

AMENDMENTS TO LB472

Introduced by Scheer, 19.

1 1. Insert the following new section:

2 Sec. 13. (1) Each health care entity providing services to newly
3 eligible individuals receiving medical assistance pursuant to the
4 medicaid demonstration waiver required pursuant to sections 7 and 9 of
5 this act shall pay an assessment based on a percentage of the
6 reimbursement to the provider for such services. The assessment shall be
7 five percent for services provided in 2017, six percent for services
8 provided in 2018, seven percent for services provided in 2019, and ten
9 percent for services provided in all calendar years thereafter.

10 (2) Each health care entity shall pay the assessment to the
11 department on a quarterly basis. The department shall prepare and
12 distribute a form on which a health care entity shall calculate and
13 report the assessment. A health care entity shall submit the completed
14 form with the assessment no later than thirty days following the end of
15 each calendar quarter. The department shall collect the assessment and
16 remit the assessment to the State Treasurer for credit to the Health Care
17 Access and Support Fund.

18 (3) If the department determines that a health care entity has
19 underpaid or overpaid the assessment, the department shall notify the
20 health care entity of the unpaid assessment or refund due. Such payment
21 or refund shall be due or refunded within thirty days after the issuance
22 of the notice.

23 (4) A health care entity that fails to pay the assessment within the
24 timeframe specified shall pay, in addition to the outstanding assessment,
25 a penalty of one and one-half percent of the assessment amount owed for
26 each month or portion of a month that the assessment is overdue. If the
27 department determines that good cause is shown for failure to pay the

1 assessment, the department shall waive the penalty or a portion of the
2 penalty.

3 (5) If the assessment has not been received by the department within
4 thirty days following the quarter for which the assessment is due, the
5 department shall withhold an amount equal to the assessment and penalty
6 owed from any payment due such health care entity under the medical
7 assistance program.

8 (6) The assessment shall constitute a debt due the state and may be
9 collected by civil action, including, but not limited to, the filing of
10 tax liens, and any other method provided for by law.

11 (7) The department shall remit any penalty collected pursuant to
12 this section to the State Treasurer for distribution in accordance with
13 Article VII, section 5, of the Constitution of Nebraska.

14 2. On page 7, after line 31 insert the following new subdivision:

15 "(6) Shared funding for services provided to newly eligible
16 individuals through a health care entity assessment;".

17 3. On page 8, line 1, strike "(6)" and insert "(7)"; in line 5
18 strike "(7)" and insert "(8)"; and in line 8 strike "(8)" and insert
19 "(9)".

20 4. On page 9, line 3, strike "and"; and in line 6 after "level"
21 insert "; and (d) assessments against health care entities in a
22 percentage of the reimbursement for services provided to newly eligible
23 individuals".

24 5. On page 12, strike lines 18 through 31 and insert "The
25 application for the medicaid demonstration waiver shall be approved by
26 the Legislature prior to submission to the federal Centers for Medicare
27 and Medicaid Services."

28 6. On page 13, strike lines 1 through 7 and insert "(2) If"; and in
29 lines 10 and 11 strike "or the state plan amendment".

30 7. On page 15, line 19, strike "the" through "and".

31 8. Renumber the remaining sections and correct internal references

1 accordingly.