

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 371

Introduced by Campbell, 25.

Read first time January 16, 2009

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public assistance; to amend sections 68-908
2 and 68-948, Revised Statutes Cumulative Supplement, 2008;
3 to change provisions relating to the Medicaid Reform Plan
4 and the Medicaid Reform Council; to harmonize provisions;
5 to eliminate a termination date; and to repeal the
6 original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-908, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 68-908 (1) The department shall administer the medical
4 assistance program.

5 (2) The department may (a) enter into contracts and
6 interagency agreements, (b) adopt and promulgate rules and
7 regulations, (c) adopt fee schedules, (d) apply for and implement
8 waivers and managed care plans for eligible recipients, and (e)
9 perform such other activities as necessary and appropriate to carry
10 out its duties under the Medical Assistance Act.

11 (3) The department shall maintain the confidentiality
12 of information regarding applicants for or recipients of medical
13 assistance and such information shall only be used for purposes
14 related to administration of the medical assistance program and the
15 provision of such assistance or as otherwise permitted by federal
16 law.

17 (4) (a) The department shall prepare a ~~biennial~~ an annual
18 summary and analysis of the medical assistance program for
19 legislative and public review, including, but not limited to,
20 a description of eligible recipients, covered services, provider
21 reimbursement, program trends and projections, program budget and
22 expenditures, the status of implementation of the Medicaid Reform
23 Plan, and recommendations for program changes.

24 (b) The department shall provide a draft report of such
25 summary and analysis to the Medicaid Reform Council no later

1 than ~~October 1~~ of each ~~even-numbered~~ September 15 of each year.
 2 The council shall conduct a public meeting no later than October
 3 ~~15~~ 1 of ~~such~~ each year to discuss and receive public comment
 4 regarding such report. The council shall provide any comments and
 5 recommendations regarding such report in writing to the department
 6 and the committee no later than November 1 of ~~such~~ each year. The
 7 department shall submit a final report of such summary and analysis
 8 to the Governor, the Legislature, and the council no later than
 9 December 1 of ~~such year,~~ each year. Such final report shall include
 10 a response to each specific recommendation provided by the council.

11 Sec. 2. Section 68-948, Revised Statutes Cumulative
 12 Supplement, 2008, is amended to read:

13 68-948 (1) The Medicaid Reform Council is established.
 14 The council shall consist of ten persons appointed by the
 15 chairperson of the committee, in consultation with the committee,
 16 the Governor, and the department. The chairperson of the committee
 17 or his or her designee shall also serve as a member of the council.

18 The council shall include, but not be limited to, at least one
 19 representative from each of the following: Providers, recipients
 20 of medical assistance, advocates for such recipients, business
 21 representatives, insurers, and elected officials. The chairperson
 22 of the committee shall appoint the chairperson of the council.
 23 Members of the council may be reimbursed for their actual and
 24 necessary expenses as provided in sections 81-1174 to 81-1177.

25 (2) The council shall (a) oversee and ~~support~~ provide

1 recommendations to the department and the chairperson of the
2 committee regarding implementation of reforms to the medical
3 assistance program, including, but not limited to, reforms such as
4 those contained in the Medicaid Reform Plan, (b) conduct at least
5 two public meetings annually at least quarterly and other meetings
6 at the call of the chairperson of the council, in consultation
7 with the department and the chairperson of the committee, and
8 (c) provide comments and recommendations to the department and
9 the chairperson of the committee regarding the administration of
10 the medical assistance program and any proposed changes to such
11 program.

12 ~~(3) The Medicaid Reform Council and this section~~
13 ~~terminate on June 30, 2010.~~

14 (3) The department shall provide the council with any
15 reports, data, analysis, or other such information upon which the
16 department relied, which provided a basis for the department's
17 proposed reforms, or which the department otherwise intends to
18 present to the council at least two weeks prior to the quarterly
19 meeting.

20 (4) Beginning June 30, 2010, the terms of the existing
21 members of the council shall be extended as follows: One-half
22 of the members shall serve for two-year terms and one-half of
23 the members shall serve for four-year terms as determined by
24 the chairperson of the committee. Thereafter all members shall
25 serve for four-year terms. Members may be reappointed at the

1 discretion of the chairperson of the committee. Appointments to
2 the committee occurring as a result of replacement of an existing
3 member at the expiration of the member's term or due to resignation
4 of an existing member shall be made by the chairperson of the
5 committee in consultation with the committee, the Governor, and the
6 department.

7 Sec. 3. Original sections 68-908 and 68-948, Revised
8 Statutes Cumulative Supplement, 2008, are repealed.