

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 525

Final Reading

Introduced by Lathrop, 12.

Read first time January 18, 2011

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, 2010; to
3 state intent; to require application for an amendment or
4 waiver related to the medicaid state plan; to authorize
5 transfers of funds to the University of Nebraska Medical
6 Center; to harmonize provisions; and to repeal the
7 original section.

8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-901, Revised Statutes Cumulative
2 Supplement, 2010, is amended to read:

3 68-901 Sections 68-901 to 68-969 and sections 2 and 3 of
4 this act shall be known and may be cited as the Medical Assistance
5 Act.

6 Sec. 2. The Legislature finds that:

7 (1) The Nebraska Regional Poison Center funded through
8 the University of Nebraska Medical Center Cash Fund provides a
9 valuable service to Nebraska;

10 (2) The center receives over seventeen thousand calls
11 annually, seventy-two percent of the calls involve children, and over
12 twenty-seven percent of the calls relate to children in families
13 whose annual household income is at or below two hundred percent of
14 the federal poverty level;

15 (3) The operation of the center has resulted in over
16 ninety percent of the calls regarding a child under six years of age
17 being handled in a manner such that the child was able to remain at
18 home and the child did not have to visit an emergency room or use 911
19 or emergency medical services; and

20 (4) The operation of the center results in a cost savings
21 of one hundred seventy-five dollars per call in 1996 dollars.

22 Sec. 3. (1) On or before January 1, 2012, the department
23 shall submit an application to the federal Centers for Medicare and
24 Medicaid Services of the United States Department of Health and Human
25 Services to amend the medicaid state plan or seek a waiver to provide

1 for utilization of the unused administrative cap to allow for
2 payments to the Nebraska Regional Poison Center funded through the
3 University of Nebraska Medical Center Cash Fund to help offset the
4 cost for treatment of children who are eligible for assistance under
5 the medical assistance program and the Children's Health Insurance
6 Program established pursuant to 42 U.S.C. 1397aa et seq., pursuant to
7 the federal Children's Health Insurance Program Reauthorization Act
8 of 2009, Public Law 111-3, as such act existed on January 1, 2010.

9 (2) Upon approval of the amendment to the medicaid state
10 plan or the granting of the waiver, the University of Nebraska
11 Medical Center shall transfer an amount, not to exceed two hundred
12 fifty thousand dollars, to the Health and Human Services Cash Fund
13 for the Nebraska Department of Health and Human Services to meet the
14 state match to maximize the use of the unused administrative cap
15 money. At the time the department receives the transferred amount or
16 any portion thereof and the corollary federal funds, the department
17 shall transfer the combined funds to the University of Nebraska
18 Medical Center Cash Fund for operation of the Nebraska Regional
19 Poison Center. If no amendment is approved nor waiver granted or if
20 less than two hundred fifty thousand dollars is needed for the match,
21 then the University of Nebraska Medical Center may use the remaining
22 state appropriation for the operation of the Nebraska Regional Poison
23 Center.

24 (3) The University of Nebraska Medical Center shall
25 report to the Legislative Fiscal Analyst on or before October 1 of

1 every year the amount transferred to the department in the prior
2 fiscal year and the amount of matching funds received under this
3 section for the Nebraska Regional Poison Center in the prior fiscal
4 year.

5 Sec. 4. Original section 68-901, Revised Statutes
6 Cumulative Supplement, 2010, is repealed.