 p.m. to 3:30 p.m.

The Self-Help Desk is located off the Jury Lounge on the third floor at the Lancaster County Courthouse at 575 South 10th Street in Lincoln. No appointments are needed and individuals are offered assistance on a first-come, first-served basis.

Omaha (Douglas County)

Open Mondays, Wednesdays and Fridays from 10:00 a.m. to 2:00 p.m.

Guardian/Conservator assistance with annual accountings and reports: 2nd and 4th Tuesday of each month, from 12:30 p.m. to 3:00 p.m.

The Self-Help Desk is located in the Douglas County Law Library. Follow the connector-hallway between the Douglas County Courthouse and the 1st Floor Hall of Justice, 17th and Farnam in Omaha. For questions or further information, call the Library at 402-444-7174.

Norfolk (Madison County)

Open the third Friday of the month from 10:00 a.m. to 2:00 p.m.

The Self-Help Desk is located on the north side of the Courthouse, 1313 North Main Street in Madison. Individuals needing assistance should check-in with the Clerk of the District Court's Office (first office at the courthouse entrance). No appointments are needed and individuals are offered assistance on a first-come, first-served basis.

Tri City Center (Hastings, Grand Island, Kearney)

Grand Island Office: Open Fridays from 11:00 a.m. to 1:00 p.m.

Guardian/Conservator assistance with annual accountings and reports:
throughout open hours on Fridays

The Self-Help Desk is located on the lower level of the Hall County Courthouse (across from Courtroom #3) at 111 West First Street in Grand Island. No appointments are needed and individuals are offered assistance on a first-come, first-served basis.

Kearney Office: Open the first Friday of the month from 10:00 a.m. to 2:00 p.m.

The Self-Help Desk is located in the Buffalo County Courthouse,
1512 Central Avenue in Kearney.

Individuals needing assistance should check-in with the
Clerk of the District Court's Office, window #4.

No appointments are needed and individuals are offered assistance
on a first-come, first-served basis.

LIBRARIES

State Library

supremecourt.nebraska.gov/1082/state-library

You can go to the State Library if you need access to legal resources including using the internet to do legal research. The State Library is located in room 325 at the State Capitol Building in Lincoln. The telephone number is 402-471-3189.

Public Libraries

Your local public library may have some resources and public access to computers and the internet. To find your local library you can www.publiclibraries.com/nebraska.htm.

University Of Nebraska College Of Law Library

law.unl.edu/library

The UNL College of Law Library is located on the east campus of UNL. The Law library has one public access computer for members of the public to conduct legal research. The general telephone number to the law school is 402-472-2161.

Creighton University Law School Library

www.creighton.edu/law/library

The Creighton Law School Library has public access computers available for legal research. Reference assistance is also available. The general library telephone number is 402-280-2875. The Law Library is open to the general public with legal research needs from 7:00 a.m. to 7:00 p.m. Monday through Friday while school is in session. Hours may vary during breaks and over the summer. It is located in Omaha on the corner of 21st and Cass Streets on the second floor of the Ahmanson Law Center.

Some county courthouses may have law libraries available.

Ask at your county courthouse to find out.

REFERRAL SERVICES

Referrals to private attorneys are available.

Private attorneys may charge for their services.

Nebraska Find-A-Lawyer

www.nefindalawyer.com

A service provided by the Nebraska State Bar Association.

Omaha Bar Association Lawyer Referral Service

The service refers callers to private practicing attorneys in Douglas and Sarpy counties.

For more information call 402-280-3603 or visit their website at

www.omahalawyerreferral.com.

