

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 578**

Introduced by Nordquist, 7; Campbell, 25; Krist, 10.

Read first time January 23, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to medicaid funding; to amend sections 68-901 and  
2 77-912, Revised Statutes Cumulative Supplement, 2012; to  
3 create the Health Care Access and Support Fund; to change  
4 distribution of certain premium tax revenue; to harmonize  
5 provisions; to provide an operative date; to repeal the  
6 original sections; 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. The Health Care Access and Support Fund is  
6 created. The fund shall be used to support the medical assistance  
7 program under the Medical Assistance Act, including the medicaid  
8 adult group pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII), as it  
9 existed on January 1, 2013. Any money in the fund available for  
10 investment shall be invested by the state investment office pursuant  
11 to the Nebraska Capital Expansion Act and the Nebraska State Funds  
12 Investment Act. Any unexpended balance remaining in the fund at the  
13 close of the biennium shall be reappropriated for the succeeding  
14 biennium.

15           Sec. 3. Section 77-912, Revised Statutes Cumulative  
16 Supplement, 2012, is amended to read:

17           77-912 The Director of Insurance shall transmit fifty  
18 percent of the taxes paid in conformity with Chapter 44, article 1,  
19 and Chapter 77, article 9, to the State Treasurer, forty percent of  
20 such taxes paid to the General Fund, and ten percent of such taxes  
21 paid to the Mutual Finance Assistance Fund promptly upon completion  
22 of his or her audit and examination and in no event later than May 1  
23 of each year, except that:

24           (1) All fire insurance taxes paid pursuant to sections  
25 44-150 and 81-523 shall be remitted to the State Treasurer for credit

1 to the General Fund;

2 (2) All workers' compensation insurance taxes paid  
3 pursuant to section 44-150 shall be remitted to the State Treasurer  
4 for credit to the Compensation Court Cash Fund; and

5 ~~(3) Commencing with the premium and related retaliatory~~  
6 ~~taxes for the taxable year ending December 31, 2001, and for each~~  
7 ~~taxable year thereafter, all of the premium and related retaliatory~~  
8 taxes imposed by section 44-150 or 77-908 and paid by insurers  
9 writing health insurance in this state: shall be remitted to the  
10 Comprehensive Health Insurance Pool Distributive Fund.

11 (a) For fiscal year 2013-14, the director shall remit the  
12 first ten million dollars to the State Treasurer for credit to the  
13 Health Care Access and Support Fund;

14 (b) For fiscal year 2014-15, the director shall remit the  
15 first eighteen million dollars to the State Treasurer for credit to  
16 the Health Care Access and Support Fund;

17 (c) For fiscal year 2015-16 and each fiscal year  
18 thereafter, the director shall remit the first twenty-three million  
19 dollars to the State Treasurer for credit to the Health Care Access  
20 and Support Fund; and

21 (d) The director shall remit any remaining amount in any  
22 fiscal year to the State Treasurer for credit to the Comprehensive  
23 Health Insurance Pool Distributive Fund.

24 Sec. 4. This act becomes operative on July 1, 2013.

25 Sec. 5. Original sections 68-901 and 77-912, Revised

1 Statutes Cumulative Supplement, 2012, are repealed.

2                   Sec. 6. Since an emergency exists, this act takes effect

3 when passed and approved according to law.