

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1076**

Introduced by Campbell, 25.

Read first time January 22, 2014

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, 2012; to  
3 state intent; to provide for certain reimbursement rates  
4 and services as prescribed; to harmonize provisions; to  
5 provide an operative date; to repeal the original  
6 section; and to declare an emergency.

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

1           Section 1. Section 68-901, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3           68-901 Sections 68-901 to 68-974 and section 2 of this  
4 act shall be known and may be cited as the Medical Assistance Act.

5           Sec. 2. (1) The Legislature finds that:

6           (a) The federal Patient Protection and Affordable Care  
7 Act of 2010, Public Law 111-148, provides for medicaid reimbursement  
8 for programs to permit disabled adults and the elderly to continue  
9 living in their homes and not in long-term care facilities;

10           (b) States may apply for federal funds to implement such  
11 programs which are intended to enhance opportunities for living in  
12 community-based settings rather than long-term care facilities,  
13 improve systems' performance and efficiency, create tools to help  
14 consumers with care planning and assessment, and improve quality  
15 measurement and oversight; and

16           (c) A number of states are participating in such  
17 programs, and when completed the results of the programs will be  
18 available to all states.

19           (2) Effective January 1, 2014, for medicaid authorization  
20 and payment for home health care services, there shall be no  
21 reduction in reimbursement rates and no limitation on services,  
22 including, but not limited to, extended-home nursing services,  
23 limitations and requirements for skilled nursing services, second  
24 visit on same day, and nursing services for adults twenty-one years  
25 of age and older until Balancing Incentives Programs pursuant to

1 section 10202 of the federal Patient Protection and Affordable Care  
2 Act of 2010, as such section existed on January 1, 2014, have been  
3 completed and the Department of Health and Human Services can review  
4 the results of these programs with the goal of assessing and  
5 improving Nebraska's provision of medicaid home health services.

6           Sec. 3. This act becomes operative on January 1, 2014.

7           Sec. 4. Original section 68-901, Revised Statutes  
8 Cumulative Supplement, 2012, is repealed.

9           Sec. 5. Since an emergency exists, this act takes effect  
10 when passed and approved according to law.