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April 20, 2005 LB 709

Mr. Clerk.

ASSISTANT CLERK: Senator Erdman would offer AM1249.
(Legislative Journal page 1226.)

SENATOR CUDABACK: Senator Erdman to open on AM1249 to LB 709.

SENATOR ERDMAN: Thank you, Mr. President, members of the Legislature. AM1249 is a result of discussions I've had with Senator Beutler and Senator Byars. It is an attempt to try to address some of the final concerns, or at least alleviate some of the concerns that are out there. The amendment, as drafted, does four specific things. The first part of the amendment, on page 1, line 14, of the E & R amendments, it would strike the word "has" and insert the word "may." That is language that refers to whether or not the program has become fiscally unsustainable or whether it may become fiscally unsustainable, and I think that's an argument that we can go back and forth and it doesn't make sense to hassle over that. So we're willing to change that from "has" to "may." The second thing it changes is a request or as a further clarification, I believe, from Senator Jensen, to change the word "mitigate" to "moderate," and that was something that Senator Jensen had worked out. The third provision of the bill moves some of the previous amendments that were adopted to the intent language of the bill. Senator Byars had an amendment that we adopted, and what we have done is taken that language and have worked with it to further clarify it and have then moved that language into the intent. And so the new language would read, "It is the intent of the Legislature that such plan consider and address: (a) The needs of low-income, disabled, and aged persons currently receiving Medicaid services; (b) avoiding the shifting of the primary costs of healthcare services to providers of care; (c) the appropriate role of county government in providing healthcare services; (d) the availability and affordability of private healthcare insurance and long-term care insurance; (e) the personal responsibility of persons, who are able, to select and provide for all or a portion of the payment for their healthcare services; and (f) the fiscal sustainability of such plan." Finally, the last part of AM1249 adds the language that we discussed on General File with Senator Beutler about the