

AMENDMENTS TO LB323

Introduced by Health and Human Services.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 68-915, Revised Statutes Cumulative Supplement,
4 2016, as amended by section 3, Initiative Law 2018, No. 427, is amended
5 to read:

6 68-915 The following persons shall be eligible for medical
7 assistance:

8 (1) Dependent children as defined in section 43-504;

9 (2) Aged, blind, and disabled persons as defined in sections 68-1002
10 to 68-1005;

11 (3) Children under nineteen years of age who are eligible under
12 section 1905(a)(i) of the federal Social Security Act;

13 (4) Persons who are presumptively eligible as allowed under sections
14 1920 and 1920B of the federal Social Security Act;

15 (5) Children under nineteen years of age with a family income equal
16 to or less than two hundred percent of the Office of Management and
17 Budget income poverty guideline, as allowed under Title XIX and Title XXI
18 of the federal Social Security Act, without regard to resources, and
19 pregnant women with a family income equal to or less than one hundred
20 eighty-five percent of the Office of Management and Budget income poverty
21 guideline, as allowed under Title XIX and Title XXI of the federal Social
22 Security Act, without regard to resources. Children described in this
23 subdivision and subdivision (6) of this section shall remain eligible for
24 six consecutive months from the date of initial eligibility prior to
25 redetermination of eligibility. The department may review eligibility
26 monthly thereafter pursuant to rules and regulations adopted and
27 promulgated by the department. The department may determine upon such

1 review that a child is ineligible for medical assistance if such child no
2 longer meets eligibility standards established by the department;

3 (6) For purposes of Title XIX of the federal Social Security Act as
4 provided in subdivision (5) of this section, children with a family
5 income as follows:

6 (a) Equal to or less than one hundred fifty percent of the Office of
7 Management and Budget income poverty guideline with eligible children one
8 year of age or younger;

9 (b) Equal to or less than one hundred thirty-three percent of the
10 Office of Management and Budget income poverty guideline with eligible
11 children over one year of age and under six years of age; or

12 (c) Equal to or less than one hundred percent of the Office of
13 Management and Budget income poverty guideline with eligible children six
14 years of age or older and less than nineteen years of age;

15 (7) Persons who are medically needy caretaker relatives as allowed
16 under 42 U.S.C. 1396d(a)(ii);

17 (8) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii)(XV) and (XVI)
18 ~~1396a(a)(10)(A)(ii)~~, disabled persons who have ~~as defined in section~~
19 ~~68-1005~~ with a family income of less than two hundred fifty percent of
20 the Office of Management and Budget income poverty guideline ~~and who, but~~
21 ~~for earnings in excess of the limit established under 42 U.S.C. 1396d(q)~~
22 ~~(2)(B), would be considered to be receiving federal Supplemental Security~~
23 ~~Income. The department shall apply for a waiver to disregard any unearned~~
24 ~~income that is contingent upon a trial work period in applying the~~
25 ~~Supplemental Security Income standard. Such disabled persons shall be~~
26 subject to payment of premiums as a percentage of family income beginning
27 at not less than two hundred percent of the Office of Management and
28 Budget income poverty guideline. Such premiums shall be graduated based
29 on family income and shall not exceed seven and one-half ~~be less than two~~
30 ~~percent or more than ten percent of family income;~~

31 (9) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii), persons who:

1 (a) Have been screened for breast and cervical cancer under the
2 Centers for Disease Control and Prevention breast and cervical cancer
3 early detection program established under Title XV of the federal Public
4 Health Service Act, 42 U.S.C. 300k et seq., in accordance with the
5 requirements of section 1504 of such act, 42 U.S.C. 300n, and who need
6 treatment for breast or cervical cancer, including precancerous and
7 cancerous conditions of the breast or cervix;

8 (b) Are not otherwise covered under creditable coverage as defined
9 in section 2701(c) of the federal Public Health Service Act, 42 U.S.C.
10 ~~300gg-3(c)~~ ~~300gg(e)~~;

11 (c) Have not attained sixty-five years of age; and

12 (d) Are not eligible for medical assistance under any mandatory
13 categorically needy eligibility group;

14 (10) Persons eligible for services described in subsection (3) of
15 section 68-972; and

16 (11) Persons eligible pursuant to section 2 of this act.

17 Except as provided in subsection (8) of this section and section
18 68-972, eligibility shall be determined under this section using an
19 income budgetary methodology that determines children's eligibility at no
20 greater than two hundred percent of the Office of Management and Budget
21 income poverty guideline and adult eligibility using adult income
22 standards no greater than the applicable categorical eligibility
23 standards established pursuant to state or federal law. Except as
24 otherwise provided in subsection (8) of this section, the The department
25 shall determine eligibility under this section pursuant to such income
26 budgetary methodology and subdivision (1)(q) of section 68-1713.

27 Sec. 2. Original section 68-915, Revised Statutes Cumulative
28 Supplement, 2016, as amended by section 3, Initiative Law 2018, No. 427,
29 is repealed.