

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

April 10, 2006      LB 1248

Senator Erdman, and also presented to Health and Human Services, and then also presented to the advocates, and I believe all those that I've mentioned are in agreement. And it only applies to the rules and regulations related to the establishment of premiums, copays, deductibles, or limits on the amount, duration, and scope of covered services. This is really the same as current law in Section 68-1019, subsection (4) and subsection (5). Under the amendment those rules and regulations could not become effective until the conclusion of the earliest regular session of the Legislature in which there has been a reasonable opportunity for legislative consideration of those rules and regulations. Legislative consideration means introduction of a legislative bill, legislative resolution, or amendment to pending legislation. Certain rules and regulations are excluded: required by federal or state law, relating to a waiver in which the recipient and his participation is voluntary, or the proposed because...or proposed because of a loss of federal matching fund for a particular service or eligibility category. The purpose is to guarantee that the Legislature has an opportunity to respond to pending rules and regulations that may propose a public policy with which the Legislature disagrees. It preserves the Legislature's policymaking prerogative, does not violate separate of powers, because it only provides for a reasonable delay in implementation of certain rules and regulations, with reasonable expectation, and is more flexible than current law. I would ask for the adoption of AM3193.

SENATOR CUDABACK: Thank you, Senator Jensen. You've heard the opening on AM3193. (Visitors introduced.) Discussion of AM3193? Senator Jensen, there are no lights on. Did you wish to close? He waives closing. The question before the body is, shall AM3193 be adopted to the committee amendments to LB 1248? All in favor vote aye; opposed, nay. Voting on adoption of the Jensen amendment to the committee amendments offered by the Health and Human Services Committee to LB 1248. Have you all voted on the question who care to? Please record, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on the adoption of the amendment to the committee amendments.