

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 945**

Introduced by Dorn, 30.

Read first time January 09, 2026

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Hospital Quality Assurance and Access
- 2 Assessment Act; to amend section 68-2106, Revised Statutes
- 3 Cumulative Supplement, 2024; to change provisions relating to use of
- 4 the Hospital Quality Assurance and Access Assessment Fund; and to
- 5 repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 68-2106, Revised Statutes Cumulative Supplement,  
2   2024, is amended to read:

3           68-2106 (1) The Hospital Quality Assurance and Access Assessment  
4   Fund is created. Interest earned on the fund shall be credited to the  
5   fund. Any money in the fund available for investment shall be invested by  
6   the state investment officer pursuant to the Nebraska Capital Expansion  
7   Act and the Nebraska State Funds Investment Act.

8           (2) The department shall use the Hospital Quality Assurance and  
9   Access Assessment Fund, including the matching federal financial  
10   participation, for the purpose of enhancing rates paid to hospitals under  
11   the medical assistance program except as allowed by subsection (3) of  
12   this section. Money in the fund shall not be used to replace or offset  
13   existing state funds paid to hospitals for providing services under the  
14   medical assistance program.

15          (3) The Hospital Quality Assurance and Access Assessment Fund shall  
16   also be used to:

17          (a) Reimburse the General Fund the amount of the first quarterly  
18   payment on or before June 30 of each fiscal year;

19          (b) Reimburse the department an administrative fee of three percent  
20   of the assessment, not to exceed fifteen million dollars per year, to  
21   collect assessments and administer directed-payment programs established  
22   by the Hospital Quality Assurance and Access Assessment Act;

23          (c) Provide the Nebraska Center for Nursing Board one-half of one  
24   percent of the assessment, not to exceed two million five hundred  
25   thousand dollars per year, for the expansion of clinical nursing training  
26   sites as authorized in subsection (3) of section 71-1798; and

27          (d) Provide funding of three and one-half percent of the assessment,  
28   not to exceed seventeen million five hundred thousand dollars per year,  
29   for rates for nonhospital providers in the medical assistance program,  
30   continuous eligibility for children, and ~~or~~ the designated health  
31   information exchange authorized in section 81-6,125.

1           (4) In calculating rates, the proceeds from assessments and federal  
2 match not utilized under subsection (3) of this section shall be used to  
3 enhance rates for hospital inpatient and outpatient services in addition  
4 to any funds appropriated by the Legislature.

5           (5) The department shall collect data for revenue, discharge, and  
6 inpatient days from a hospital that does not file an annual medicare cost  
7 report. At the request of the department, a hospital that does not file  
8 an annual medicare cost report shall submit such requested data to the  
9 department.

10          (6) The department shall prohibit a medicaid managed care  
11 organization from (a) setting, establishing, or negotiating reimbursement  
12 rates with a hospital in a manner that takes into account, directly or  
13 indirectly, a directed payment that a hospital receives under the  
14 Hospital Quality Assurance and Access Assessment Act, (b) unnecessarily  
15 delaying a directed payment to a hospital, or (c) recouping or offsetting  
16 a directed payment for any reason.

17          (7)(a) A hospital shall not:

18           (i) Set, establish, or negotiate reimbursement rates with a managed  
19 care organization in a manner that directly or indirectly takes into  
20 account a directed payment that a hospital receives under the Hospital  
21 Quality Assurance and Access Assessment Act; or

22           (ii) Directly pass on the cost of an assessment to patients or  
23 nonmedicaid payors, including as a fee or rate increase.

24          (b) A hospital that violates this subsection shall not receive a  
25 directed payment for the remainder of the rate year. This subsection  
26 shall not be construed to prohibit a hospital from negotiating with a  
27 payor for a rate increase.

28          **Sec. 2.** Original section 68-2106, Revised Statutes Cumulative  
29 Supplement, 2024, is repealed.