

E AND R AMENDMENTS TO LB 825

Introduced by Larson, 40, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. For purposes of sections 1 to 6 of this act:

4 (1) Client means an applicant for one or more economic
5 assistance programs or his or her legal representative;

6 (2) Community-based organization means:

7 (a) An area agency on aging established pursuant to the
8 Nebraska Community Aging Services Act;

9 (b) A Nebraska-based community action agency designated
10 under the federal Economic Opportunity Act of 1964, 42 U.S.C. 2701
11 et seq., as such act existed on January 1, 2012;

12 (c) A Nebraska-based center for independent living
13 established under the federal Rehabilitation Act of 1973, 29 U.S.C.
14 701 et seq., as such act existed on January 1, 2012;

15 (d) A Nebraska-based rural health clinic established
16 under the federal Rural Health Clinics Act of 1983, 42 U.S.C. 201
17 et seq., as such act existed on January 1, 2012;

18 (e) A Nebraska-based federally qualified health center
19 and rural health clinic as such terms are defined in the federal
20 Social Security Act, 42 U.S.C. 1395x(aa), as such section existed
21 on January 1, 2012; and

22 (f) Any other organization that demonstrates to the
23 Department of Health and Human Services that it can comply with the

1 requirements of subsection (2) of section 5 of this act;

2 (3) Economic assistance programs includes aid to
3 dependent children; aid to the aged, blind, and disabled;
4 Supplemental Nutrition Assistance Program; medicaid; child care;
5 emergency assistance; energy assistance; social services block
6 grants; and other similar programs administered by the department;
7 and

8 (4) Existing local office means all office locations for
9 economic assistance programs of the Department of Health and Human
10 Services that existed on January 1, 2012.

11 Sec. 2. (1) The Department of Health and Human Services
12 shall staff multiple, integrated access points for economic
13 assistance programs administered by the department in order to
14 assure that Nebraskans who rely on such programs will be able to
15 utilize them effectively.

16 (2) The department shall staff existing local offices
17 that provide access to economic assistance programs throughout the
18 state with caseworkers to provide in-person services to department
19 clients. The department shall provide sufficient numbers and hours
20 of staff to perform the activities described in this section and
21 section 3 of this act.

22 (3) The department shall determine appropriate numbers
23 and hours of staff for each existing local office based on a review
24 of the need in each service area. In determining the appropriate
25 numbers and hours of staff, the department shall, at a minimum,
26 consider: (a) The need for staff to travel to community-based
27 organizations as provided in section 5 of this act; (b) the volume

1 of economic assistance cases in the counties served by the existing
2 local office; (c) the number of community-based organizations in
3 the counties served by the existing local office; (d) the volume
4 of call-center calls originating in the counties served by the
5 existing local office; and (e) the requirements of sections 1 to 5
6 of this act.

7 (4) Caseworkers at existing local offices shall perform
8 the following activities by appointment and on a drop-in basis:

9 (a) Help clients complete assistance and renewal
10 applications;

11 (b) Screen clients for program eligibility;

12 (c) Interview clients for assistance eligibility and
13 assistance renewal eligibility;

14 (d) Determine program eligibility of the client; and

15 (e) Answer client questions in person.

16 (5) Department call centers for economic assistance
17 programs shall take appointments for face-to-face help for clients
18 regarding or relating to such assistance upon request of the
19 client.

20 (6) Each existing local office shall be equipped with a
21 reasonable number of computers, telephones, and scanning equipment
22 for client use.

23 Sec. 3. (1) The Department of Health and Human Services
24 shall provide high-quality services for clients who apply for or
25 receive benefits under public benefit programs administered by the
26 department.

27 (2) The department shall utilize department caseworkers

1 who are located in call centers, dedicated caseworkers, and
2 specialized department employees or units who will provide
3 in-person assistance to specific clients.

4 (3) Upon the request of the client, dedicated caseworkers
5 shall, at a minimum, be utilized for persons with chronic physical
6 or mental disorders and the elderly that require the provision of
7 medical and personal care services on a recurring or continuing
8 basis.

9 (4) Specialized department employees or units shall, at a
10 minimum, be utilized for complex cases, including medicaid waiver
11 cases, medicaid spousal impoverishment cases, disability cases, and
12 other similar cases upon request of the client.

13 (5) The dedicated caseworkers and specialized department
14 employees or units shall be placed in the existing local offices
15 established or reestablished under section 2 of this act and shall
16 be accessible to department caseworkers in call centers.

17 Sec. 4. (1) Community support specialists within the
18 Department of Health and Human Services shall:

19 (a) Act as a liaison between the department and
20 community-based organizations;

21 (b) Facilitate client assistance by community-based
22 organizations;

23 (c) Train community-based organizations in how to help
24 clients access economic assistance programs through the department
25 web site; and

26 (d) Respond to client problems with the application
27 process known as Access Nebraska or its successor.

1 (2) The department shall determine the appropriate
2 numbers and hours of community support specialists but shall, at
3 a minimum, employ eight community support specialists to perform
4 the requirements of subsection (1) of this section. The community
5 support specialists shall receive annual training in:

6 (a) Principles and practices of public administration;

7 (b) Procedure and policy development; and

8 (c) Federal and state laws, rules, regulations, and
9 procedures pertaining to health and human services programs.

10 Sec. 5. (1) The Department of Health and Human Services
11 shall enter into contracts with community-based organizations
12 which allow the department to keep caseworkers present at the
13 community-based organization at the times specified in the
14 contract. A contract under this section shall specify sufficient
15 times to allow caseworkers to:

16 (a) Screen and conduct interviews for assistance
17 eligibility and assistance renewal;

18 (b) Assist clients with assistance applications and
19 renewals;

20 (c) Receive assistance applications and renewals;

21 (d) Answer questions in person;

22 (e) Train and provide technical assistance to staff of
23 community-based organizations; and

24 (f) Conduct face-to-face interviews with clients by
25 appointment and on a drop-in basis.