Endnotes

Legal Aid of Nebraska Disaster Relief Project's *Disaster Guide: A Resource for Pro Bono Attorneys and Nebraskans*

- NEB. EMERGENCY MGMT. AGENCY, <http://www.nema.ne.gov/index.shtml> (last visited July 17, 2018).
- NEB. EMERGENCY MGMT. AGENCY, GOVERNOR'S EMERGENCY FUND/ GUIDELINES FOR PUBLIC OFFICIALS, 1-4, <https://nema.nebraska.gov/sites/nema.nebraska.gov/files/doc/gov-guide.pdf> (last visited July 17, 2018).
- Id.* at 5.
- Id.* at 6.
- Id.*
- Id.*
- Id.* at 6-7.
- Id.* at 9.
- Id.* at 7.
- Id.*
- Id.* at 10.
- LEHD.COM, THE MISSOURI LEGAL SERVICES DISASTER MANUAL: A RESOURCE FOR MISSOURI LAWYERS AND MISSOURIANS, 9-20, available at http://www.mobar.org/uploadedfiles/for_the_public/legal-resources/2015-Missouri-Lawyers-Disaster-Manual.pdf (This section is an excerpt from *The Missouri Legal Services Disaster Manual*) (last visited July 17, 2018).
- UNEMPLOYMENT BENEFITS: Disaster Unemployment Insurance, NEBRASKA DEPT. OF LABOR, <https://dol.nebraska.gov/UI/Benefits/Programs/DUA/Overview> (last visited July 17, 2018).
- See NEB. REV. STAT. § 87-303.01 (2008).
- Omaha-area Storm Victims May Be Eligible for Disaster Food Stamp Assistance - Applications Will Be Accepted Starting July 7*, NEB. DEPT. OF HEALTH AND HUMAN SERVICES, http://dhhs.ne.gov/Pages/newsroom_newsreleases_2008_july_foodstamps.aspx (last visited July 17, 2018).
- NEB. REV. STAT. §§ 76-1401–1449.
- LEGAL AID OF NEBRASKA, LANDLORD AND TENANT HANDBOOK, 12, available at <http://www.legalaidofnebraska.org/node/27/landlord-and-tenant-handbook>. See Also NEB. REV. STAT. § 76-1429 (last visited July 17, 2018).
- LEGAL AID OF NEBRASKA, LANDLORD AND TENANT HANDBOOK, 8 (Revised April 2015), available at <http://www.legalaidofnebraska.org/node/27/landlord-and-tenant-handbook>.
- NEB. REV. STAT. § 18-1722 (1990).
- NEB. REV. STAT. § 76-1429(1)(b) (1974).
- See LEGAL AID OF NEBRASKA, *supra* note 18, at 13.
- Id.* at 12.
- Id.* at 15; NEB. REV. STAT. § 76-1429 (1974).
- LEGAL AID OF NEBRASKA, *supra* note 18, at 12; NEB. REV. STAT. § 76-1429 (1974).
- See LEGAL AID OF NEBRASKA, *supra* note 18, at 10.
- Id.* at 10; 17-18.
- Id.* at 7.
- NEB. REV. STAT. § 76-1432 (1974).
- See LEGAL AID OF NEBRASKA, *supra* note 18, at 10; 17-18.
- Id.* at 18.
- Id.* at 18-19.
- Id.* at 19.
- Id.* at 12.
- Id.* at 16.
- Id.* at 17.
- Id.*
- Id.*
- Id.* at 18.
- SIENNA KOSSMAN, *4 Common Myths About Renters Insurance*, US NEWS & WORLD REPORT, available at <https://money.usnews.com/money/personal-finance/articles/2013/09/12/4-common-myths-about-renters-insurance> (last visited July 17, 2018).

