

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

April 3, 2006

LB 1248

what's in the bill. We are going to continue to do what we're doing. And if you read the committee amendment, it specifically states that the plans that are in place, the rules and regulations and those things that are currently being done in the state of Nebraska under the Medicaid program will continue. That's in AM2831. That's a restatement of current practice and it creates a process in which, if you're going to go about changing that, that you have to follow, that is different, and again I argued prior and I will do so again, is a more active role of the Legislature as far as the Health Committee in doing that. The amendment that's before us, as I visited with Senator Beutler, his language changes the word "shall" to "may." And as I understand it, and I shared this with Senator Beutler, the shall establish the premiums, copays, and deductibles, it's my understanding that they could set that at zero. So the fact that they shall establish that doesn't mean that it shall be a certain number. And, you know, again, it's a matter of arguing the "shall" or "may," and what type of responsibility is placed there. But as you go through this section that we're amending, which is in line 13, and you go down and you read through the process and how that would play out, and as we talked about prioritization earlier, there's also a requirement that the effect of that coverage and limitation on either expansion or reduction is taken into consideration. So in the event that you expand coverage, which has been done by executive order of the Governor in the past, or if you do it by reduction, which has also been done through different mechanisms, both legislatively and others, this process outlines it in the situation that we go through. This says that the department is looking at this; that they have to take into account how this affects the individuals that are going to be...how this affects them based on the changes being proposed, and then that goes back through the earlier process which requires the department to provide information to the Medicaid Reform Advisory Council or the Medicaid Advisory Council. Then they'll have 30 days, as well as the Health Committee to have 30 days to host additional hearings to be able to discuss that. And then again the Health Committee would have the opportunity to request a delay in the promulgation of the regulation. And so we go through this process of making sure that we have an active role in this, and I think that Senator Jensen has brought that to our attention.