

E AND R AMENDMENTS TO LB 292

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 68-104, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 68-104 The Department of Health and Human Services shall
6 be the overseer of the poor and shall be vested with the entire and
7 exclusive superintendence of the poor in this state, except that
8 the county board of each county shall furnish such medical service
9 as may be required for the poor of the county who are not eligible
10 for other medical assistance programs and general assistance for
11 the poor of the county. Any person who is or becomes ineligible for
12 other medical assistance programs due to his or her own actions or
13 inactions shall also be ineligible for medical services from the
14 county.

15 The county board of each county shall administer the
16 medical assistance provided pursuant to this section. A county
17 board may enter into an agreement with the Department of Health
18 and Human Services which allows the department to aid in the
19 administration of such medical assistance program. In providing
20 medical and hospital care for the poor, the county board shall make
21 use of any existing facilities, including tax-supported hospitals
22 and charitable clinics so far as the same may be available, and
23 shall use the financial eligibility criteria established for the

1 standard of need developed by the county pursuant to section
2 68-126.

3 A county board may transfer funds designated for public
4 assistance to the Department of Health and Human Services for
5 purposes of payments to providers who serve eligible recipients of
6 medical assistance or low-income uninsured persons and meet federal
7 and state disproportionate-share payment requirements pursuant to
8 subdivision (2)(c) of section 68-910.

9 Sec. 2. Section 68-1803, Revised Statutes Cumulative
10 Supplement, 2006, is amended to read:

11 68-1803 (1) Each intermediate care facility for the
12 mentally retarded shall pay a tax equal to ~~six percent~~ a percentage
13 of its net revenue for the most recent State of Nebraska fiscal
14 year. The percentage shall be (a) six percent prior to January
15 1, 2008, (b) five and one-half percent beginning January 1, 2008,
16 through September 30, 2011, and (c) six percent beginning October
17 1, 2011.

18 (2) Taxes collected under this section shall be remitted
19 to the State Treasurer for credit to the ICF/MR Reimbursement
20 Protection Fund.

21 (3) Taxes collected pursuant to this section shall be
22 reported on a separate line on the cost report of the intermediate
23 care facility for the mentally retarded, regardless of how such
24 costs are reported on any other cost report or income statement.
25 The department shall recognize such tax as an allowable cost
26 within the state plan for reimbursement of intermediate care
27 facilities for the mentally retarded which participate in the

1 medical assistance program. The tax shall be a direct pass-through
2 and shall not be subject to cost limitations.

3 Sec. 3. Original sections 68-104 and 68-1803, Revised
4 Statutes Cumulative Supplement, 2006, are repealed.

5 2. On page 1, strike beginning with "assistance" in line
6 1 through line 5 and insert "health and welfare; to amend sections
7 68-104 and 68-1803, Revised Statutes Cumulative Supplement, 2006;
8 to authorize transfers of public assistance funds from counties to
9 the state as prescribed; to change the rate of tax on intermediate
10 care facilities for the mentally retarded; and to repeal the
11 original sections."