- 40 *Id.*
- 41 LEGAL AID OF NEBRASKA, *supra* note 18, at 13.
- 42 Sienna Kossman, *supra* note 40.
- 43 *Knapp v. Nebraska Pub. Power Dist.*, 1995 Neb. App. LEXIS 316,
*4, *11 (Neb. Ct. App 1995); *See Also Cover v. Platte Valley*
44 *Public Power & Irrigation Dist.*, 167 Neb. 788, 791 (Neb. 1959).
Getting a Mortgage in Tornado Alley, MORTGAGECALCULATOR.BIZ,
http://www.mortgagecalculator.biz/c/tornado-alley.php
(last visited July 17, 2018).
- 45 *Checklist to Rebuild Your Finances*, CONSUMERFINANCE.GOV,
http://www.consumerfinance.gov/blog/rebuilding-your-
finances-checklist/ (last visited July 17, 2018).
- 46 Sienna Kossman, *supra* note 40.
- 47 *Unemployment Benefits: Frequently Asked Questions*, NEB.
DEPT. OF LABOR, http://dol.nebraska.gov/UIBenefits/FAQ/5
(last visited September 15, 2016).
- 48 *Id.*
- 49 NEB. DEPT. OF LABOR, *supra* note 50.
- 50 *Id.*
- 51 *Unemployment Benefits: The Claimant's Guide to*
Unemployment Insurance Benefits, NEB. DEPT. OF LABOR,
https://dol.nebraska.gov/UIBenefits/Resources/FAQ
(last visited July 17, 2018).
- 52 *Id.*
- 53 *Unemployment Benefits: Disaster Unemployment Insurance*,
NEB. DEPT. OF LABOR, https://dol.nebraska.gov/UIBenefits/
Programs/DUA (last visited July 19, 2018).
- 54 *Id.*
- 55 *Id.*
- 56 *Laws and Regulations*, Neb. Equal Opportunity Commission,
http://www.neoc.ne.gov/laws/laws.html (last visited
July 17, 2018).
- 57 *Health Plans and Benefits: Continuation of Health Coverage-*
COBRA, NE DEPT. OF LABOR, available at http://www.dol.gov/dol/
topic/health-plans/cobra.htm (last visited July 17, 2018).
- 58 Neb. Rev. Stat. § 48-1230 (4)(b) (2014).
- 59 NEB. REV. STAT. § 48-1004 (2007).
- 60 NEB. REV. STAT. § 48-1104 (1993).
- 61 NEB. REV. STAT. § 48-1114(3) (1993).
- 62 NEB. REV. STAT. § 48-1114 (1993).
- 63 *Complaint Process*, NEB. EQUAL OPPORTUNITY COMM'N, http://
www.neoc.ne.gov/complaint/complaint.html (last visited
July 17, 2018).
- 64 FDIC, FREQUENTLY ASKED QUESTIONS FOR BANK CUSTOMERS IN
AREAS AFFECTED BY HURRICANE SANDY, 1, https://www.fdic.
gov/news/disaster/sandyfaq.pdf (last visited July 17, 2018).
- 65 *Id.*
- 66 *Id.*
- 67 *Id.* at 6.
- 68 *Id.*
- 69 *Id.* at 5.
- 70 *Id.* at 4.
- 71 *Frequently Asked Questions*, DIRECTEXPRESS.COM, https://www.
usdirectexpress.com/contact.html (last visited July 17, 2018).
- 72 FDIC, *supra* note 67, at 3.
- 73 *Id.* at 6.
- 74 *Id.* at 5.
- 75 NEB. REV. STAT. § 87-303.01 (2008).
- 76 *Questions and Answers About Home Equity Loan Fraud*,
CONSUMERACTION.COM, http://www.consumer-action.org/
english/articles/questions_and_answers_about_home_
equity_loan_fraud_english (last visited July 17, 2018).
- 77 Colleen Tressler, *After a Weather Emergency: Repair or Replace*
Appliance? FEDERAL TRADE COMMISSION, http://www.consumer.
ftc.gov/blog/after-weather-emergency-repair-or-replace-
appliances (last visited July 17, 2018).
- 78 *Salvage Titles—Motor Vehicles*, NEB. DEPT OF MOTOR VEHICLES,
