

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 815

Introduced by Morfeld, 46.

Read first time January 08, 2020

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Medical Assistance Act; to amend
- 2 section 68-992, Revised Statutes Supplement, 2019; to prohibit
- 3 pursuit of, application for, or implementation of a federal waiver
- 4 as prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-992, Revised Statutes Supplement, 2019, is
2 amended to read:

3 68-992 (1) Eligibility for medical assistance shall be expanded to
4 include certain adults ages nineteen through sixty-four whose income is
5 equal to or less than one hundred thirty-eight percent of the federal
6 poverty level, as authorized and using the income methodology defined by
7 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and related federal regulations and
8 guidance, as such statute, regulations, and guidance existed on January
9 1, 2018.

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

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

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

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

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

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29 is repealed.