26 (2) In addition to the requirements specified in
27 subsection (1) of this section, each such contract shall allow the

1 community-based organization to:

2 (a) Provide quality, accurate information relating to
3 economic assistance programs that are targeted at populations known
4 to have low participation rates in or difficulty accessing such
5 assistance programs;

6 (b) Provide quality outreach to clients in the target
7 populations who utilize economic assistance programs;

8 (c) Assist clients in scheduling appointments with
9 caseworkers at a community-based organization facility or local
10 office that provides access to economic assistance programs,
11 whichever the client prefers;

12 (d) Assist with organization of information required for
13 economic assistance application or renewal; and

14 (e) Negotiate fair compensation for services provided to
15 applicants for economic assistance benefits as described in this
16 section.

17 (3) The department shall maintain a sufficient number
18 of contracts to provide access to assistance for all Nebraska
19 citizens in establishing and maintaining eligibility for economic
20 assistance programs. In determining the number of contracts with
21 community-based organizations, the department shall, at a minimum,
22 consider:

23 (a) The geographic distance applicants would be required
24 to travel to meet with a caseworker in person and how to minimize
25 that distance;

26 (b) The volume of economic assistance cases in the
27 service area and how to adequately serve those cases;

1 (c) The number of clients in an area who have difficulty
2 in verbal and written communication due to hearing or vision
3 impairment, language barriers, or literacy challenges and how to
4 accommodate their needs;

5 (d) The community-based organization's ability to serve
6 the need; and

7 (e) The number of existing local offices in the service
8 area.

9 Sec. 6. The Department of Health and Human Services
10 shall fulfill the requirements of sections 1 to 5 of this act
11 by September 1, 2012. The department shall train community-based
12 organizations by September 1, 2012. The department shall report
13 back to the Health and Human Services Committee of the Legislature
14 by September 15, 2012, regarding the implementation of sections
15 1 to 5 of this act, including, but not limited to, the reasons
16 for the department's determinations of the appropriate number of
17 staff and hours pursuant to section 2 of this act and the number
18 of community-based organization contracts pursuant to section 5 of
19 this act.

20 Sec. 7. The purposes of sections 7 to 12 of this act are
21 to:

22 (1) Simplify the management and delivery of public
23 benefits by the Department of Health and Human Services;

24 (2) Make the delivery system for public benefits more
25 efficient and effective; and

26 (3) Coordinate and simplify public benefit programs and
27 systems.

1 Sec. 8. For purposes of sections 7 to 12 of this act:

2 (1) Aid to dependent children program means the program
3 described in section 43-512;

4 (2) Child Care and Development Block Grant means the
5 program established under 42 U.S.C. 9858 et seq.;

6 (3) Child care subsidy program means the program
7 established under section 68-1202;

8 (4) Children's Health Insurance Program means the program
9 established under 42 U.S.C. 1397aa;

10 (5) Department means the Department of Health and Human
11 Services;

12 (6) Medical assistance program means the program
13 established pursuant to the Medical Assistance Act;

14 (7) Renewal means establishment of continued eligibility
15 for a program for an additional period of time;

16 (8) Supplemental Nutrition Assistance Program means the
17 federal program administered under sections 68-1017 to 68-1017.02;

18 and

19 (9) Temporary Assistance for Needy Families program means
20 the program established under 42 U.S.C. 601 et seq.

21 Sec. 9. The policies and requirements in sections 7
22 to 12 of this act shall be implemented in accord with the
23 Temporary Assistance for Needy Families program, the Child Care
24 and Development Block Grant, the Supplemental Nutrition Assistance
25 Program, the medical assistance program, and the Children's Health
26 Insurance Program and any other state or federal programs in which
27 the State of Nebraska participates. The department shall seek any

1 and all state plan amendments or waivers necessary to implement
2 sections 7 to 12 of this act.

3 Sec. 10. The department shall simplify documentation
4 requirements for public benefit programs. The policies to be
5 implemented by the department to effectuate this intent shall
6 include, but not be limited to, selection and utilization of
7 the least burdensome and least redundant verification procedures
8 for recipients that are allowed under federal law for the
9 medical assistance program, the aid to dependent children program,
10 the child care subsidy program, and the Supplemental Nutrition
11 Assistance Program.

12 Sec. 11. The department shall share verification
13 of client information across the public benefit programs it
14 administers, including the medical assistance program, the aid to
15 dependent children program, the child care subsidy program, and
16 the Supplemental Nutrition Assistance Program, in order to permit
17 client information verified in one program to update eligibility
18 information in another program.

19 Sec. 12. The department shall coordinate and simplify
20 public benefit renewals in the medical assistance program, the
21 aid to dependent children program, the child care subsidy program,
22 and the Supplemental Nutrition Assistance Program. The policies to
23 be implemented by the department to effectuate this intent shall
24 include:

25 (1) Renewal of all such programs simultaneously to the
26 greatest extent possible; and

27 (2) Allow closed cases to be reopened and eligibility to

1 be established for individuals whose application for assistance was
2 denied within the previous thirty days or whose case was closed
3 within the previous thirty days, as allowed under the medical
4 assistance program, the Children's Health Insurance Program, and
5 the Supplemental Nutrition Assistance Program.

6 2. On page 1, strike beginning with "establish" in line
7 1 through line 4 and insert "define terms; to establish local
8 offices for access to public benefit programs; to provide duties
9 for the Department of Health and Human Services; to require
10 high-quality services for clients; to state intent; and to require
11 simplified documentation, verification, and renewals for public
12 benefit programs."