https://dmv.nebraska.gov/dvr/title/motor-vehicles-salvage-
titles (last visited July 17, 2018).
- 79 NEB. DEPT OF JUSTICE OFFICE OF THE ATTY GEN., PREVENTING
SENIOR FRAUD: NEBRASKA SENIOR ANTI-FRAUD EDUCATION
PROGRAM, 6-7, https://protectthegoodlife.nebraska.gov/sites/
protectthegoodlife.nebraska.gov/files/doc/Senior_Fraud_2018.
pdf (last visited July 17, 2018).
- 80 *Nebraska Contractor Registration Information*, NEB DEPT OF
LABOR, https://dol.nebraska.gov/LaborStandards/Contractors/
Overview (last visited July 17, 2018).
- 81 Nebraska, CONTRACTORS-LICENSE.ORG, http://www.contractors-
license.org/ne/Nebraska.html (last visited July 17, 2018).
- 82 *Tips on Choosing a Contractor*, HOME BUILDERS ASS'N OF
LINCOLN, http://www.hbal.org/find-a-pro/tips-on-choosing-a-
contractor/ (last visited July 17, 2018).
- 83 NEB. DEPT. OF JUSTICE OFFICE OF THE ATTY GEN., *supra*
note 86, at 16.
- 84 *Better Business Bureau Warns of Storm Chasers*, BETTER
BUSINESS BUREAU, https://www.bbb.org/en/us/article/
tips/1489-bbb-tip-protect-yourself-from-storm-chasers-after-
a-natural-disaster (last visited July 17, 2018).
- 85 *Debris Clean-Up and Removal Scams After a Weather*
Emergency, FEDERAL TRADE COMM'N, http://www.consumer.
ftc.gov/articles/0380-debris-clean-and-removal-scams-after-
weather-emergency (last visited July 17, 2018).
- 86 OFFUTT AFB LEGAL OFFICE, CANCELING A CONTRACT:
THE COOLING OFF RULE, available at http://www.offutt.af.mil/
Portals/97/55%20WG%20Legal/Canx%20a%20Contract%20
Cooling%20off%20Rule.pdf?ver=2016-03-21-153925-020
(last visited July 17, 2018).
- 87 *Id.*
- 88 *News Release*, NEMA, available at https://nema.nebraska.
gov/sites/nema.nebraska.gov/files/press/doc/2014-june-23-
tornado.pdf (last visited July 17, 2018).
- 89 Colleen Tressler, *Coping with Flooding*, FEDERAL TRADE COMM'N,
http://www.consumer.ftc.gov/blog/coping-flooding
(last visited July 17, 2018).
- 90 Colleen Tressler, *Coping with a Weather Emergency: Paying*
Your Mortgage, FEDERAL TRADE COMM'N, http://www.consumer.
ftc.gov/blog/coping-weather-emergency-paying-your-
mortgage (last visited July 17, 2018).
- 91 *Rebuilding Your Home or Office after a Weather Emergency*,
FEDERAL TRADE COMM'N, http://www.consumer.ftc.gov/
articles/0377-rebuilding-your-home-or-office-after-weather-
emergency#paying (last visited July 17, 2018).
- 92 Lisa Lake, *Scam-proof your Doorstep*, FEDERAL TRADE COMM'N,
http://www.consumer.ftc.gov/blog/scamproof-your-doorstep
(last visited July 17, 2018).
- 93 FEDERAL TRADE COMM'N, *supra* note 94.
- 94 *Id.*
- 95 Colleen Tressler, *Guarding Against Identity Theft After a*
Weather Emergency, FEDERAL TRADE COMM'N, http://www.
consumer.ftc.gov/blog/guarding-against-identity-theft-after-
weather-emergency (last visited July 17, 2018).
- 96 *Recovering from Identify Theft is Easier with a Plan*,
FEDERAL TRADE COMM'N, https://www.identitytheft.gov/#what-
to-doright-away (last visited July 17, 2018).

