

AMENDMENTS TO LB382

(Amendments to E&R amendments, ER35)

Introduced by Meyer, 17.

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

3 **Section 1.** Section 68-996, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 68-996 (1) The Medicaid Managed Care Excess Profit Fund is created.
6 The fund shall contain money returned to the State Treasurer pursuant to
7 subdivision (3) of section 68-995.

8 (2) The fund shall first be used to offset any losses under
9 subdivision (2) of section 68-995 and then to provide for (a) services
10 addressing the health needs of adults and children under the Medical
11 Assistance Act, including filling service gaps, (b) providing system
12 improvements, (c) providing evidence-based early intervention home
13 visitation programs, (d) providing medical respite services, (e)
14 translation and interpretation services, (f) providing coverage for
15 continuous glucose monitors as described in section 68-911, (g) providing
16 other services sustaining access to care, (h) services under the Nebraska
17 Prenatal Plus Program, (i) and providing grants pursuant to the
18 Intergenerational Care Facility Incentive Grant Program, and (j)
19 reimbursement of the actual costs of providing eligible activities and
20 services described in section 81-2222, as determined by the Legislature.
21 The fund shall only be used for the purposes described in this section.

22 (3) Any money in the fund available for investment shall be invested
23 by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act. Beginning
25 October 1, 2024, any investment earnings from investment of money in the
26 fund shall be credited to the General Fund.

1 **Sec. 2.** It is the intent of the Legislature to appropriate two
2 million dollars in fiscal year 2025-26 and two million dollars in fiscal
3 year 2026-27 from the Medicaid Managed Care Excess Profit Fund to the
4 area agencies on aging for the purpose of providing additional eligible
5 activities and services as defined in section 81-2222. An equal amount
6 shall be distributed to each of the state's eight area agencies on aging.

7 **Sec. 3.** Section 81-2224, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-2224 The department shall reimburse each designated area agency
10 on aging for seventy-five percent of the actual cost of providing
11 eligible activities and services as defined in section 81-2222. Such
12 reimbursement shall be made from (1) state funds appropriated by the
13 Legislature, including, but not limited to, cash fund appropriations as
14 described in section 2 of this act, (2) federal funds allocated to the
15 department, including federal funds allocated under the Older Americans
16 Act, as now or hereafter amended, and (3) other funds as available. The
17 payments shall be made by the department on or before the twentieth day
18 of each month. If state funds appropriated, federal funds allocated, or
19 other funds available are insufficient to finance the department-approved
20 plan and budget for each designated area agency on aging, the
21 reimbursement to each area agency on aging shall be proportionately
22 reduced. If an area agency on aging chooses to exceed the budget approved
23 by the department, costs in excess of the approved budget shall not be
24 reimbursed by the department.

25 **Sec. 4.** Original section 81-2224, Reissue Revised Statutes of
26 Nebraska, and section 68-996, Revised Statutes Cumulative Supplement,
27 2024, are repealed.