

AMENDMENTS TO LB62

Introduced by Cavanaugh, M., 6.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. Section 68-911, Revised Statutes Supplement, 2023, is  
4 amended to read:

5           68-911 (1) Medical assistance shall include coverage for health care  
6 and related services as required under Title XIX of the federal Social  
7 Security Act, including, but not limited to:

- 8           (a) Inpatient and outpatient hospital services;
- 9           (b) Laboratory and X-ray services;
- 10          (c) Nursing facility services;
- 11          (d) Home health services;
- 12          (e) Nursing services;
- 13          (f) Clinic services;
- 14          (g) Physician services;
- 15          (h) Medical and surgical services of a dentist;
- 16          (i) Nurse practitioner services;
- 17          (j) Nurse midwife services;
- 18          (k) Pregnancy-related services;
- 19          (l) Medical supplies;
- 20          (m) Mental health and substance abuse services;
- 21          (n) Early and periodic screening and diagnosis and treatment  
22 services for children which shall include both physical and behavioral  
23 health screening, diagnosis, and treatment services;
- 24          (o) Rural health clinic services; and
- 25          (p) Federally qualified health center services.

26          (2) In addition to coverage otherwise required under this section,  
27 medical assistance may include coverage for health care and related

1 services as permitted but not required under Title XIX of the federal  
2 Social Security Act, including, but not limited to:

3 (a) Prescribed drugs;

4 (b) Intermediate care facilities for persons with developmental  
5 disabilities;

6 (c) Home and community-based services for aged persons and persons  
7 with disabilities;

8 (d) Dental services;

9 (e) Rehabilitation services;

10 (f) Personal care services;

11 (g) Durable medical equipment;

12 (h) Medical transportation services;

13 (i) Vision-related services;

14 (j) Speech therapy services;

15 (k) Physical therapy services;

16 (l) Chiropractic services;

17 (m) Occupational therapy services;

18 (n) Optometric services;

19 (o) Podiatric services;

20 (p) Hospice services;

21 (q) Mental health and substance abuse services;

22 (r) Hearing screening services for newborn and infant children; and

23 (s) Administrative expenses related to administrative activities,  
24 including outreach services, provided by school districts and educational  
25 service units to students who are eligible or potentially eligible for  
26 medical assistance.

27 (3) No later than July 1, 2009, the department shall submit a state  
28 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
29 Services to provide coverage under the medical assistance program for  
30 community-based secure residential and subacute behavioral health  
31 services for all eligible recipients, without regard to whether the

1 recipient has been ordered by a mental health board under the Nebraska  
2 Mental Health Commitment Act to receive such services.

3 (4) On or before October 1, 2014, the department, after consultation  
4 with the State Department of Education, shall submit a state plan  
5 amendment to the federal Centers for Medicare and Medicaid Services, as  
6 necessary, to provide that the following are direct reimbursable services  
7 when provided by school districts as part of an individualized education  
8 program or an individualized family service plan: Early and periodic  
9 screening, diagnosis, and treatment services for children; medical  
10 transportation services; mental health services; nursing services;  
11 occupational therapy services; personal care services; physical therapy  
12 services; rehabilitation services; speech therapy and other services for  
13 individuals with speech, hearing, or language disorders; and vision-  
14 related services.

15 (5) No later than January 1, 2023, the department shall provide  
16 coverage for continuous glucose monitors under the medical assistance  
17 program for all eligible recipients who have a prescription for such  
18 device.

19 (6) On or before October 1, 2023, the department shall seek federal  
20 approval for federal matching funds from the federal Centers for Medicare  
21 and Medicaid Services through a state plan amendment or waiver to extend  
22 postpartum coverage for beneficiaries from sixty days to at least six  
23 months. Nothing in this subsection shall preclude the department from  
24 submitting a state plan amendment for twelve months.

25 (7)(a) No later than January 1, 2024, the department shall provide  
26 coverage for all necessary translation and interpretation services for  
27 eligible recipients utilizing a medical assistance program service. The  
28 department shall take all actions necessary to maximize federal funding  
29 to carry out this subsection.

30 (b) The services described in subdivision (7)(a) of this section  
31 shall be funded by the Medicaid Managed Care Excess Profit Fund as

1 described in section 68-996.

2       Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:

4       68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
5 fund shall contain money returned to the State Treasurer pursuant to  
6 subdivision (3) of section 68-995. The fund shall first be used to offset  
7 any losses under subdivision (2) of section 68-995 and then to provide  
8 for services addressing the health needs of adults and children under the  
9 Medical Assistance Act, including filling service gaps, providing system  
10 improvements, translation and interpretation services, and sustaining  
11 access to care as determined by the Legislature. The fund shall only be  
12 used for the purposes described in this section. Any money in the fund  
13 available for investment shall be invested by the state investment  
14 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
15 State Funds Investment Act.

16       Sec. 3. Original section 68-996, Revised Statutes Cumulative  
17 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023,  
18 are repealed.