

AMENDMENTS TO LB62

(Amendments to Standing Committee amendments, AM644)

Introduced by Cavanaugh, M., 6.

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is
4 amended to read:

5 68-911 (1) Medical assistance shall include coverage for health care
6 and related services as required under Title XIX of the federal Social
7 Security Act, including, but not limited to:

- 8 (a) Inpatient and outpatient hospital services;
9 (b) Laboratory and X-ray services;
10 (c) Nursing facility services;
11 (d) Home health services;
12 (e) Nursing services;
13 (f) Clinic services;
14 (g) Physician services;
15 (h) Medical and surgical services of a dentist;
16 (i) Nurse practitioner services;
17 (j) Nurse midwife services;
18 (k) Pregnancy-related services;
19 (l) Medical supplies;
20 (m) Mental health and substance abuse services;
21 (n) Early and periodic screening and diagnosis and treatment
22 services for children which shall include both physical and behavioral
23 health screening, diagnosis, and treatment services;
24 (o) Rural health clinic services; and
25 (p) Federally qualified health center services.
26 (2) In addition to coverage otherwise required under this section,

1 medical assistance may include coverage for health care and related
2 services as permitted but not required under Title XIX of the federal
3 Social Security Act, including, but not limited to:

4 (a) Prescribed drugs;

5 (b) Intermediate care facilities for persons with developmental
6 disabilities;

7 (c) Home and community-based services for aged persons and persons
8 with disabilities;

9 (d) Dental services;

10 (e) Rehabilitation services;

11 (f) Personal care services;

12 (g) Durable medical equipment;

13 (h) Medical transportation services;

14 (i) Vision-related services;

15 (j) Speech therapy services;

16 (k) Physical therapy services;

17 (l) Chiropractic services;

18 (m) Occupational therapy services;

19 (n) Optometric services;

20 (o) Podiatric services;

21 (p) Hospice services;

22 (q) Mental health and substance abuse services;

23 (r) Hearing screening services for newborn and infant children; and

24 (s) Administrative expenses related to administrative activities,
25 including outreach services, provided by school districts and educational
26 service units to students who are eligible or potentially eligible for
27 medical assistance.

28 (3) No later than July 1, 2009, the department shall submit a state
29 plan amendment or waiver to the federal Centers for Medicare and Medicaid
30 Services to provide coverage under the medical assistance program for
31 community-based secure residential and subacute behavioral health

1 services for all eligible recipients, without regard to whether the
2 recipient has been ordered by a mental health board under the Nebraska
3 Mental Health Commitment Act to receive such services.

4 (4) On or before October 1, 2014, the department, after consultation
5 with the State Department of Education, shall submit a state plan
6 amendment to the federal Centers for Medicare and Medicaid Services, as
7 necessary, to provide that the following are direct reimbursable services
8 when provided by school districts as part of an individualized education
9 program or an individualized family service plan: Early and periodic
10 screening, diagnosis, and treatment services for children; medical
11 transportation services; mental health services; nursing services;
12 occupational therapy services; personal care services; physical therapy
13 services; rehabilitation services; speech therapy and other services for
14 individuals with speech, hearing, or language disorders; and vision-
15 related services.

16 (5) No later than January 1, 2023, the department shall provide
17 coverage for continuous glucose monitors under the medical assistance
18 program for all eligible recipients who have a prescription for such
19 device.

20 (6) On or before October 1, 2023, the department shall seek federal
21 approval for federal matching funds from the federal Centers for Medicare
22 and Medicaid Services through a state plan amendment or waiver to extend
23 postpartum coverage for beneficiaries from sixty days to at least six
24 months. Nothing in this subsection shall preclude the department from
25 submitting a state plan amendment for twelve months.

26 (7)(a) No later than January 1, 2024, the department shall provide
27 coverage, and reimbursement to providers, for all necessary translation
28 and interpretation services for eligible recipients utilizing a medical
29 assistance program service. The department shall take all actions
30 necessary to maximize federal funding to carry out this subsection.

31 (b) The services described in subdivision (7)(a) of this section

1 shall be funded by the Medicaid Managed Care Excess Profit Fund as
2 described in section 68-996.

3 Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 68-996 The Medicaid Managed Care Excess Profit Fund is created. The
6 fund shall contain money returned to the State Treasurer pursuant to
7 subdivision (3) of section 68-995. The fund shall first be used to offset
8 any losses under subdivision (2) of section 68-995 and then to provide
9 for services addressing the health needs of adults and children under the
10 Medical Assistance Act, including filling service gaps, providing system
11 improvements, translation and interpretation services, and sustaining
12 access to care as determined by the Legislature. The fund shall only be
13 used for the purposes described in this section. Any money in the fund
14 available for investment shall be invested by the state investment
15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act.

17 Sec. 3. Original section 68-996, Revised Statutes Cumulative
18 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023,
19 are repealed.