

AMENDMENTS TO LB 136

Introduced by Health and Human Services.

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

3           Section 1. Section 68-915, Revised Statutes Cumulative  
4 Supplement, 2008, is amended to read:

5           68-915 The following persons shall be eligible for  
6 medical assistance:

7           (1) Dependent children as defined in section 43-504;

8           (2) Aged, blind, and disabled persons as defined in  
9 sections 68-1002 to 68-1005;

10          (3) Children under nineteen years of age who are eligible  
11 under section 1905(a)(i) of the federal Social Security Act;

12          (4) Persons who are presumptively eligible as allowed  
13 under sections 1920 and 1920B of the federal Social Security Act;

14          (5) Children under nineteen years of age ~~and pregnant~~  
15 ~~women~~ with a family income equal to or less than ~~one~~ two hundred  
16 ~~eighty-five~~ percent of the Office of Management and Budget income  
17 poverty guideline, as allowed under Title XIX and Title XXI of  
18 the federal Social Security Act, without regard to resources,  
19 and pregnant women with a family income equal to or less than  
20 one hundred eighty-five percent of the Office of Management  
21 and Budget income poverty guideline, as allowed under Title  
22 XIX and Title XXI of the federal Social Security Act, without  
23 regard to resources. Children described in this subdivision and

1 subdivision (6) of this section shall remain eligible for six  
2 consecutive months from the date of initial eligibility prior  
3 to redetermination of eligibility. The department may review  
4 eligibility monthly thereafter pursuant to rules and regulations  
5 adopted and promulgated by the department. The department may  
6 determine upon such review that a child is ineligible for medical  
7 assistance if such child no longer meets eligibility standards  
8 established by the department;

9 (6) For purposes of Title XIX of the federal Social  
10 Security Act as provided in subdivision (5) of this section,  
11 children with a family income as follows:

12 (a) Equal to or less than one hundred fifty percent of  
13 the Office of Management and Budget income poverty guideline with  
14 eligible children one year of age or younger;

15 (b) Equal to or less than one hundred thirty-three  
16 percent of the Office of Management and Budget income poverty  
17 guideline with eligible children over one year of age and under six  
18 years of age; or

19 (c) Equal to or less than one hundred percent of the  
20 Office of Management and Budget income poverty guideline with  
21 eligible children six years of age or older and less than nineteen  
22 years of age;

23 (7) Persons who are medically needy caretaker relatives  
24 as allowed under 42 U.S.C. 1396d(a)(ii);

25 (8) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii),  
26 disabled persons as defined in section 68-1005 with a family income  
27 of less than two hundred fifty percent of the Office of Management

1 and Budget income poverty guideline and who, but for earnings in  
2 excess of the limit established under 42 U.S.C. 1396d(q) (2) (B),  
3 would be considered to be receiving federal Supplemental Security  
4 Income. The department shall apply for a waiver to disregard any  
5 unearned income that is contingent upon a trial work period in  
6 applying the Supplemental Security Income standard. Such disabled  
7 persons shall be subject to payment of premiums as a percentage of  
8 family income beginning at not less than two hundred percent of  
9 the Office of Management and Budget income poverty guideline. Such  
10 premiums shall be graduated based on family income and shall not be  
11 less than two percent or more than ten percent of family income;  
12 and

13 (9) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii),  
14 persons who:

15 (a) Have been screened for breast and cervical cancer  
16 under the Centers for Disease Control and Prevention breast and  
17 cervical cancer early detection program established under Title XV  
18 of the federal Public Health Service Act, 42 U.S.C. 300k et seq.,  
19 in accordance with the requirements of section 1504 of such act, 42  
20 U.S.C. 300n, and who need treatment for breast or cervical cancer,  
21 including precancerous and cancerous conditions of the breast or  
22 cervix;

23 (b) Are not otherwise covered under creditable coverage  
24 as defined in section 2701(c) of the federal Public Health Service  
25 Act, 42 U.S.C. 300gg(c);

26 (c) Have not attained sixty-five years of age; and

27 (d) Are not eligible for medical assistance under any

1 mandatory categorically needy eligibility group.

2           Eligibility shall be determined under this section  
3 using an income budgetary methodology that determines children's  
4 eligibility at no greater than ~~one~~ two hundred ~~eighty-five~~ percent  
5 of the Office of Management and Budget income poverty guideline and  
6 adult eligibility using adult income standards no greater than the  
7 applicable categorical eligibility standards established pursuant  
8 to state or federal law. The department shall determine eligibility  
9 under this section pursuant to such income budgetary methodology  
10 and subdivision (1)(q) of section 68-1713.

11           Sec. 2. Original section 68-915, Revised Statutes  
12 Cumulative Supplement, 2008, is repealed.