97	Colleen Tressler, <i>supra</i> note 98.	148	<i>Id.</i> at 5.
98	NEB. DEPT OF JUSTICE, OFFICE OF THE ATTY GEN. - CONSUMER PROTECTION & ANTI-TRUST DIV., DETECT, AND DEFEND AGAINST IDENTITY THEFT, available at https://protectthegoodlife.nebraska.gov/contact-us (last visited July 17, 2018).	149	<i>Id.</i> at 8.
99	<i>Job Scams</i> , FEDERAL TRADE COMM'N, http://www.consumer.ftc.gov/articles/0243-job-scams (last visited July 17, 2018).	150	<i>Id.</i> at 6.
100	<i>Pest Control After a Weather Emergency</i> , FEDERAL TRADE COMM'N, http://www.consumer.ftc.gov/articles/0378-pest-control-after-weather-emergency (last visited July 17, 2018).	151	<i>Understanding Bankruptcy</i> , U.S. BANKR. DIST. OF NEB., https://www.neb.uscourts.gov/understanding-bankruptcy (last visited July 17, 2018).
101	<i>Rental Listing Scams</i> , FEDERAL TRADE COMM'N, http://www.consumer.ftc.gov/articles/0079-rental-listing-scams (last visited July 17, 2018).	152	U.S. BANKR. DIST. OF NEB., CONSUMER PRO-SE DEBTOR GUIDE, 7 (revised May 28, 2015), available at https://www.neb.uscourts.gov/pdf/prosebp.pdf .
102	Lisa Lake, <i>supra</i> note 95.	153	<i>Id.</i>
103	Colleen Tressler, <i>After a Weather Emergency: Is it Safe to Drink the Water?</i> , FEDERAL TRADE COMM'N, http://www.consumer.ftc.gov/blog/after-weather-emergency-itsafe-drink-water (last visited July 17, 2018).	154	<i>Process- Bankruptcy Basics</i> , ADMIN. OFFICE OF THE U.S. COURTS, http://www.uscourts.gov/services-forms/bankruptcy/bankruptcy-basics/process-bankruptcy-basics (last visited July 17, 2018).
104	LeHDCom, <i>The Missouri Legal Services Disaster Manual: A Resource for Missouri Lawyers and Missourians</i> , 49, available at http://www.mobar.org/uploadedfiles/for_the_public/legal-resources/2015-Missouri-Lawyers-Disaster-Manual.pdf (This section is an excerpt from The Missouri Legal Services Disaster Manual) (last visited July 17, 2018).	155	<i>Id.</i>
105	pp. 105-109. <i>Id.</i>	156	<i>Discharge in Bankruptcy- Bankruptcy Basics</i> , ADMIN. OFFICE OF THE U.S. COURTS, http://www.uscourts.gov/services-forms/bankruptcy/bankruptcy-basics (last visited July 17, 2018).
106	Doi.nebraska.gov, Nebraska Department of Insurance, http://www.doi.nebraska.gov/complaint/complaint.html (last visited July 17, 2018).	157	DEPT OF HEALTH AND HUMAN SERVICES, <i>supra</i> note 154.
107	LeHDCom, <i>Supra</i> note 108.	158	<i>Death Certificates</i> , DEPT OF HEALTH AND HUMAN SERVICES, http://dhhs.ne.gov/publichealth/Pages/ced_decert.aspx (last visited July 17, 2018).
108	pp. 112-129. <i>Id.</i>	159	<i>Replacing License, Permit and State ID Cards</i> , NEB. DEPT OF MOTOR VEHICLES, http://www.dmv.nebraska.gov/examining/duplicate_process.html (last visited July 17, 2018).
109	NEB. REV. STAT. § 30-2470 (1974).	160	<i>Id.</i>
110	NEB. REV. STAT. § 30-24107 (1974).	161	<i>Id.</i>
111	NEB. REV. STAT. § 30-2355 (1974).	162	<i>Duplicate Certificate of Title</i> , Duplicate Certificate of Title, NEB. DEPT OF MOTOR VEHICLES, http://www.dmv.nebraska.gov/dvr/mvtitles/duptitle.html (last visited July 17, 2018).
