

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 607**

Introduced by Avery, 28; Nordquist, 7.

Read first time January 19, 2011

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health and human services; to state intent; to  
2 provide duties for the Department of Health and Human  
3 Services and the Tax Commissioner regarding children's  
4 eligibility for medicaid and the state children's medical  
5 assistance program.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) The Legislature finds that:

2           (a) Approximately forty thousand Nebraska children are  
3 uninsured. Thirty-one thousand three hundred of those uninsured  
4 children, or seventy-eight percent of our uninsured children, are in  
5 households earning under two hundred percent of the Office of  
6 Management and Budget income poverty guideline, meaning they are  
7 income eligible for Kids Connection but are not enrolled;

8           (b) Quality, affordable health care insurance should be  
9 accessible to all of Nebraska's children;

10          (c) Kids Connection, the state children's medical  
11 assistance program, provides vital health care for low-income  
12 children who are without health insurance and do not qualify for  
13 medicaid. Kids Connection provides children with preventative care,  
14 immunizations, baby checkups, doctor's visits, hospital visits,  
15 laboratory tests, dental care, and vision and hearing testing; and

16          (d) The expansion of the maximum family income to qualify  
17 for the state children's medical assistance program in 2009 to two  
18 hundred percent of the Office of Management and Budget income poverty  
19 guideline represented an understanding of the critical need to  
20 increase eligibility of children for health care.

21          (2) It is the intent of the Legislature to identify  
22 uninsured children who qualify for medicaid and the state children's  
23 medical assistance program through a joint effort of the Department  
24 of Revenue and the Department of Health and Human Services and enroll  
25 uninsured children in Kids Connection. The Legislature encourages the

1 Department of Health and Human Services to seek federal grants and  
2 bonus funds for implementation of eligibility, outreach, and express  
3 lane eligibility options pursuant to the federal Children's Health  
4 Insurance Program Reauthorization Act of 2009.

5           Sec. 2. (1) The Department of Health and Human Services  
6 shall:

7           (a) Enter into an interagency agreement with the  
8 Department of Revenue for the sole purpose of administering this  
9 section;

10           (b) Maintain the confidentiality of all information  
11 regarding eligibility for or recipients of health care assistance and  
12 such information shall only be used for purposes related to  
13 administration of this section or as otherwise permitted by federal  
14 law; and

15           (c) Prepare and submit a report of recommendations to the  
16 Committee on Health and Human Services of the Legislature and  
17 Committee on Revenue of the Legislature not later than December 31,  
18 2011.

19           (2) The chief executive officer of the Department of  
20 Health and Human Services or his or her designee and the Tax  
21 Commissioner or his or her designee shall prepare and develop model  
22 language proposals under the interagency agreement, to utilize income  
23 tax return information, including earned income tax credit  
24 information, for the purpose of eligibility determination of children  
25 for medicaid and the state children's medical assistance program,

1 which shall include, but not be limited to:

2 (a) Revision of the Nebraska income tax form to include  
3 questions asking taxpayers to indicate whether any dependent children  
4 have health insurance;

5 (b) Revision of the Nebraska income tax form to include  
6 questions asking taxpayers to indicate whether dependent children  
7 have health insurance at the time of filing;

8 (c) Revision of the Nebraska income tax form to include  
9 questions asking taxpayers to indicate whether dependent children are  
10 under nineteen years of age at the time of filing;

11 (d) Revision of the Nebraska income tax form to include  
12 consent and disclosure provisions or procedures to provide prior  
13 disclosure and reasonable opportunity for taxpayer to decline;

14 (e) Revision of the Nebraska income tax form to provide  
15 notice that taxpayers shall not be penalized for failure to provide  
16 information or failure to provide accurate information; and

17 (f) Any further written instructions to taxpayers  
18 necessary to carry out this section.