

LEGISLATIVE BILL 468

Approved by the Governor May 30, 2019

Introduced by Walz, 15.

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

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

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

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

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

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

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

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