

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 994A

Final Reading

Introduced by Campbell, 25.

Read first time March 19, 2014

A BILL

1 FOR AN ACT relating to appropriations; to amend section 26,
2 Legislative Bill 905, One Hundred Third Legislature,
3 Second Session, 2014, and Laws 2013, LB195, sections 92
4 and 103, as amended by sections 57 and 60, respectively,
5 Legislative Bill 905, One Hundred Third Legislature,
6 Second Session, 2014; to appropriate funds to aid in
7 carrying out the provisions of Legislative Bill 994, One
8 Hundred Third Legislature, Second Session, 2014; to
9 change provisions relating to appropriations to the
10 Department of Health and Human Services; to repeal the
11 original sections; and to declare an emergency.

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

1 Section 1. There is hereby appropriated (1) \$487,484 from
 2 the Health and Human Services Cash Fund for FY2014-15 and (2)
 3 \$503,462 from the Health and Human Services Cash Fund for FY2015-16
 4 to the Department of Health and Human Services, for Program 33, to
 5 aid in carrying out the provisions of Legislative Bill 994, One
 6 Hundred Third Legislature, Second Session, 2014.

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

10 Sec. 2. Section 26, Legislative Bill 905, One Hundred
 11 Third Legislature, Second Session, 2014, is amended to read:

12 Sec. 26. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
 13 SERVICES

14 Program No. 33 - Administration

	FY2013-14	FY2014-15
15		
16	0	154,910
17	<u>0</u>	<u>654,910</u>
18	0	500,000
19	FEDERAL FUND est. -0-	177,090
20	PROGRAM TOTAL -0-	832,000
21	SALARY LIMIT -0-	335,722

22 There is included in the appropriations to this program
 23 made by the One Hundred Third Legislature, First and Second Sessions,
 24 for FY2013-14 \$500,000 General Funds for the electronic records

1 initiative, which shall only be used for such purpose. There is
2 included in the appropriations to this program made by the One
3 Hundred Third Legislature, First and Second Sessions, for FY2014-15
4 ~~\$500,000~~ \$1,000,000 General Funds and ~~\$500,000~~ Cash Funds from the
5 ~~Health and Human Services Cash Fund~~ for the electronic records
6 initiative, which shall only be used for such purpose.

7 There is included in the appropriations to this program
8 made by the One Hundred Third Legislature, First and Second Sessions,
9 for FY2013-14 \$300,000 Cash Funds from the Health and Human Services
10 Cash Fund for vital records.

11 It is the intent of the Legislature that the Department
12 of Health and Human Services shall provide quarterly status reports
13 electronically as the Request for Proposal (RFP) is being developed
14 for the Medicaid Medical Information System (MMIS) as authorized in
15 the appropriations to this program. The department shall provide a
16 report electronically to the Legislature specifying the criteria
17 utilized for the RFP for the MMIS replacement contract prior to the
18 release of the RFP. The criteria shall include, but not be limited
19 to, the successful completion of MMIS projects in other states and
20 quality ongoing customer services provided during implementation of
21 the project. The department shall evaluate utilizing an independent
22 consultant to develop the MMIS RFP and evaluate respondents thereto
23 in order to maximize specific technical expertise in this regard and
24 to minimize political considerations. Upon awarding of the contract,
25 the department shall provide electronically to the Legislature all

1 documentation submitted by the entity that was awarded the contract.

2 Sec. 3. Laws 2013, LB195, section 92, as amended by
 3 section 57, Legislative Bill 905, One Hundred Third Legislature,
 4 Second Session, 2014, is amended to read:

5 Sec. 92. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 6 SERVICES

7 Program No. 32 - Medicaid Prescription Drug Act
 8 Administration

	FY2013-14	FY2014-15
9		
10 GENERAL FUND	473,700	476,050
11 FEDERAL FUND est.	473,698	476,048
12 PROGRAM TOTAL	947,398	952,098
13 SALARY LIMIT	352,093	355,382

14 The unexpended General Fund appropriation balance
 15 existing on June 30, 2013, less \$500,000 is hereby reappropriated.

