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present authority.

SENATOR BEUTLER: Okay. So the whole subsection (2)...well, as far as page 5 is concerned, all the way down through line 9 at least, you consider all that basically just a restatement of current authorities.

SENATOR JENSEN: I believe so.

SENATOR BEUTLER: Okay. Could you let us know if it turns out to be anything otherwise?

SENATOR JENSEN: I will let you know if that's not correct.

SENATOR BEUTLER: Okay. Would you back up for me a little bit and explain again how waivers work on Medicaid policy?

SENATOR BAKER: One minute.

SENATOR BEUTLER: I know we can apply for waivers. If we get a waiver, we don't have to follow X, Y, or Z part of the federal requirements. Does the department currently have authority to apply for a waiver whenever it so chooses?

SENATOR JENSEN: Yes, by direction.

SENATOR BEUTLER: By direction?

SENATOR JENSEN: Well, yes, they have the authority to apply for a waiver and they...

SENATOR BEUTLER: Without direction from the Legislature?

SENATOR JENSEN: They apply for waivers for individuals, and they also apply for waiver...we applied for a waiver, for instance, on Medicaid to extend the look-back period from 36 months to 60 months, and that was not successful.

SENATOR BEUTLER: Did we authorize them to do that, or they just do that?