

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

June 1, 2005

LB 589

CLERK: It strikes Section 6 from the bill, Senator.

SENATOR CHAMBERS: Yes, I want to withdraw that amendment.

SENATOR CUDABACK: FA308 is withdrawn.

CLERK: Senator Beutler would move to amend with FA319, Mr. President. (Legislative Journal page 1855.)

SENATOR CUDABACK: Senator Beutler, to open on FA319.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, this amendment is an accommodation to Senator Chambers, and I appreciate his willingness to compromise on it. Senator Chambers can state his own case best, but I think generally speaking he was concerned about any additional language in the bill that would encourage in any way the charging of Medicaid recipients for mistakes that may have been made either by the department or by the insurers, and there was some language in there that suggested additional authorization to do such a thing. So what the amendment does, for anybody who's interested in filing it, is that it strikes lines 25, 26, and 27 on page 4, and lines 1 and 2 on page 5, to get rid of that language that was objectionable to Senator Chambers. In doing that, I want to indicate, as a matter of intent, that it's not the intent of this legislation to encourage DHH to go back against self-insurers or licensed insurers who may have already paid the recipient. The deletion of that language in no way indicates that we intend DHH to do that. In fact, we intend DHH not to do that. We want to encourage the insurance companies to make prompt payment in all cases. Secondly, I don't want to indicate in any way that it's the expectation of the Legislature that, in cases where mistakes are made and a Medicaid recipient might have received a little extra money unknowingly, that it's not the intent of the legislation that DHH go back against those individuals where an undue hardship might be created and the matter is not the fault of the recipient at all. So with those two caveats, I would ask you to approve this accommodation to Senator Chambers' point of view on this matter. Thank you.