16 Sec. 4. Laws 2013, LB195, section 103, as amended by
 17 section 60, Legislative Bill 905, One Hundred Third Legislature,
 18 Second Session, 2014, is amended to read:

19 Sec. 103. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 20 SERVICES

21 Program No. 348 - Medical Assistance

	FY2013-14	FY2014-15
22		
23 GENERAL FUND	703,688,424	775,093,326
24 CASH FUND	41,081,662	46,381,662

1	FEDERAL FUND est.	1,104,116,011	1,163,014,792
2	PROGRAM TOTAL	1,848,886,097	1,984,489,780

3 There is included in the appropriation to this program
 4 for FY2013-14 \$703,688,424 General Funds, \$41,081,662 Cash Funds, and
 5 \$1,104,116,011 Federal Funds estimate for state aid, which shall only
 6 be used for such purpose. There is included in the appropriation to
 7 this program for FY2014-15 \$775,093,326 General Funds, \$46,381,662
 8 Cash Funds, and \$1,163,014,792 Federal Funds estimate for state aid,
 9 which shall only be used for such purpose.

10 There is included in the appropriation to this program
 11 for FY2013-14 \$4,765,896 Cash Funds for state aid for the
 12 continuation of the behavioral health provider rate increase and
 13 behavioral health provider rate increase for managed care, inpatient
 14 services, and residential treatment services provided with funds from
 15 the Nebraska Health Care Cash Fund. There is included in the
 16 appropriation to this program for FY2014-15 \$4,765,896 Cash Funds for
 17 state aid for the continuation of the behavioral health provider rate
 18 increase and behavioral health provider rate increase for managed
 19 care, inpatient services, and residential treatment services provided
 20 with funds from the Nebraska Health Care Cash Fund.

21 There is included in the appropriation to this program
 22 for FY2013-14 \$450,000 Cash Funds from the Nebraska Health Care Cash
 23 Fund for a state plan amendment covering tobacco-use cessation in
 24 compliance with Title XIX of the federal Social Security Act. There
 25 is included in the appropriation to this program for FY2014-15

1 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for a
2 state plan amendment covering tobacco-use cessation in compliance
3 with Title XIX of the federal Social Security Act. The smoking
4 cessation funding for FY2013-14 and FY2014-15 is for the costs of
5 tobacco-use cessation counseling and tobacco-use cessation
6 pharmaceuticals approved by the federal Food and Drug Administration
7 for such purpose.

8 The Department of Health and Human Services shall send to
9 the Appropriations Committee of the Legislature the quarterly network
10 access report from the behavioral health managed care provider as
11 required by the contract. Additionally, on October 1, January 1,
12 April 1, and July 1 of each year, the department shall report such
13 rates of initial service authorizations, reauthorizations subsequent
14 to initial service authorizations, and denials for behavioral health
15 services broken out by the following age groups: Children under the
16 age of 19; adults ages 19 to 64; and adults age 65 and older. The
17 reports required to be submitted to the Appropriations Committee of
18 the Legislature by this section shall be submitted electronically.

19 It is the intent of the Legislature that phased-down
20 state contributions to the federal government as defined and required
21 by the Medicare Prescription Drug, Improvement, and Modernization Act
22 of 2003 may be made from appropriations to this program.

23 There is included in the appropriation to this program
24 for FY2014-15 \$7,700,000 Cash Funds from funds transferred from the
25 University of Nebraska Medical Center and an estimated \$9,200,000

1 federal funds for supplemental payments to the ~~University of Nebraska~~
2 Medical Center. The payments are allowed pending the approval of a
3 Medicaid State Plan Amendment by the Centers for Medicare and
4 Medicaid.

5 There is included in the appropriation to this program
6 for FY2014-15 \$2,400,000 Cash Funds from the Health and Human
7 Services Cash Fund (Fund 22555) for FY2014-15.

8 Sec. 5. Original section 26, Legislative Bill 905, One
9 Hundred Third Legislature, Second Session, 2014, and Laws 2013,
10 LB195, sections 92 and 103, as amended by sections 57 and 60,
11 respectively, Legislative Bill 905, One Hundred Third Legislature,
12 Second Session, 2014, are repealed.

13 Sec. 6. Since an emergency exists, this act takes effect
14 when passed and approved according to law.