

AMENDMENTS TO LB 1106

(Amendments to E & R amendments, ER8206)

Introduced by Stuthman, 22.

1 1. Insert the following new section:

2 Sec. 6. Section 68-911, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 68-911 (1) Medical assistance shall include coverage for
5 health care and related services as required under Title XIX of the
6 federal Social Security Act, including, but not limited to:

7 (a) Inpatient and outpatient hospital services;

8 (b) Laboratory and X-ray services;

9 (c) Nursing facility services;

10 (d) Home health services;

11 (e) Nursing services;

12 (f) Clinic services;

13 (g) Physician services;

14 (h) Medical and surgical services of a dentist;

15 (i) Nurse practitioner services;

16 (j) Nurse midwife services;

17 (k) Pregnancy-related services;

18 (l) Medical supplies; and

19 (m) Early and periodic screening and diagnosis and
20 treatment services for children.

21 (2) In addition to coverage otherwise required under this
22 section, medical assistance may include coverage for health care

1 and related services as permitted but not required under Title XIX
2 of the federal Social Security Act, including, but not limited to:

3 (a) Prescribed drugs;

4 (b) Intermediate care facilities for the mentally
5 retarded;

6 (c) Home and community-based services for aged persons
7 and persons with disabilities;

8 (d) Dental services;

9 (e) Rehabilitation services;

10 (f) Personal care services;

11 (g) Durable medical equipment;

12 (h) Medical transportation services;

13 (i) Vision-related services;

14 (j) Speech therapy services;

15 (k) Physical therapy services;

16 (l) Chiropractic services;

17 (m) Occupational therapy services;

18 (n) Optometric services;

19 (o) Podiatric services;

20 (p) Hospice services;

21 (q) Mental health and substance abuse services;

22 (r) Hearing screening services for newborn and infant
23 children; and

24 (s) Administrative expenses related to administrative
25 activities, including outreach services, provided by school
26 districts and educational service units to students who are
27 eligible or potentially eligible for medical assistance.

1 (3) No later than July 1, 2009, the department
2 shall submit a state plan amendment or waiver to the federal
3 Centers for Medicare and Medicaid Services to provide coverage
4 under the medical assistance program for community-based secure
5 residential and subacute behavioral health services for all
6 eligible recipients, without regard to whether the recipient has
7 been ordered by a mental health board under the Nebraska Mental
8 Health Commitment Act to receive such services.

9 (4) No later than July 1, 2010, the department shall
10 submit a state plan amendment to the federal Centers for Medicare
11 and Medicaid Services to provide for payment for services of
12 federally qualified health centers, and shall actually pay
13 federally qualified health centers, in an amount, calculated on
14 a per-visit basis, that is equal to one hundred percent of the
15 average of the costs of the federally qualified health center of
16 furnishing such services which are reasonable and related to the
17 cost of furnishing such services, except that, if such amount
18 is less than the prospective payment system rate determined in
19 compliance with section 1902(bb) of the federal Society Security
20 Act, 42 U.S.C. 1396a(bb), as such act and section existed on
21 January 1, 2010, the department shall make payment to the federally
22 qualified health center at such prospective payment system rate.

23 2. On page 1, after line 14, insert the following new
24 subdivision:

25 "(3) Federally qualified health center has the definition
26 found in section 1905(1)(2)(B) of the federal Social Security
27 Act, 42 U.S.C. 1396d(1)(2)(B), as such act and section existed on

1 January 1, 2010;" in line 15 strike "(3)", show as stricken, and
2 insert "(4)"; and in line 18 strike "(4)", show as stricken, and
3 insert "(5)".

4 3. On page 2, line 1, strike "(5)", show as stricken,
5 and insert "(6)"; in line 3 strike "(6)" and insert "(7)"; in line
6 19 strike "(7)" and insert "(8)"; and in line 26 strike "(8)" and
7 insert "(9)".

8 4. On page 3, strike beginning with "as" in line 3
9 through "2010" in line 5; and in line 15 strike "(9)" and insert
10 "(10)".

11 5. Renumber the remaining sections and amend the repealer
12 accordingly.