

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 396**

FINAL READING

Introduced by Gloor, 35; Haar, 21; Howard, 9.

Read first time January 16, 2009

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health care; to amend section 68-901,  
2 Revised Statutes Cumulative Supplement, 2008; to adopt  
3 the Medical Home Pilot Program Act; to harmonize  
4 provisions; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 68-901, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3           68-901 Sections 68-901 to 68-956 and sections 2 to 6 of  
4 this act shall be known and may be cited as the Medical Assistance  
5 Act.

6           Sec. 2. Sections 2 to 6 of this act shall be known and  
7 may be cited as the Medical Home Pilot Program Act. The Medical  
8 Home Pilot Program Act terminates on June 30, 2014. The purposes of  
9 the act are to improve health care access and health outcomes for  
10 patients and to contain costs of the medical assistance program.

11           Sec. 3. For purposes of the Medical Home Pilot Program  
12 Act:

13           (1) Division means the Division of Medicaid and Long-Term  
14 Care of the Department of Health and Human Services;

15           (2) Medical home means a provider of primary health care  
16 services to patients that meets the requirements for participation  
17 in the medical home pilot program established under section 5 of  
18 this act;

19           (3) Patient means a recipient of medical assistance under  
20 the Medical Assistance Act; and

21           (4) Primary care physician means a physician licensed  
22 under the Uniform Credentialing Act and practicing in the area  
23 of general medicine, family medicine, pediatrics, or internal  
24 medicine.

25           Sec. 4. (1) No later than January 1, 2012, the division

1 shall design and implement a medical home pilot program, in  
2 consultation with the Medical Home Advisory Council, in one or more  
3 geographic regions of the state to provide access to medical homes  
4 for patients. The division shall apply for any available federal or  
5 other funds for the program. The division shall establish necessary  
6 and appropriate reimbursement policies and incentives under such  
7 program to accomplish the purposes of the Medical Home Pilot  
8 Program Act. The reimbursement policies:

9 (a) Shall require the provision of a medical home for  
10 clients;

11 (b) Shall be designed to increase the availability of  
12 primary health care services to clients;

13 (c) May provide an increased reimbursement rate to  
14 providers who provide primary health care services to clients  
15 outside of regular business hours or on weekends; and

16 (d) May provide a postevaluation incentive payment.

17 (2) No later than June 1, 2014, the division shall  
18 evaluate the medical home pilot program and report the results  
19 of such evaluation to the Governor and the Health and Human  
20 Services Committee of the Legislature. Such report shall include  
21 an evaluation of health outcomes and cost savings achieved,  
22 recommendations for improvement, recommendations regarding  
23 continuation and expansion of the program, and such other  
24 information as deemed necessary by the division or requested by  
25 the committee.

1           Sec. 5. A medical home shall:

2           (1) Provide comprehensive, coordinated health care for  
3 patients and consistent, ongoing contact with patients throughout  
4 their interactions with the health care system, including, but not  
5 limited to, electronic contacts and ongoing care coordination and  
6 health maintenance tracking for patients;

7           (2) Provide primary health care services for patients  
8 and appropriate referral to other health care professionals or  
9 behavioral health professionals as needed;

10          (3) Focus on the ongoing prevention of illness and  
11 disease;

12          (4) Encourage active participation by a patient and  
13 the patient's family, guardian, or authorized representative,  
14 when appropriate, in health care decisionmaking and care plan  
15 development;

16          (5) Encourage the appropriate use of specialty care  
17 services and emergency room services by patients; and

18          (6) Provide other necessary and appropriate health care  
19 services and supports to accomplish the purposes of the Medical  
20 Home Pilot Program Act.

21           Sec. 6. (1) The Medical Home Advisory Council is created.  
22 The council shall consist of seven voting members appointed by the  
23 Governor as follows:

24           (a) Two licensed primary care physicians actively  
25 practicing in the area of general and family medicine;

1           (b) Two licensed primary care physicians actively  
2 practicing in the area of pediatrics;

3           (c) Two licensed primary care physicians actively  
4 practicing in the area of internal medicine; and

5           (d) One representative from a licensed hospital in  
6 Nebraska.

7           (2) The chairperson of the Health and Human Services  
8 Committee of the Legislature or another member of the committee  
9 designated by the chairperson shall serve as an ex officio,  
10 nonvoting member of the council.

11           (3) The council shall annually select one of its  
12 appointed members to serve as chairperson of the council for a  
13 one-year term. Appointed members of the council shall be reimbursed  
14 for their actual and necessary expenses as provided in sections  
15 81-1174 to 81-1177. The division shall provide administrative  
16 support to the council.

17           (4) The Governor may remove appointed members of the  
18 council for good cause upon written notice and an opportunity to  
19 be heard. Any appointed member of the council who ceases to meet  
20 the requirements for appointment to the council shall cease to be a  
21 member of the council. A vacancy on the council shall be filled in  
22 the same manner as provided for the original appointment.

23           (5) The Governor shall make initial appointments to the  
24 council no later than October 1, 2009. The council shall conduct  
25 its initial organizational meeting no later than October 31, 2009.

1           (6) The council shall (a) guide and assist the division  
2 in the design and implementation of the medical home pilot program  
3 and (b) promote the use of best practices to ensure access to  
4 medical homes for patients and accomplish the purposes of the  
5 Medical Home Pilot Program Act.

6           Sec. 7. Original section 68-901, Revised Statutes  
7 Cumulative Supplement, 2008, is repealed.