

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 874

Introduced by Howard, 9.

Read first time January 09, 2020

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to the Nebraska Health Care Cash Fund; to
- 2 amend section 71-7611, Revised Statutes Supplement, 2019; to change
- 3 and eliminate provisions relating to funding of programs; to repeal
- 4 the original section; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-7611, Revised Statutes Supplement, 2019, is
2 amended to read:

3 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
4 Treasurer shall transfer (a) sixty million three hundred thousand dollars
5 on or before July 15, 2014, (b) sixty million three hundred fifty
6 thousand dollars on or before July 15, 2015, (c) sixty million three
7 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
8 million seven hundred thousand dollars on or before July 15, 2017, (e)
9 five hundred thousand dollars on or before May 15, 2018, (f) sixty-one
10 million six hundred thousand dollars on or before July 15, 2018, (g)
11 sixty-two million dollars on or before July 15, 2019, (h) sixty-one
12 million four hundred fifty thousand dollars on or before July 15, 2020,
13 and (i) sixty-one million one hundred thousand dollars on or before every
14 July 15 thereafter from the Nebraska Medicaid Intergovernmental Trust
15 Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska
16 Health Care Cash Fund, except that such amount shall be reduced by the
17 amount of the unobligated balance in the Nebraska Health Care Cash Fund
18 at the time the transfer is made. The state investment officer shall
19 advise the State Treasurer on the amounts to be transferred first from
20 the Nebraska Medicaid Intergovernmental Trust Fund until the fund balance
21 is depleted and from the Nebraska Tobacco Settlement Trust Fund
22 thereafter in order to sustain such transfers in perpetuity. The state
23 investment officer shall report electronically to the Legislature on or
24 before October 1 of every even-numbered year on the sustainability of
25 such transfers. The Nebraska Health Care Cash Fund shall also include
26 money received pursuant to section 77-2602. Except as otherwise provided
27 by law, no more than the amounts specified in this subsection may be
28 appropriated or transferred from the Nebraska Health Care Cash Fund in
29 any fiscal year.

30 The State Treasurer shall transfer ten million dollars from the
31 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on

1 June 28, 2018, and June 28, 2019.

2 ~~Except as otherwise provided in subsection (6) of this section, it~~
3 ~~is the intent of the Legislature that no additional programs are funded~~
4 ~~through the Nebraska Health Care Cash Fund until funding for all programs~~
5 ~~with an appropriation from the fund during FY2012-13 are restored to~~
6 ~~their FY2012-13 levels.~~

7 (2) Any money in the Nebraska Health Care Cash Fund available for
8 investment shall be invested by the state investment officer pursuant to
9 the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 (3) The University of Nebraska and postsecondary educational
12 institutions having colleges of medicine in Nebraska and their affiliated
13 research hospitals in Nebraska, as a condition of receiving any funds
14 appropriated or transferred from the Nebraska Health Care Cash Fund,
15 shall not discriminate against any person on the basis of sexual
16 orientation.

17 (4) The State Treasurer shall transfer fifty thousand dollars on or
18 before July 15, 2016, from the Nebraska Health Care Cash Fund to the
19 Board of Regents of the University of Nebraska for the University of
20 Nebraska Medical Center. It is the intent of the Legislature that these
21 funds be used by the College of Public Health for workforce training.

22 (5) It is the intent of the Legislature that the cost of the staff
23 and operating costs necessary to carry out the changes made by Laws 2018,
24 LB439, and not covered by fees or federal funds shall be funded from the
25 Nebraska Health Care Cash Fund for fiscal years 2018-19 and 2019-20.

26 (6) It is the intent of the Legislature to fund the grants to be
27 awarded pursuant to section 75-1101 with the Nebraska Health Care Cash
28 Fund for FY2019-20 and FY2020-21.

29 (7) It is the intent of the Legislature that any additional program
30 funded out of the Nebraska Health Care Cash Fund after June 1, 2020, may
31 only be funded from investment income derived from the principal of the

1 Nebraska Tobacco Settlement Trust Fund from the previous fiscal year.

2 Sec. 2. Original section 71-7611, Revised Statutes Supplement,
3 2019, is repealed.

4 Sec. 3. Since an emergency exists, this act takes effect when
5 passed and approved according to law.