

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 246

Introduced by Avery, 28.

PURPOSE: (1) The purpose of this interim study is to review and assess an interagency agreement between the Department of Health and Human Services and the Department of Revenue for the purpose of preparing and developing model language for possible tax form revisions for identification of children who may be eligible for the children's medical assistance program and medicaid as prescribed in section 68-915.

(2) The committee should examine the possibility of sharing data between the Department of Revenue and the Department of Health and Human Services to streamline the process of identifying uninsured children who qualify for medicaid and the children's medical assistance program and enrolling uninsured children in Kids Connection. The committee should encourage the Department of Health and Human Services to seek federal grants and bonus funds for implementation of eligibility, outreach, and express lane eligibility options pursuant to the federal Children's Health Insurance Program Reauthorization Act of 2009, Public Law 111-3.

(3) The committee shall request that the Department of Health and Human Services:

(a) Enter into an interagency agreement with the Department of Revenue for the sole purpose of carrying out this resolution;

(b) Maintain the confidentiality of all information regarding eligibility for or recipients of health care assistance and use such

information only for purposes related to this resolution or as otherwise permitted by federal law; and

(c) Prepare and submit a report of recommendations to the Health and Human Services Committee of the Legislature and the Revenue Committee of the Legislature not later than December 31, 2011.

(4) The committee shall request that the chief executive officer of the Department of Health and Human Services or his or her designee and the Tax Commissioner or his or her designee prepare and develop model language proposals under the interagency agreement to utilize income tax return information, including earned income tax credit information, for the purpose of eligibility determination of children for medicaid and the children's medical assistance program, which proposals shall include, but not be limited to:

(a) Revision of the Nebraska income tax form to include questions asking taxpayers to indicate whether any dependent children have health insurance at the time of filing;

(b) Revision of the Nebraska income tax form to include questions asking taxpayers to indicate whether dependent children are under nineteen years of age at the time of filing;

(c) Revision of the Nebraska income tax form to include consent and disclosure provisions or procedures to provide prior disclosure and reasonable opportunity for taxpayers to decline;

(d) Revision of the Nebraska income tax form to provide notice that taxpayers shall not be penalized for failure to provide information or

failure to provide accurate information regarding any dependent's health insurance status; and

(e) Any further written instructions to taxpayers necessary to carry out the intent of this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature on or before December 31, 2012.