

LEGISLATIVE BILL 100

Approved by the Governor May 26, 2021

Introduced by Walz, 15.

A BILL FOR AN ACT relating to public health and welfare; to amend section 68-901, Revised Statutes Cumulative Supplement, 2020; to provide for limits on provider contracts pertaining to the utilization of certain billing practices under the Medical Assistance Act; to state intent regarding increases to foster care reimbursement rates; to harmonize provisions; to appropriate funds to aid in carrying out the provisions of Legislative Bill 100, One Hundred Seventh Legislature, First Session, 2021; to provide operative dates; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 68-901, Revised Statutes Cumulative Supplement, 2020, is amended to read:

68-901 Sections 68-901 to 68-9,100 and section 2 of this act shall be known and may be cited as the Medical Assistance Act.

Sec. 2. (1) For purposes of this section, multiple procedure payment reduction policy means a policy used in the federal medicare program under Title XVIII of the federal Social Security Act for outpatient rehabilitation service codes where full payment is made for the unit or procedure with the highest rate and subsequent units and procedures are paid at a reduction of the published rates when more than one unit procedure is provided to the same patient on the same day.

(2) A multiple procedure payment reduction policy shall not be implemented under the Medical Assistance Act as it applies to therapy services provided by physical therapy, occupational therapy, or speech-language pathology.

Sec. 3. It is the intent of the Legislature that beginning July 1, 2021, the Division of Children and Family Services of the Department of Health and Human Services shall implement a two-percent increase to foster care reimbursement rates for fiscal year 2021-22 and beginning July 1, 2022, the division shall implement a two-percent increase to foster care reimbursement rates for fiscal year 2022-23.

Sec. 4. There is hereby appropriated (1) \$840,108 from the General Fund and \$44,216 from federal funds for FY2021-22 and (2) \$1,697,019 from the General Fund and \$89,317 from federal funds for FY2022-23 to the Department of Health and Human Services, for Program 354, to aid in carrying out the provisions of Legislative Bill 100, One Hundred Seventh Legislature, First Session, 2021.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 5. Sections 1, 2, and 6 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date.

Sec. 6. Original section 68-901, Revised Statutes Cumulative Supplement, 2020, is repealed.

Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.