112	NEB. REV. STAT. § 30-2356 (1974).	163	<i>Lost or Stolen U.S. Passports</i> , U.S. PASSPORTS & INT'L TRAVEL, https://travel.state.gov/content/travel/en/passports/after/lost-stolen.html (last visited July 17, 2018).
113	NEB. REV. STAT. §§ 76-3405; 76-3410; 76-3420	164	<i>Frequently Asked Questions</i> , DOUGLAS CITY REGISTER OF DEEDS, http://www.dcregisterofdeeds.org/frequently-asked-questions#10 (last visited July 17, 2018).
114	NEB. REV. STAT. §§ 30-24125; 30-24127; 30-24129	165	<i>Lost or Stolen Credit, ATM, and Debit Cards</i> , FEDERAL TRADE COMM'N, https://www.consumer.ftc.gov/articles/0213-lost-or-stolen-credit-atm-and-debit-cards (last visited July 17, 2018).
115	<i>Intake Questionnaire: Initial Meeting with a Probate Lawyer</i> , THOMSON REUTERS, http://estate.findlaw.com/probate/intake-questionnaire-initial-meeting-with-a-probate-lawyer.html (last visited July 17, 2018).	166	<i>Topic 156 – Copy of Transcript of Your Tax Return – How to Get One</i> , INTERNAL REVENUE SERV. http://www.irs.gov/taxtopics/tc156.html (last visited July 17, 2018).
116	NEB. REV. STAT. § 30-2444 (1974); See NEB. REV. STAT. §§ 30-2446-30-2449 further for bond requirements.	167	<i>Frequently Asked Questions about Nebraska Individual Income Tax</i> , NEB. DEPT OF REVENUE, http://www.revenue.nebraska.gov/question/indiv_quest.html#quest03 (last visited July 17, 2018).
117	NEB. REV. STAT. § 30-2470 (1974).	168	<i>Frequently Asked Questions: How do I apply for a new or replacement Social Security number card?</i> , SOCIAL SECURITY ADMIN. https://faq.ssa.gov/en-us/Topic/article/KA-02017 (last visited July 17, 2018).
118	NEB. REV. STAT. § 30-2467 (2000).	169	<i>Frequently Asked Questions</i> , DIRECTEXPRESS.COM, https://www.usdirectexpress.com/contact.html (last visited July 17, 2018).
119	NEB. REV. STAT. §§ 30-2473 (1974); 30-2490 (1974).	170	<i>Frequently Asked Questions: How do I get a Replacement Medicare Card?</i> , SOCIAL SECURITY ADMIN. https://faq.ssa.gov/en-us/Topic/article/KA-01735 (last visited July 17, 2018).
120	NEB. REV. STAT. § 30-404 (2015).	171	<i>Replacing a lost Medicare card or Medicare plan membership card in a disaster or emergency</i> , MEDICARE GOV, https://www.medicare.gov/what-medicare-covers/replacing-lost-card-in-disaster-or-emergency.html (last visited July 17, 2018).
121	NEB. REV. STAT. § 30-2404 (1974).		
122	NEB. REV. STAT. § 30-2487 (2009).		
123	<i>Resources for Coping with Severe Weather and Flooding</i> , NEB. DEPT OF HEALTH AND HUMAN SERVICES, http://dhhs.ne.gov/Pages/Flooding.aspx (last visited July 17, 2018).		
124	<i>Get Rid of Mold</i> , CENTERS FOR DISEASE CONTROL AND PREVENTION, https://www.cdc.gov/mold/cleanup-guide.html (last visited July 17, 2018).		
125	<i>Mold</i> , NEB. DEPT OF HEALTH AND HUMAN SERVICES, http://dhhs.ne.gov/publichealth/Documents/moldaffect.pdf (last visited July 17, 2018).		
126	U.S. DEPT OF HEALTH AND HUMAN SERV. - OFFICE FOR CIVIL RIGHTS, SUMMARY OF THE HIPAA PRIVACY RULE, 5, available at http://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html (last visited July 17, 2018).		

