

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 342

Introduced by Gay, 14; Pankonin, 2.

Read first time January 15, 2009

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Medical Assistance Act; to amend section
2 68-901, Revised Statutes Cumulative Supplement, 2008; to
3 provide duties for the Department of Health and Human
4 Services relating to payment for treatment of pediatric
5 feeding disorders; to provide a termination date; to
6 repeal the original section; and to declare an emergency.
7 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 section 2 of this
4 act shall be known and may be cited as the Medical Assistance Act.

5 Sec. 2. On or before July 1, 2009, the Department
6 of Health and Human Services shall submit an application to
7 the Centers for Medicare and Medicaid Services of the United
8 States Department of Health and Human Services, amending the
9 state medicaid plan or seeking a waiver thereto to provide for
10 utilization of money to allow for medicaid payments for treatment
11 of pediatric feeding disorders through behavioral or psychological
12 means prior to any attempt by a physician to utilize invasive
13 surgical techniques to address pediatric feeding disorders.

14 For purposes of this section, invasive surgical technique
15 includes, but is not limited to, the creation of an incision in
16 the abdomen into the stomach intended for use for long-term enteral
17 nutrition of a child below the age of twelve years.

18 Sec. 3. Section 2 of this act terminates on January 1,
19 2011, unless extended by action of the Legislature.

20 Sec. 4. Original section 68-901, Revised Statutes
21 Cumulative Supplement, 2008, is repealed.

22 Sec. 5. Since an emergency exists, this act takes effect
23 when passed and approved according to law.