

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 656**

Introduced by Harms, 48; Avery, 28; Haar, 21.

Read first time January 21, 2009

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to health care; to adopt the Health Care
- 2 Accessibility and Affordability Act; and to provide a
- 3 termination date.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 7 of this act shall be known  
2 and may be cited as the Health Care Accessibility and Affordability  
3 Act. The act terminates on January 1, 2011.

4           Sec. 2. The Legislature finds that:

5           (1) Nebraska residents face a crisis in the availability  
6 and affordability of quality health care;

7           (2) The private and public costs of providing health  
8 care to Nebraska residents is increasing annually at a rate which  
9 exceeds the increase in their earnings;

10          (3) Many Nebraska residents do not have access to health  
11 insurance or are unable to afford health care services;

12          (4) The cost of providing health care services to  
13 uninsured residents is borne by Nebraska residents through their  
14 own health insurance or by tax-supported public programs;

15          (5) All Nebraska residents should have access to  
16 high-quality and affordable health care; and

17          (6) Comprehensive reform of the state's health care  
18 delivery system and health care financing system is necessary to  
19 ensure sustainability of these systems for the benefit of Nebraska  
20 residents.

21          Sec. 3. The purpose of the Health Care Accessibility and  
22 Affordability Act is to provide for reform of Nebraska's health  
23 care delivery system and health care financing system to assure  
24 high-quality, affordable, and accessible health care coverage for  
25 all Nebraska residents.

- 1           Sec. 4. (1) It is the intent of the Legislature to  
2 provide for the development of a comprehensive plan for the  
3 State of Nebraska which ensures health insurance coverage for  
4 all Nebraska residents not covered by medicare and fair sharing  
5 of health care costs by all Nebraska residents through a basic  
6 health insurance benefit plan that includes preventive services,  
7 behavioral health care, dental care, and long-term care and to  
8 provide for the timely enactment of necessary and appropriate  
9 legislation to implement such plan.
- 10           (2) It is the intent of the Legislature that the  
11 comprehensive plan consider and address:
- 12           (a) The need to provide access for all Nebraska residents  
13 to high-quality health care;
- 14           (b) The creation of a health care financing system which  
15 assures competition, pays for care based on value, and encourages  
16 quality care, preventive care, and wellness;
- 17           (c) The right of patients to have individual choice and  
18 self-determination in the selection of health care providers;
- 19           (d) The personal responsibility of Nebraska residents for  
20 their own health habits, wellness, and prevention of illness;
- 21           (e) The need to assure the availability of a qualified  
22 health care workforce to meet the needs of all Nebraska residents;
- 23           (f) The fiscal sustainability of such plan; and
- 24           (g) The responsibility of all Nebraska residents to  
25 provide accessible and affordable health care.

1           Sec. 5. It is the further intent of the Legislature that  
2 the comprehensive plan developed as proposed by section 4 of this  
3 act:

4           (1) Require all Nebraskans not covered by medicare to  
5 have a basic health insurance plan which includes preventive  
6 services, behavioral health care, dental care, and long-term  
7 care, which is developed and reviewed periodically by health  
8 care professionals and members of the public, and which allows for  
9 purchase by employers or individuals;

10          (2) Require all health insurers doing business in  
11 the state to offer plans which satisfy the basic health  
12 insurance requirement and which guarantee issuance and renewal at  
13 community-rated premiums;

14          (3) Provide for the subsidy of premium costs for  
15 low-income residents through the medical assistance program  
16 established pursuant to the Medical Assistance Act;

17          (4) Require insurers to offer plans which encourage  
18 coordinated and integrated care through a patient-centered medical  
19 home and provide appropriate incentives for that to occur;

20          (5) Encourage public health strategies which promote  
21 healthy lifestyles and disease prevention, health and health care  
22 literacy, and wellness programs in workplaces, schools, and the  
23 community;

24          (6) Provide for public education about appropriate use of  
25 health care resources and promote the choice of providers based on

1 quality and value;

2 (7) Provide for reimbursement of health-care providers  
3 based on appropriate, medically necessary services, using  
4 evidence-based, value-adjusted, nationally accepted clinical  
5 practice guidelines, adjusted as necessary to assure local  
6 applicability;

7 (8) Include reasonable limitations on the patient's  
8 responsibility for out-of-pocket expenditures for health care,  
9 including premiums, deductibles, and copayments;

10 (9) Support a secure and private statewide health  
11 information exchange system to promote health care that is of high  
12 quality, safe, and cost-efficient;

13 (10) Encourage health care providers to establish and  
14 maintain practices in underserved areas by enhancing current  
15 programs that provide educational loan forgiveness, scholarships,  
16 and bonus payment programs;

17 (11) Provide incentives to Nebraska educational  
18 institutions to increase the education of qualified health care  
19 providers to address workforce shortages;

20 (12) Include strategies for reducing unnecessary medical  
21 costs arising from the practice of defensive medicine;

22 (13) Promote patient safety by enhancing current programs  
23 which encourage reporting adverse events; and

24 (14) Consider available funding options, including  
25 private insurance premiums paid by employers and individuals,

1 existing federal and state funding through medicaid, payroll taxes  
2 for employers who do not provide health insurance to all full-time  
3 employees, penalty payments by employers or residents who do not  
4 enroll in the required plan, and taxes on tobacco, alcohol, or  
5 other sources if necessary.

6           Sec. 6. (1) The Health Care Plan Advisory Council  
7 is established. The council shall consist of six persons  
8 appointed by the chairperson of the Health and Human Services  
9 Committee of the Legislature and six persons appointed by the  
10 chairperson of the Banking, Commerce and Insurance Committee of  
11 the Legislature. The council shall include, but not be limited to,  
12 at least one representative from each of the following classes  
13 of persons: Health care providers, health care consumers and  
14 consumer advocates, business representatives, insurers, and elected  
15 officials.

16           (2) The council shall develop recommendations concerning  
17 a comprehensive plan in accordance with the Health Care  
18 Accessibility and Affordability Act and shall provide such  
19 recommendations to the Governor and members of the Health and Human  
20 Services Committee of the Legislature and the Banking, Commerce  
21 and Insurance Committee of the Legislature on or before September  
22 1, 2010.

23           (3) Members of the council shall serve without  
24 compensation for such service but shall be reimbursed for their  
25 actual and necessary expenses as provided in section 81-1174 to

1 81-1177.

2           Sec. 7. The chairperson of the Health and Human  
3 Services Committee of the Legislature and the chairperson of the  
4 Banking, Commerce and Insurance Committee of the Legislature, in  
5 consultation with the committees, shall prepare and introduce  
6 legislation in the One Hundred Second Legislature, First Session,  
7 to implement the recommendations of the Health Care Plan Advisory  
8 Council.