

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB456

Chairperson: Senator Kathy Campbell

Committee: Health and Human Services

Date of Hearing: February 23, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 456 is the Department of Health and Human Services “clean up” bill and provides the following technical changes in the area of health and human services. The bill:

- Changes the state law regarding references to the Federal Social Security Act in State Medicaid statutes. Nebraska law adopts by reference the Federal Social Security Act as it existed on January 1, 2009. Nebraska case law provides that a state statute may incorporate by reference a federal statute, but only as to the date such state statute became effective and not all future changes in federal law. This statute must be updated each year so any federal Medicaid changes that have been made are incorporated by reference. Also, this section authorizes the Department to adopt and promulgate rules and regulations and take such other actions as are necessary to secure federal matching funds under the applicable provisions of the federal Social Security Act. (Section 1)
- Adds provisions in Nebraska law (Section 71-503.01) related to the sharing of communicable disease, illness or poisoning information to control or prevent the spread of serious disease, or to diminish an imminent threat to public health. First, this section allows the sharing of such information with Tribes to allow for coordination and response. Second, this section provides explicit authority to the Chief Medical Officer of the Department of Health and Human Services to release such information to the extent necessary to protect the public. This section is important because it provides clear authority to share information to detect and locate sources of serious disease, illness or poisoning to control, prevent or diminish its effects.
- Changes Nebraska law relating to purchases by electronic benefits transfer or food coupons. In the federal law, the Supplemental Nutrition Assistance Program (SNAP) no longer references “food coupons” or “food stamps”. This bill will update the reference to the federal program.
- Eliminates the Advisory Committee for the State Unit on Aging (also referred to as the Division of Medicaid and Long-Term Care Advisory Committee on Aging). The elimination of the Advisory Committee for the State Unit on Aging would provide a cost benefit to the state while the majority of the functions of the committee would continue to be carried out by other, existing entities, including the oversight and planning functions performed by DHHS.
- Eliminates the Nursing Home Advisory Council. The elimination of this council is advisable since the Division of Public Health has already established a Long Term Care (LTC) Provider Group which is comprised of representatives of nursing homes from across the State.

Principal Introducer: _____

Senator

