

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 309**

Introduced by Bolz, 29; Cook, 13.

Read first time January 17, 2013

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to social services; to adopt the Department of
- 2 Health and Human Services Delivery Improvement and
- 3 Efficiency Act.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 10 of this act shall be known  
2 and may be cited as the Department of Health and Human Services  
3 Delivery Improvement and Efficiency Act.

4           Sec. 2. The purposes of the Department of Health and  
5 Human Services Delivery Improvement and Efficiency Act are to:

6           (1) Simplify the management and delivery of public  
7 benefits by the department;

8           (2) Make the public benefits delivery system more  
9 efficient and effective;

10           (3) Coordinate and simplify programs and systems; and

11           (4) Collect and analyze data to improve the efficiency  
12 and effectiveness of the public benefits delivery system.

13           Sec. 3. For purposes of the Department of Health and  
14 Human Services Delivery Improvement and Efficiency Act:

15           (1) Aid to dependent children program means the program  
16 described in section 43-512;

17           (2) Child Care and Development Block Grant means the  
18 program established under 42 U.S.C. 9858 et seq.;

19           (3) Child care subsidy program means the child care  
20 program provided by the department under section 68-1202;

21           (4) Children's Health Insurance Program means the program  
22 established under 42 U.S.C. 1397aa et seq.;

23           (5) Client means an applicant for or recipient of public  
24 benefit programs administered by the department;

25           (6) Client information means evidence of Nebraska

1 residency, identity, income, assets, age, disability, and other  
2 similar information;

3 (7) Department means the Department of Health and Human  
4 Services;

5 (8) Medical assistance program means the program  
6 established pursuant to the Medical Assistance Act;

7 (9) Reasonable efforts means, at a minimum, placing  
8 reminder calls or sending reminder letters to families that have not  
9 submitted information required for benefit renewal;

10 (10) Renewal means establishment of continued eligibility  
11 for a program for an additional period of time;

12 (11) Supplemental Nutrition Assistance Program means the  
13 federal program administered under sections 68-1017 to 68-1017.02;  
14 and

15 (12) Temporary Assistance for Needy Families program  
16 means the program established under 42 U.S.C. 601 et seq.

17 Sec. 4. The policies and requirements in the Department  
18 of Health and Human Services Delivery Improvement and Efficiency Act  
19 shall be implemented in accord with the Temporary Assistance for  
20 Needy Families program, the Child Care and Development Block Grant,  
21 the Supplemental Nutrition Assistance Program, the medical assistance  
22 program, the Children's Health Insurance Program, and any other state  
23 or federal programs in which the State of Nebraska participates. The  
24 department shall seek any and all medicaid state plan amendments or  
25 waivers necessary to implement the act.

1           Sec. 5. The department shall simplify documentation  
2 requirements for public benefit programs administered by the  
3 department. Such policies shall include, but not be limited to:

4           (1) Selection and utilization of the least burdensome and  
5 least redundant verification procedures allowed under federal law for  
6 the medical assistance program, the aid to dependent children  
7 program, the child care subsidy program, and the Supplemental  
8 Nutrition Assistance Program;

9           (2) Under the Supplemental Nutrition Assistance Program,  
10 allow the use of attestation to verify client information to the  
11 greatest extent permitted, including, but not limited to, dependent  
12 child care expenses. Such attestation shall be sufficient for  
13 verification to the extent that the client information provided is  
14 not questionable; and

15           (3) Using eligibility for the Supplemental Nutrition  
16 Assistance Program to automatically enroll children in the medical  
17 assistance program.

18           Sec. 6. The department shall share verification of client  
19 information across the programs it administers, including the medical  
20 assistance program, the aid to dependent children program, the child  
21 care subsidy program, and the Supplemental Nutrition Assistance  
22 Program, in order to permit client information verified in one  
23 program to update client information in another program.

24           Sec. 7. The department shall use federal, state, and  
25 commercial data bases to verify client information for eligibility

1 for programs or services to the greatest extent possible. The  
2 department shall access such data bases to the extent that access  
3 does not require new or additional state funding or if new or  
4 additional state funding is required, to the extent that funding is  
5 appropriated by the Legislature for such purpose. If an appropriation  
6 is necessary, the department shall request a sufficient appropriation  
7 as part of the appropriations request process pursuant to section  
8 81-132.

9           Sec. 8. The department shall coordinate and simplify  
10 benefit renewal in the medical assistance program, the aid to  
11 dependent children program, the child care subsidy program, and the  
12 Supplemental Nutrition Assistance Program. The department shall  
13 provide for:

14           (1) Renewal of benefits under all such programs  
15 simultaneously for a client, to the greatest extent possible;

16           (2) Prevention of case closure at renewal for reasons  
17 other than program ineligibility, including failing to timely provide  
18 information, failing to perform a case review, or failing to appear  
19 for an appointment. In these circumstances, cases may be closed after  
20 the department has made reasonable efforts to prevent case closure;  
21 and

22           (3) Allow closed cases to be reopened and eligibility to  
23 be established for an applicant whose application for assistance was  
24 denied within the previous thirty days or a client whose case was  
25 closed within the previous thirty days, as allowed under the medical

1 assistance program, the Children's Health Insurance Program, and the  
2 Supplemental Nutrition Assistance Program.

3 Sec. 9. The department shall collect and analyze data on:

4 (1) The percentage of case closures due to failure to  
5 renew benefits, including failing to timely provide information,  
6 failing to perform a case review, or failing to appear for an  
7 appointment, categorized by state, county, service area, and benefit  
8 type and by client language spoken, age, and the existence of  
9 disability or lack thereof;

10 (2) The total number of new applications, categorized by  
11 state, county, and service area and by month;

12 (3) The percentage of new applications that are re-  
13 applications, categorized by state, county, and service area and by  
14 month;

15 (4) The percentage of clients whose cases are closed who  
16 reapply for benefits within thirty days and sixty days after case  
17 closure, categorized by state, county, and service area and by month;

18 (5) The number of applications, renewals, and  
19 verifications that are awaiting processing, categorized by month;

20 (6) The frequency of cases that remain undecided or  
21 unsettled or cases which have processing delayed and the specific  
22 basis or foundation for such action or inaction, categorized by  
23 month;

24 (7) The average length of time clients wait for an  
25 interview and the average length of client interviews;

1           (8) The frequency with which clients have their questions  
2 resolved during an initial contact and the frequency with which  
3 subsequent contacts are required for client question resolutions; and

4           (9) The average wait times for call center calls and the  
5 frequency with which clients are unable to get a question answered  
6 during the call, categorized by month.

7           Sec. 10. (1) The department shall provide a report to the  
8 Governor and the Legislature no later than December 1 each year  
9 regarding the data collected under section 9 of this act, including a  
10 summary of the data and analysis.

11           (2) The data and analysis collected under section 9 of  
12 this act shall be considered a public record under section 84-712.01.