

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 468

FINAL READING

Introduced by Walz, 15.

Read first time January 18, 2019

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to health care; to amend section 68-901,
2 Revised Statutes Supplement, 2017, as amended by section 1,
3 Initiative Law 2018, No. 427; to prohibit inclusion of long-term
4 services and supports under the medicaid managed care program as
5 prescribed; to provide notification duties for the Department of
6 Health and Human Services and Department of Insurance prior to
7 submitting certain state waiver requests; to harmonize provisions;
8 and to repeal the original section.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-901, Revised Statutes Supplement, 2017, as
2 amended by section 1, Initiative Law 2018, No. 427, is amended to read:

3 68-901 Sections 68-901 to 68-991, and section 2 of this act, and
4 section 2 of this act shall be known and may be cited as the Medical
5 Assistance Act.

6 Sec. 2. Until July 1, 2021, the department shall not add long-term
7 care services and supports to the medicaid managed care program. For
8 purposes of this section, long-term care services and supports includes
9 services of a skilled nursing facility, a nursing facility, and an
10 assisted-living facility and home and community-based services.

11 Sec. 3. The Department of Health and Human Services shall notify
12 the chairperson and members of the Health and Human Services Committee of
13 the Legislature prior to submitting any request or application to the
14 Centers for Medicare and Medicaid Services of the United States
15 Department of Health and Human Services for a demonstration project
16 waiver under section 1115 of the Social Security Act, 42 U.S.C. 1315.
17 Such notification shall be made electronically and shall include a copy
18 of any documentation presented to the public related to the waiver. The
19 Health and Human Services Committee of the Legislature shall hold a
20 public hearing on such waiver application during the period for public
21 comment required under 42 C.F.R. 431.408.

22 Sec. 4. The Department of Insurance shall notify the chairperson
23 and members of the Banking, Commerce and Insurance Committee of the
24 Legislature prior to submitting any request or application to the Centers
25 for Medicare and Medicaid Services of the United States Department of
26 Health and Human Services for a state innovation waiver under section
27 1332 of the federal Patient Protection and Affordable Care Act. Such
28 notification shall be made electronically and shall include a copy of the
29 application for the federal waiver. The Banking, Commerce and Insurance
30 Committee of the Legislature shall hold a public hearing on such waiver
31 application.

1 Sec. 5. Original section 68-901, Revised Statutes Supplement, 2017,
2 as amended by section 1, Initiative Law 2018, No. 427, is repealed.