LEGISLATIVE BILL 815

Introduced by Morfeld, 46.

Read first time January 08, 2020

Committee: Health and Human Services

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-992, Revised Statutes Supplement, 2019; to prohibit pursuit of, application for, or implementation of a federal waiver as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 68-992, Revised Statutes Supplement, 2019, is amended to read:

68-992 (1) Eligibility for medical assistance shall be expanded to include certain adults ages nineteen through sixty-four whose income is equal to or less than one hundred thirty-eight percent of the federal poverty level, as authorized and using the income methodology defined by 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and related federal regulations and guidance, as such statute, regulations, and guidance existed on January 1, 2018.

(2) On or before April 1, 2019, in order to ensure that eligibility for medical assistance is expanded as required by this section, the Department of Health and Human Services shall submit a state plan amendment and all other necessary documents seeking required approvals or waivers to the federal Centers for Medicare and Medicaid Services.

(3) The Department of Health and Human Services shall take all actions necessary to maximize federal financial participation in funding medical assistance pursuant to this section.

(4) No greater or additional burdens or restrictions on eligibility, enrollment, benefits, or access to health care services shall be imposed on persons eligible for medical assistance pursuant to this section than on any other population eligible for medical assistance.

(5) This section shall apply notwithstanding any other provision of law or federal waiver.

(6) The department shall not pursue, apply for, or implement any experimental, pilot, or demonstration project waiver under section 1115 of the Social Security Act, 42 U.S.C. 1315, to expand eligibility for medical assistance to persons eligible under this section.

Sec. 2. Original section 68-992, Revised Statutes Supplement, 2019, is repealed.