

# ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010

## COMMITTEE STATEMENT

### LB1110

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**Hearing Date:** Thursday February 25, 2010

**Committee On:** Health and Human Services

**Introducer:** Campbell

**One Liner:** Change provisions relating to coverage for certain children under the Medical Assistance Program as prescribed

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**Roll Call Vote - Final Committee Action:**

Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 6 Senators Campbell, Gay, Gloor, Howard, Stuthman, Wallman

**Nay:** 1 Senator Pankonin

**Absent:**

**Present Not Voting:**

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**Proponents:**

Senator Campbell  
Sarah Ann Kotchan  
Jim Cunningham  
Jennifer Carter  
Pat Lopez  
Karen Authier  
John Cavanaugh

Anita Jaynes  
Mike Foley  
Jill Jank  
Brian Fahey  
Russell Ebke  
Lowen Kruse  
Carrie Carstens  
Kristine McVea  
Severiano Franco  
Brenda Eller  
Joan Neuhaus  
Caron Gray

David Filipi  
Richard Raymond

**Opponents:**

Kerry Winterer  
Dimitry Krynsky  
Allen Black  
Joseph Waszgis

**Representing:**

Introducer  
Building Bright Futures Early Childhood Services  
Nebraska Catholic Conference  
Nebraska Appleseed  
Public Health Association and Friends of Public Health  
Nebraska Children's Home Society  
Building Bright Futures, Nebraska Child Healthcare Alliance  
Self  
State Auditor's Office  
Nebraska Dietetic Association  
March of Dimes  
Bryan LGH Health System, Crete Area Medical Center  
Self  
Self  
One World Community Health Center  
Mexican American Commission  
Nebraska Right to Life  
Alegent Health  
Creighton University, Creighton University Medical Center, Nebraska Hospital Association  
Nebraska Medical Association  
Nebraska Medical Association

**Representing:**

Department of Health and Human Services  
Self  
Nebraskans Advisory Group  
Self

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**Neutral:**

Tiffany Seibert

**Representing:**

Voices for Children in Nebraska

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**Summary of purpose and/or changes:**

LB 1110 clarifies that unborn children do not have immigration status and therefore are not within the scope of section 4-108. Additionally, the bill states that the prenatal care services available pursuant to SCHIP for unborn children, whose eligibility is independent of the mothers' eligibility and immigration status, are not included in the restrictions imposed by Nebraska statute, section 4-108.

LB 1110 states that the Legislature finds that SCHIP:

- Is meant to assist state efforts to initiate and expand child health assistance to uninsured, low-income children;
- Defines "child" as an individual under the age of nineteen years, including any period of time from conception to birth;
- Low-income children are eligible independent of the mother's eligibility and immigration status;
- Covers prenatal care and pregnancy related services that connect to the health of the unborn child.

The bill, also states that the Legislature finds that prenatal care for children:

- Reduces the likelihood of premature delivery or low birth weight which are associated with a wide range of congenital disabilities and infant mortality
- Can detect a great number of serious and even life-threatening disability, many of which can now be successfully treated in utero;
- Improves health outcomes during infancy and the child's life resulting in healthier infants and better long-term child growth and development
- Results in ultimate cost savings to the state through reduced expenditures for high cost neonatal and potential long-term medical rehabilitation

LB 1110 directs the creation of a separate program allowed through SCHIP for prenatal care and pregnancy related services connected to the health of the unborn child including:

- Professional fees for labor and delivery
- Pharmaceuticals and prescription vitamins
- Outpatient hospital care
- Radiology, ultrasound and other necessary imaging
- Necessary lab testing
- Hospital costs related to labor and delivery
- Services related to conditions that could complicate the pregnancy including treatment of conditions that threaten the carrying of the unborn child to full term or the safe delivery of the unborn child
- Other pregnancy related service approved by the department
- Service not covered includes dentistry, optometry and other medical issues separate to the mother and unrelated to pregnancy.

The department will submit a state plan amendment or waiver for approval by the federal Centers for Medicare and Medicaid Services pursuant to this bill. Eligibility for this program will be at no greater than 185% income poverty guidelines.

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**Explanation of amendments:**

AM 2124 removes from the bill, "If, as a condition of receiving federal funds for the program, federal law requires implementation and administration of the program in a manner not provided in the Medical Assistance Act, the department shall implement and administer those provisions subject to review by the Legislature."

The amendment states that any prenatal or pregnancy related costs listed in the bill qualifying under Medicaid (for

example some emergency labor and delivery costs would be covered under Medicaid) would be covered first, if eligible, by Medicaid Title XIX.

AM 2124 removes the specific examples of "optometry, dentistry, and other" as services not covered for medical issues separate to the mother and unrelated to pregnancy. "Services not covered under this subsection include medical issues separate to the mother and unrelated to pregnancy" is the language remaining with Amendment 2124 in LB 1110.

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Tim Gay, Chairperson