

April 5, 1982

LB 522A

SENATOR V. JOHNSON: Yes. Under the same chart Douglas County's Medicaid share was \$6,013,217. Its share of county administration was \$468,000. Its general assistance payments were \$592 thousand and its emergency assistance payments were \$68 thousand. Now in the meantime Douglas County got sued in the U.S. District Court for its failure to properly administer the emergency assistance program and the consent judgment was just entered a week ago against Douglas County and the State of Nebraska for failure to properly administer the emergency assistance fund. Douglas County has likewise been sued for its failure to honor medical indigent claims. That case has gone to the Supreme Court. It is back in the state district court. The amount of the claims is still unresolved but so, too, has Douglas County been subjected to liability for failure to properly administer the old pauper statutes.

SENATOR SCHMIT: One more question. Any reason, Senator Johnson, to believe that the state will now also be sued if we take over these responsibilities and do not administer them properly according to someone's own interpretation of what is proper?

SENATOR V. JOHNSON: I think that in due course the state will be sued unless the state establishes a reasonable standard for providing poor relief and for providing the medical indigency and that is what Senator Cullan is working on in LB 602.

SENATOR SCHMIT: Thank you, Senator Johnson. Ladies and gentlemen, I don't think I have to stand on the floor here and explain that I have always been in favor of taking care of the poor and the indigent. I will do it every time anyone asks me to do so and I'm not afraid or ashamed to do that but I do not believe that we are doing the proper thing here. I think we need to recognize that by shifting the responsibility as we are doing from the local to the state, we are probably going to be in a worse position legally than we are now. I think...

SENATOR CLARK: You have one minute left.

SENATOR SCHMIT: ...and I think that, this is my opinion, but that is what we are exposed to most of the time on this floor, someone's opinion, and I would guess that the time will come when we will wonder what we got ourselves into. At this point in time, Senator Johnson, although I sympathize very deeply with your problem in Douglas County, I really do not believe that it will be administered any better by the state than it was in the past by Douglas County. I have confidence in Douglas County. I'm sure you will be pleased to hear that.