172	Welcome to ACCESSNebraska, NEB. DEPT. OF HEALTH AND HUMAN SERV., http://dhhs.ne.gov/Children_Family_Services/AccessNebraska/Pages/accessnebraska_index.aspx (last visited July 17, 2018).	193	<i>Income (SSI)</i> , http://www.benefits.gov/benefits/benefit-details/4412 (last visited July 17, 2018).
173	<i>Replacement Card</i> , 1 (1 ed. 2007), http://dhhs.ne.gov/children_family_services/Documents/ReplacementCard.pdf (last visited July 17, 2018).	194	Benefits.gov, Benefits.gov - <i>Social Security Medicare Program</i> , http://www.benefits.gov/benefits/benefit-details/4394 (last visited July 17, 2018).
174	Neb. Rev. Stat. § 30-2430 (1974).	195	Fiscal.treasury.gov, <i>Go Direct: Direct Deposit for Social Security & Federal Benefits</i> , https://fiscal.treasury.gov/godirect/ (last visited July 17, 2018).
175	NEB. DEPT. OF HEALTH AND HUMAN SERV., <i>ADVANCE DIRECTIVES THE PATIENT'S RIGHT TO MAKE HEALTH CARE DECISIONS UNDER THE LAW IN NEBRASKA</i> , http://dhhs.ne.gov/behavioral_health/Documents/Advance_Directives.pdf See Also NEB. REV. STAT. §§ 30-4101-30-4118 (last visited July 17, 2018).	196	Benefits.gov, Benefits.gov - <i>Social Security Medicare Program</i> , http://www.benefits.gov/benefits/benefit-details/4394- (last visited July 17, 2018).
176	Cbop.org, <i>Policy Basics: Introduction to the Supplemental Nutrition Assistance Program (SNAP)</i> Center on Budget and Policy Priorities, http://www.cbpp.org/research/policy-basics-introduction-to-the-supplemental-nutrition-assistance-program-snap (last visited July 17, 2018).	197	LeHDCom, <i>The Missouri Legal Services Disaster Manual: A Resource for Missouri Lawyers and Missourians</i> , 78, available at http://www.mobar.org/uploadedfiles/for_the_public/legal-resources/2015-Missouri-Lawyers-Disaster-Manual.pdf (last visited July 17, 2018).
177	Dhhs.ne.gov, <i>Nebraska DHHS System: Food Stamp Program Guidelines</i> , http://dhhs.ne.gov/children_family_services/Pages/fia_guidelines.aspx (last visited July 17, 2018).	198	DisasterAssistance.gov, <i>Frequently Asked Questions (FAQs)</i> , http://www.disasterassistance.gov/help/faqs (last visited July 17, 2018).
178	Dhhs.ne.gov, Pages - Local Offices, http://dhhs.ne.gov/Pages/localoffices.aspx (last visited July 17, 2018).	199	<i>Replace a Green Card</i> , U.S. CITIZENSHIP AND IMMIGRATION SERV., http://www.uscis.gov/green-card/after-green-card-granted/replace-green-card (last visited July 17, 2018).
179	Dhhs.ne.gov, <i>Rights and Responsibilities</i> , http://dhhs.ne.gov/children_family_services/AccessNebraska/Pages/RightsAndResponsibilities.aspx (last visited July 17, 2018).	200	Mark Novotny and Ryan Crnkovich, <i>Summary of Nebraska Minor Consent Laws</i> , PATIENT SAFETY SOLUTIONS ADVISORY: A RISK MANAGEMENT RESOURCE, http://secure.bozellhosting.com/ldmlaw/1913-Nebraska-Minor-Consent-Laws.pdf See Neb. Rev. Stat. § 38-1232 (last visited July 17, 2018).
180	Nebraska Department of Health and Human Services, <i>Disaster Food Stamp Assistance Changes Made</i> , http://dhhs.ne.gov/Pages/newsroom_newsreleases.2008_july_foodstamps4.aspx (last visited July 17, 2018).	201	Protection from Abuse, SUPREMECOURT.NEBRASKA.GOV, https://supremecourt.nebraska.gov/self-help/protection-abuse (last visited July 17, 2018).
181	Nebraska Department of Health and Human Services, TITLE 475 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP), 167, at http://dhhs.ne.gov/Documents/Title-475-Complete.pdf (last visited July 17, 2018).	202	See <i>Get Help</i> , Nebraska Domestic Violence Sexual Assault Coalition, http://www.nebraskacoalition.org/get_help/ (last visited July 17, 2018).
