

AMENDMENTS TO LB62

Introduced by Hunt, 8.

1 1. Insert the following new sections:

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

4 68-911 (1) Medical assistance shall include coverage for health care
5 and related services as required under Title XIX of the federal Social
6 Security Act, including, but not limited to:

7 (a) Inpatient and outpatient hospital services;

8 (b) Laboratory and X-ray services;

9 (c) Nursing facility services;

10 (d) Home health services;

11 (e) Nursing services;

12 (f) Clinic services;

13 (g) Physician services;

14 (h) Medical and surgical services of a dentist;

15 (i) Nurse practitioner services;

16 (j) Nurse midwife services;

17 (k) Pregnancy-related services;

18 (l) Medical supplies;

19 (m) Mental health and substance abuse services;

20 (n) Early and periodic screening and diagnosis and treatment
21 services for children which shall include both physical and behavioral
22 health screening, diagnosis, and treatment services;

23 (o) Rural health clinic services; and

24 (p) Federally qualified health center services.

25 (2) In addition to coverage otherwise required under this section,
26 medical assistance may include coverage for health care and related
27 services as permitted but not required under Title XIX of the federal

1 Social Security Act, including, but not limited to:

2 (a) Prescribed drugs;

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

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

7 (d) Dental services;

8 (e) Rehabilitation services;

9 (f) Personal care services;

10 (g) Durable medical equipment;

11 (h) Medical transportation services;

12 (i) Vision-related services;

13 (j) Speech therapy services;

14 (k) Physical therapy services;

15 (l) Chiropractic services;

16 (m) Occupational therapy services;

17 (n) Optometric services;

18 (o) Podiatric services;

19 (p) Hospice services;

20 (q) Mental health and substance abuse services;

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

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

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

1 Mental Health Commitment Act to receive such services.

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

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

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

24 (7)(a) On or before October 1, 2024, the department shall seek
25 approval for federal matching funds from the federal Centers for Medicare
26 and Medicaid Services through a state plan amendment to the Children's
27 Health Insurance Program to implement a health services initiative to
28 provide postpartum coverage for at least six months for a mother whose
29 child is covered under the unborn child option. The covered services
30 provided during the postpartum period shall be identical to the
31 comprehensive postpartum covered services provided to a pregnant woman

1 under medicaid. Nothing in this subsection shall preclude the department
2 from submitting a state plan amendment to provide twelve months of
3 postpartum coverage.

4 (b) It is the intent of the Legislature to use the Medicaid Managed
5 Care Excess Profit Fund, as established in section 68-996, to fund the
6 services described in subdivision (7)(a) of this section.

7 Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 68-996 The Medicaid Managed Care Excess Profit Fund is created. The
10 fund shall contain money returned to the State Treasurer pursuant to
11 subdivision (3) of section 68-995. The fund shall first be used to offset
12 any losses under subdivision (2) of section 68-995 and then to provide
13 for services addressing the health needs of adults and children under the
14 Medical Assistance Act, including filling service gaps, providing system
15 improvements, providing postpartum coverage as described in section
16 68-911, and sustaining access to care as determined by the Legislature.
17 The fund shall only be used for the purposes described in this section.
18 Any money in the fund available for investment shall be invested by the
19 state investment officer pursuant to the Nebraska Capital Expansion Act
20 and the Nebraska State Funds Investment Act.

21 Sec. 3. Original section 68-996, Revised Statutes Cumulative
22 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023,
23 are repealed.