



**Hundredth Legislature - First Session - 2007**  
**Revised Committee Statement**  
**LB 482**

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**Hearing Date:** February 14, 2007  
**Committee On:** Health and Human Services

**Introducer(s):** (Johnson)  
**Title:** Provide for the coverage of qualifying autism services under the Medical Assistance Act

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

6	Yes	Senator(s): Johnson, Hansen, Howard, Gay, Pankonin, Stuthman
1	No	Senator Erdman
	Present, not voting	
	Absent	

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**Proponents:**

Senator Joel Johnson  
 Chrissy McNair  
 Gail Werner-Robertson  
 Connie Shockley  
 Wayne Fisher

**Representing:**

Introducer  
 Self  
 GWR Wealth, LLC  
 Autism Society of Nebraska  
 Self

**Opponents:**

Mary Steiner

**Representing:**

Health and Human Services System

**Neutral:**

Sara Farrand

**Representing:**

Nebraska Department of Education

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**Summary of purpose and/or changes:**

LB 482 is a reintroduction of the Health and Human Services Committee amendments to LB 101 (2005). The bill adds provisions to the Medical Assistance Act (Medicaid).

The bill requires the Department of Health and Human Services Finance and Support (department) to apply for a Medicaid waiver or an amendment to an existing Medicaid waiver for the purpose of providing medical assistance for intensive early intervention services based on behavioral principles for children with autism spectrum disorders.

The bill provides legislative intent that such waiver or amendment “(a) require means testing for and cost sharing by recipient families, (b) limit eligibility only to children for whom such services have been initiated prior to the age of four years; (c) be implemented incrementally

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over time, (d) require demonstrated progress toward the attainment of treatment goals as a condition for the continued receipt of medical assistance benefits for such treatment; (e) be developed in consultation with the Health and Human Services Committee of the Legislature and the federal Centers for Medicare and Medicaid Services and with the input of parents and families of children with autism spectrum disorders and organizations advocating on behalf of such persons; and (f) submitted to the federal Centers for Medicare and Medicaid Services as soon as it is reasonably possible, but no later than July 1, 2008.”

The bill requires the department to provide monthly progress reports to the Health and Human Services Committee during the preparation of the waiver or amendment, beginning on July 1, 2007.

The bill has an emergency clause.

**Explanation of amendments, if any:**

The committee amendment (AM 932) replaces the bill as introduced. The amendment adopts the Autism Treatment Program Act (act). The act (1) creates the autism treatment program administered by the Center for Autism Spectrum Disorders at the University of Nebraska Medical Center and (2) requires the development of a Medicaid waiver for the provision of autism treatment.

The autism treatment program would utilize funds transferred from the Nebraska Health Care Cash Fund and matched by private funds. The amendment creates the Autism Treatment Program Cash Fund.

The amendment requires the Department of Health and Human Services (department) to apply for a Medicaid waiver or an amendment to an existing Medicaid waiver for the purpose of providing medical assistance for intensive early intervention services based on behavioral principles for children with autism spectrum disorders.

The amendment provides legislative intent that such waiver or amendment “(a) require means testing for and cost sharing by recipient families, (b) limit eligibility only to children for whom such services have been initiated prior to the age of nine years; (c) limit the number of children served according to available funding, (d) require demonstrated progress toward the attainment of treatment goals as a condition for the continued receipt of medical assistance benefits for such treatment; (e) be developed in consultation with the Health and Human Services Committee of the Legislature and the federal Centers for Medicare and Medicaid Services and with the input of parents and families of children with autism spectrum disorders and organizations advocating on behalf of such persons; and (f) submitted to the federal Centers for Medicare and Medicaid Services as soon as it is reasonably possible, but no later than July 1, 2008.”

The amendment raises the amount transferred annually to the Nebraska Health Care Cash Fund under section 71-7611, from \$52 million to \$53 million. The amendment transfers one million dollars annually for five years from the Nebraska Health Care Cash Fund to the Autism Treatment Program Cash Fund. The transfer of such funds is contingent upon the receipt of private funds in the amount of one dollar of private funds for every two dollars transferred from the Nebraska Health Care Cash Fund.

The amendment has an operative date of July 1, 2007 with the emergency clause.

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**Senator Joel Johnson, Chairperson**