182	Benefits.gov, Benefits.gov - <i>Nebraska Temporary Assistance for Needy Families (TANF)</i> , http://www.benefits.gov/benefits/benefit-details/1670 (last visited July 17, 2018).	203	<i>Child Abuse & Neglect</i> , NEB. DEPT. OF HEALTH AND HUMAN SERV., http://dhhs.ne.gov/children_family_services/Pages/cha_chaindex.aspx (last visited July 17, 2018).
183	<i>Id.</i>	204	<i>Child Support Enforcement</i> , NEB. DEPT. OF HEALTH AND HUMAN SERV. (last updated September 17, 2014).
184	<i>Id.</i>	205	NEB. EMERGENCY MGMT AGENCY, <i>supra</i> note 39.
185	Dhhs.ne.gov, <i>Aid to Dependent Children</i> , http://dhhs.ne.gov/children_family_services/Pages/fia_adc.aspx (last visited July 17, 2018).		LEHDCom, THE MISSOURI LEGAL SERVICES DISASTER MANUAL: A RESOURCE FOR MISSOURI LAWYERS AND MISSOURIANS, 85, available at http://www.mobar.org/uploadedfiles/for_the_public/legal-resources/2015-Missouri-Lawyers-Disaster-Manual.pdf (This section is an excerpt from The Missouri Legal Services Disaster Manual) (last visited July 17, 2018).
186	Benefits.gov, Benefits.gov - <i>Nebraska Medical Assistance Program</i> , http://www.benefits.gov/benefits/benefit-details/1302 (last visited July 17, 2018).	206	<i>NEMA Overview</i> , NEB. EMERGENCY MGMT AGENCY, https://nema.nebraska.gov/overview/nema-overview (last visited July 17, 2018).
187	<i>Id.</i>	207	<i>Welcome to the Floodplain Section</i> , NEB. DEPT. OF NATURAL RESOURCES- FLOODPLAIN MGMT, http://dnr.nebraska.gov/FPM/ (last visited July 17, 2018).
188	Dhhs.ne.gov, NEBRASKA MEDICAID PROGRAM, http://dhhs.ne.gov/medicaid/Pages/med_CHIP.aspx (last visited July 17, 2018).	208	COMMUNITY ACTION OF NEBRASKA, DIRECTORY OF NEBRASKA COMMUNITY ACTION AGENCIES, available at https://canhelp.org/wp-content/uploads/2018/01/2018-CAN-Directory-Updated-012418-2.pdf (last visited July 17, 2018).
189	LeHDCom, <i>The Missouri Legal Services Disaster Manual: A Resource for Missouri Lawyers and Missourians</i> , 78, available at http://www.mobar.org/uploadedfiles/for_the_public/legal-resources/2015-Missouri-Lawyers-Disaster-Manual.pdf (This section is an excerpt from The Missouri Legal Services Disaster Manual) (last visited July 17, 2018).	209	<i>Resources and Links</i> , LEGAL AID OF NEBRASKA, http://www.legalaidofnebraska.org/node/567/resources-and-links (last visited July 17, 2018); LEGAL AID OF NEBRASKA, LANDLORD AND TENANT HANDBOOK, available at http://www.legalaidofnebraska.org/node/271/landlord-and-tenant-handbook (last visited July 17, 2018).
190	Benefits.gov, Benefits.gov - <i>Social Security Retirement Insurance Benefits</i> , http://www.benefits.gov/benefits/benefit-details/4402 (last visited July 17, 2018).		
191	Benefits.gov, Benefits.gov - <i>Social Security Disability Insurance Benefits</i> , http://www.benefits.gov/benefits/benefit-details/4382 (last visited July 17, 2018).		
192	Benefits.gov, Benefits.gov - <i>Supplemental Security</i>		

For over 50 years, Legal Aid of Nebraska, a statewide, 501(c)(3) nonprofit law firm, has provided free civil legal services to low-income Nebraskans. In 2015, through a grant from the Legal Services Corporation, LAN began a disaster relief project to ensure that civil legal services were incorporated into Nebraska's disaster response plan. The overarching goal of LAN's Disaster Relief Project is to integrate a sustainable and replicable legal component into the existing statewide disaster preparedness/response plan, as well as to recruit, train, and mobilize a network of attorneys to assist low-income and disadvantaged individuals through the provision of pro bono services in the event of a disaster.

disaster.legalaidofnebraska.org

