

# One Hundred Third Legislature - First Session - 2013

## Introducer's Statement of Intent

### LB261

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**Chairperson: Senator Kathy Campbell**

**Committee: Health and Human Services**

**Date of Hearing: March 06, 2013**

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

LB 261 adopts the Medicaid Insurance for Workers with Disabilities Act. The goal of this bill is to assist people with disabilities to stay employed and independent while retaining Medicaid coverage under certain circumstances.

The bill requires the payment of medical assistance on behalf of a person with a disability who is employed, including an employed individual with a medically improved condition, as defined in the bill, whose family income is less than 250% of federal poverty level. Allowable assets for participation in the program are (a) \$10,000 for a family of one, (b) \$15,000 for a family of two, and (c) \$15,000 for a family of three plus an additional \$25 per additional individual.

For individuals and families with income at 100% of federal poverty guidelines the bill allows a premium to be established by rule and regulation using a sliding fee or tiered approach, but not more than 7% of the recipient family's countable unearned income plus 3% of earned income.

Recipients who lose employment, if the loss is involuntary or they are unfit to work due to medical necessity, will have continued eligibility for up to six months if they are looking for employment and pay any applicable premiums.

The department is required to (1) provide training about the program to appropriate staff; (2) conduct outreach and education about the benefits of the program; (3) to submit a report to the Legislature and Governor on a biennial basis; (4) designate nonprofit employment networks that have benefit specialist that meet federal program requirement; and (5) to promulgate rules and regulations to carry out the act.

Currently, Nebraska has a similar program that is very under utilized when compared to other states. That program was established under the federal Balanced Budget Act of 1997. A more recent federal act, called the Ticket to Work Act, was passed in 1999 and updated in 2008. The later federal act is the updated program to assist person with disabilities with continuity of care and medical coverage. It also gives states more flexibility in administration of the program.

**Principal Introducer:** \_\_\_\_\_

**Senator Mike Gloor**