

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

April 3, 2006

LB 1248

following submission of the final report identified in this section." I think that if there's any one amendment that should get adopted to this it's probably this one. Let me tell you where this is in the bill so you can follow along if you're so inclined, but we're really talking about the process described on pages 6 and 7 of the bill. And starting kind of halfway down the page on page 6, it says: Prior to the adoption and promulgation of proposed rules and regs under section 12 of this act or relating to the implementation of Medicaid state plan amendments or waivers, the department shall provide a report to the Governor, the committee, the committee being the legislative Health Committee, and the Medicaid Reform Council summarizing the purpose and content of such proposed rules and regulations and the projected impact of such proposed rules and regulations on recipients of medical assistance and medical assistance expenditures. So the process starts out with this identification of a report. Then, once that report is provided no later than 30 days after the date of the receipt of the report, the committee or it says...or the Medicaid Reform Council shall conduct...may conduct a private hearing to provide public comment on the report. After that then it says the committee, by a majority vote of its members and no later than 30 days after the date of receipt of any report under subsection (2) of this section, may request, and this is the important language. Think about this for a minute. The committee, the Health Committee of the Legislature, and this is whether they're in session or out of session, may request in writing that the department delay the final adoption or implementation of any proposed rule and regulation summarized in such report for a sufficient period of time to permit additional legislative consideration of such proposal. But then it goes on to say, such request shall not be binding on the department. So in other words, instead of a process where the legislative body as a whole has an opportunity to act upon these changes before they go into effect, the process that's provided is that a report on what is about to happen goes to the committee, the Health Committee, and let's say we're not in session, it goes to the Health Committee out of session, and the Health Committee can give their approval on behalf of the whole Legislature, if that's what they want to do, on these changes which I think you understand by now may be significant. But even if they