

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT**  
**LB130**

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**Hearing Date:** Thursday March 23, 2023  
**Committee On:** Appropriations  
**Introducer:** Dorn  
**One Liner:** Create the medicaid nursing facilities services budgetary program

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 9 Senators Armendariz, Clements, Dorn, Dover, Erdman, Lippincott, McDonnell, Vargas, Wishart  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Testimony:**

**Proponents:**

Myron Dorn  
Cindy Kadavy

**Representing:**

District 30  
Nebraska Health Care Association

**Opponents:**

Jeremy Brunssen

**Representing:**

Department of Health and Human Services

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB130 Creates a separate and distinct budget program within the Department of Health and Human Services for Medicaid nursing facility services.

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**Explanation of amendments:**

The amendment, AM899, strikes the original provisions of the LB130 and in its place amends Neb. Rev. Stat. Section 68-949 Section 1 to include a new subsection 4. The new provisions put into statute the established practice of recent biennial budget cycles with respect to earmarking funding for Medicaid nursing facilities within the Medicaid budget program.

Subsection 4(a) states legislative intent to specify, within the Program 348 Medical Assistance Program also known as Medicaid, the total amount appropriated to the department for Medicaid nursing facility rates which are to be used in the Medicaid nursing facility rate calculation, including the calculation of the annual inflation factor. The total amount appropriated for Medicaid nursing facilities is to be used as the base funding for the following fiscal year.

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Subsection 4(b) requires the department to file an electronic report to the Legislative Fiscal Analyst and Clerk of the Legislature no later than August 1 of each year identifying how the inflation factor was calculated and 4(c) requires the department to file an electronic report to the Legislative Fiscal Analyst and Clerk of the Legislature between December 15 and December 30 each year identifying the amount of any remaining unobligated earmarked appropriation of Medicaid nursing facilities including a list of encumbrances and retroactive payments.

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Robert Clements, Chairperson