

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 555**

Introduced by Ashford, 20

Read first time January 17, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to home and community-based services; to amend  
2 section 68-901, Revised Statutes Cumulative Supplement,  
3 2006; to provide for payments as prescribed; to provide  
4 for a pilot program; to harmonize provisions; and to  
5 repeal the original section.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 68-901, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           68-901 Sections 68-901 to 68-949 and section 2 of this  
4 act shall be known and may be cited as the Medical Assistance Act.

5           Sec. 2. It is the intent of the Legislature that  
6 the department apply for a waiver under 42 U.S.C. 1396n to  
7 provide payment under the Medical Assistance Program for caregivers  
8 providing home and community-based services for persons sixty-five  
9 years of age or older with respect to whom there has been a  
10 determination that, but for the provision of such services, such  
11 persons would be likely to require the level of care provided in  
12 a skilled nursing facility or intermediate care facility the cost  
13 of which would be paid for under the Medical Assistance Program.  
14 The department shall adopt and promulgate rules and regulations to  
15 ensure that payments to caregivers pursuant to this section comply  
16 with all applicable federal requirements.

17           Sec. 3. It is the intent of the Legislature to establish  
18 a pilot program to provide payment for caregivers providing home-  
19 and community-based services for persons sixty-five years of age or  
20 older with respect to whom there has been a determination that, but  
21 for the provision of such services, such persons would be likely to  
22 require the level of care provided in a skilled nursing facility  
23 or intermediate care facility. The Department of Health and Human  
24 Services Finance and Support shall establish a pilot program to  
25 provide payments to such caregivers. The pilot program shall begin

1 on September 1, 2007, shall take place in one urban county and one  
2 rural county, and shall terminate on June 30, 2008.

3 Not more than thirty days before termination of the pilot  
4 program, the Director of Finance and Support shall report to the  
5 Legislature the outcome of such pilot program.

6 Sec. 4. Original section 68-901, Revised Statutes  
7 Cumulative Supplement, 2006, is repealed.