

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 5, 2005

LB 709

businesses to those receiving tax incentives under the Employment and Investment Growth Act, the Employment Expansion and Investment Incentive Act, the Enterprise Zone Act, the Invest Nebraska Act, or the Rural Economic Opportunities Act. My amendment would report all businesses that have 25 or more employees receiving publicly-funded health services. This broader scope will allow the state to have a comprehensive view of which companies are providing coverage to their employees and which companies are shifting the burden onto publicly-funded health-care programs. The Chambers...secondly, the Chambers amendment did not specify how the employees' private health-care information regarding the public health benefits was to be reported to Health and Human Services and which was, I think, essentially the reason why the amendment was eventually withdrawn. This amendment, AM1057, clearly specifies that the public health program beneficiary shall identify his or her employer or employers at the time of receiving public health program benefits to the health-care provider. Therefore, only the health-care provider has access to the private health care information of the employee. And incidentally, all of HIPAA regulations would apply. The employer is entirely insulated from the information-gathering processes relative to LB 1057. The report...I think it's important to underscore that the report will not disclose the identity of the patients receiving the public health-care benefits. As I mentioned, all HIPAA guidelines are clearly incorporated within the amendment. Several other states have complied...have compiled reports such as that which is called for under AM1057. Last year, Massachusetts passed legislation to statutorily require this sort of report. In their first report dated February of this year, it was disclosed that Massachusetts spent more than \$52 million in a one-year period to provide health-care coverage to employees of some of the state's largest businesses. A report released by Tennessee's TenCare Bureau show that the state of Tennessee is providing healthcare for 25 percent of Wal-Mart employees in the state. And Georgia reported similar results. In his introduction of the underlying bill, LB 709, Senator Erdman very clearly and eloquently expressed his concern and willingness to appropriately address private sector employers and their outsourcing of health-care coverage to the government. During the debate, a number of senators have