

**ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013**  
**COMMITTEE STATEMENT**  
**LB338**

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**Hearing Date:** Wednesday March 06, 2013  
**Committee On:** Health and Human Services  
**Introducer:** Gloor  
**One Liner:** Prohibit certain practices by health care professionals and health care facilities

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**Roll Call Vote - Final Committee Action:**  
Indefinitely postponed

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**Vote Results:**

<b>Aye:</b>	6	Senators Campbell, Cook, Crawford, Howard, Krist, Watermeier
<b>Nay:</b>	1	Senator Gloor
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Proponents:**

Senator Mike Gloor  
Kerry Winterer

**Representing:**

District #35  
Department of Health and Human Services

**Opponents:**

Jessica Meeske  
Ann Frohman  
Bruce Rieker  
David O'Doherty  
Nick Faustman

**Representing:**

Nebraska Dental Association  
Nebraska Medical Association  
Nebraska Hospital Association  
Nebraska Dental Association  
Nebraska Nursing Facility Association / Nebraska Assisted Living Association

**Neutral:**

Ron Jensen  
Dan Novotny

**Representing:**

Leading Age Nebraska  
Self

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**Summary of purpose and/or changes:**

LB 338 states that it is the intent of the Legislature that any person enrolled in the medical assistance program should have access to quality health care goods and services, when medically necessary and appropriate, under the guidelines and limitations of the medical assistance program for such goods and services.

The bill provides it is the intent of the Legislature that health care facilities and health care professionals licensed under the Health Care Facility Licensure Act and the Uniform Credentialing Act should not discriminate with respect to any person eligible for the medical assistance program by denying access to health care goods and services provided pursuant to the medical assistance program.

Health care facilities and health care professionals licensed under the Health Care Facility Licensure Act and the Uniform Credentialing Act and eligible to enroll as a provider under the medical assistance program shall not discriminate with respect to any person eligible for the medical assistance program by denying access to health care goods and services provided pursuant to the medical assistance program based on the person's enrollment in the medical assistance program. A health care facility or health care professional may be subject to disciplinary action under the Health Care Facility Licensure Act and the Uniform Credentialing Act for discrimination. A health care professional providing care through a patient-centered medical home shall be deemed to meet the requirements of this section.

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Nothing in this section is to be construed to provide preference on the timing of goods or services provided to a person enrolled in the medical assistance program.

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Kathy Campbell, Chairperson