

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 602

Introduced by Campbell, 25.

Read first time January 19, 2011

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to the Medical Assistance Act; to amend section
- 2 68-909, Reissue Revised Statutes of Nebraska; to provide
- 3 duties for the Department of Health and Human Services;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-909, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 68-909 (1) All contracts, agreements, rules, and
4 regulations relating to the medical assistance program as entered
5 into or adopted and promulgated by the department prior to July 1,
6 2006, and all provisions of the medicaid state plan and waivers
7 adopted by the department prior to July 1, 2006, shall remain in
8 effect until revised, amended, repealed, or nullified pursuant to
9 law.

10 (2) Prior to the adoption and promulgation of proposed
11 rules and regulations under section 68-912 or relating to the
12 implementation of medicaid state plan amendments or waivers, the
13 department shall provide a report to the Governor, the Legislature,
14 and the Medicaid Reform Council no later than December 1 before the
15 next regular session of the Legislature summarizing the purpose and
16 content of such proposed rules and regulations and the projected
17 impact of such proposed rules and regulations on recipients of
18 medical assistance and medical assistance expenditures.

19 (3) The Medicaid Reform Council, no later than thirty
20 days after the date of receipt of any report under subsection (2) of
21 this section, may conduct a public meeting to receive public comment
22 regarding such report. The council shall promptly provide any
23 comments and recommendations regarding such report in writing to the
24 department. Such comments and recommendations shall be advisory only
25 and shall not be binding on the department, but the department shall

1 promptly provide a written response to such comments or
2 recommendations to the council.

3 (4) The department shall monitor and shall periodically,
4 as necessary, but no less than biennially, report to the Governor,
5 the Legislature, and the Medicaid Reform Council on the
6 implementation of rules and regulations, medicaid state plan
7 amendments, and waivers adopted under the Medical Assistance Act and
8 the effect of such rules and regulations, amendments, or waivers on
9 eligible recipients of medical assistance and medical assistance
10 expenditures.

11 (5) The department shall apply for and use to the maximum
12 extent possible any and all amendments, options, and waivers
13 available to Nebraska under the medical assistance program and
14 corresponding rules and regulations to ensure that Nebraska reduces
15 and maximizes expenditures from the General Fund. If the department
16 is required to choose between or among amendments, options, or
17 waivers, the department shall apply for the amendment, option, or
18 waiver that is projected to result in the greatest number of persons
19 becoming eligible for benefits under the program, the greatest amount
20 of federal funds coming to the state pursuant to the program, or
21 both.

22 Sec. 2. Original section 68-909, Reissue Revised Statutes
23 of Nebraska, is repealed.