

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 423

Introduced by Howard, 9.

Read first time January 18, 2019

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Medical Assistance Act; to amend
2 section 68-907, Reissue Revised Statutes of Nebraska; to change and
3 eliminate definitions; to eliminate School Health Center Advisory
4 Councils for school-based health centers; to repeal the original
5 section; and to outright repeal section 68-968, Reissue Revised
6 Statutes of Nebraska.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-907, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 68-907 For purposes of the Medical Assistance Act:

4 (1) Committee means the Health and Human Services Committee of the
5 Legislature;

6 (2) Department means the Department of Health and Human Services;

7 (3) Medicaid Reform Plan means the Medicaid Reform Plan submitted on
8 December 1, 2005, pursuant to the Medicaid Reform Act enacted pursuant to
9 Laws 2005, LB 709;

10 (4) Medicaid state plan means the comprehensive written document,
11 developed and amended by the department and approved by the federal
12 Centers for Medicare and Medicaid Services, which describes the nature
13 and scope of the medical assistance program and provides assurances that
14 the department will administer the program in compliance with federal
15 requirements;

16 (5) Provider means a person providing health care or related
17 services under the medical assistance program;

18 (6) School-based health center means a health center that:

19 (a) Is located in or is adjacent to a school facility;

20 (b) Is organized through school, school district, learning
21 community, community, and provider relationships; and

22 (c) Is administered by a sponsoring facility;

23 ~~(d) Provides school-based health services onsite during school hours~~
24 ~~to children and adolescents by health care professionals in accordance~~
25 ~~with state and local laws, rules, and regulations, established standards,~~
26 ~~and community practice;~~

27 ~~(e) Does not perform abortion services or refer or counsel for~~
28 ~~abortion services and does not dispense, prescribe, or counsel for~~
29 ~~contraceptive drugs or devices; and~~

30 ~~(f) Does not serve as a child's or an adolescent's medical or dental~~
31 ~~home but augments and supports services provided by the medical or dental~~

1 home;

2 ~~(7) School-based health services may include any combination of the~~
3 ~~following as determined in partnership with a sponsoring facility, the~~
4 ~~school district, and the community:~~

5 ~~(a) Medical health;~~

6 ~~(b) Behavioral and mental health;~~

7 ~~(c) Preventive health; and~~

8 ~~(d) Oral health;~~

9 ~~(7) (8) Sponsoring facility means:~~

10 (a) A hospital;

11 (b) A public health department as defined in section 71-1626;

12 (c) A federally qualified health center as defined in section
13 1905(1)(2)(B) of the federal Social Security Act, 42 U.S.C. 1396d(1)(2)
14 (B), as such act and section existed on January 1, 2010;

15 (d) A nonprofit health care entity whose mission is to provide
16 access to comprehensive primary health care services;

17 (e) A school or school district; or

18 (f) A program administered by the Indian Health Service or the
19 federal Bureau of Indian Affairs or operated by an Indian tribe or tribal
20 organization under the federal Indian Self-Determination and Education
21 Assistance Act, or an urban Indian program under Title V of the federal
22 Indian Health Care Improvement Act, as such acts existed on January 1,
23 2010; and

24 ~~(8) (9) Waiver means the waiver of applicability to the state of one~~
25 ~~or more provisions of federal law relating to the medical assistance~~
26 ~~program based on an application by the department and approval of such~~
27 ~~application by the federal Centers for Medicare and Medicaid Services.~~

28 Sec. 2. Original section 68-907, Reissue Revised Statutes of
29 Nebraska, is repealed.

30 Sec. 3. The following section is outright repealed: Section 68-968,
31 Reissue Revised Statutes of Nebraska.