

E AND R AMENDMENTS TO LB 540

Introduced by Larson, 40, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 68-911, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 68-911 (1) Medical assistance shall include coverage for
6 health care and related services as required under Title XIX of the
7 federal Social Security Act, including, but not limited to:

8 (a) Inpatient and outpatient hospital services;

9 (b) Laboratory and X-ray services;

10 (c) Nursing facility services;

11 (d) Home health services;

12 (e) Nursing services;

13 (f) Clinic services;

14 (g) Physician services;

15 (h) Medical and surgical services of a dentist;

16 (i) Nurse practitioner services;

17 (j) Nurse midwife services;

18 (k) Pregnancy-related services;

19 (l) Medical supplies; and

20 (m) Early and periodic screening and diagnosis and
21 treatment services for children.

22 (2) In addition to coverage otherwise required under this
23 section, medical assistance may include coverage for health care

1 and related services as permitted but not required under Title XIX
2 of the federal Social Security Act, including, but not limited to:

- 3 (a) Prescribed drugs;
- 4 (b) Intermediate care facilities for the mentally
5 retarded;
- 6 (c) Home and community-based services for aged persons
7 and persons with disabilities;
- 8 (d) Dental services;
- 9 (e) Rehabilitation services;
- 10 (f) Personal care services;
- 11 (g) Durable medical equipment;
- 12 (h) Medical transportation services;
- 13 (i) Vision-related services;
- 14 (j) Speech therapy services;
- 15 (k) Physical therapy services;
- 16 (l) Chiropractic services;
- 17 (m) Occupational therapy services;
- 18 (n) Optometric services;
- 19 (o) Podiatric services;
- 20 (p) Hospice services;
- 21 (q) Mental health and substance abuse services;
- 22 (r) Hearing screening services for newborn and infant
23 children; and
- 24 (s) Administrative expenses related to administrative
25 activities, including outreach services, provided by school
26 districts and educational service units to students who are
27 eligible or potentially eligible for medical assistance.

1 (3) No later than July 1, 2009, the department
2 shall submit a state plan amendment or waiver to the federal
3 Centers for Medicare and Medicaid Services to provide coverage
4 under the medical assistance program for community-based secure
5 residential and subacute behavioral health services for all
6 eligible recipients, without regard to whether the recipient has
7 been ordered by a mental health board under the Nebraska Mental
8 Health Commitment Act to receive such services.

9 (4) No later than July 1, 2012, the department shall
10 apply for a waiver or an amendment to an existing waiver under
11 section 1115 of the federal Social Security Act, as amended, 42
12 U.S.C. 1315, for the purpose of providing medical assistance for
13 family planning services for persons whose family's earned income
14 is at or below one hundred eighty-five percent of the federal
15 poverty level. No state funds shall be utilized to pay for abortion
16 services or to promote elective abortion services. The department
17 shall ensure that any funds received under this subsection shall
18 not be spent or used in any way to contract with any entity that
19 performs or promotes elective abortion services or with any entity
20 that affiliates with any entity that performs or promotes elective
21 abortions.

22 Sec. 2. Original section 68-911, Reissue Revised Statutes
23 of Nebraska, is repealed.

24 Sec. 3. Since an emergency exists, this act takes effect
25 when passed and approved according to law.