

May 6, 1983

LB 618

again I would urge that you at least take this one up so that you can give direction if you wish to the Department of Social Services as to which of the options they currently have authority to do, which of those optional services as a matter of policy you wish them to proceed with. Obviously if you vote this one down on the germaneness issue which is the issue before you and you have given them no direction, they will be free to proceed with any one or all of the things contained in this particular amendment. And if you wish to address the policy issues that you wish to see the State of Nebraska to take for cost containment and still preserve adequate health services, then I would hope that you would be willing to vote yes on this rule suspension on the issue of germaneness which I frankly don't think exists but will follow that procedure so that we can give some policy direction on the part of the Legislature. I would remind you of the two things again that as a matter of policy that the Legislature has authorized, that one is in the courts probably on prorating probably will not be held up and the other one dealing in 618 again to contain the cap of 3.75 on the cost of April of 1982 I would suspect at some point would be in violation of the federal regulations on the same basis that the prorating may be and that is adequate reimbursement for services. It may be okay for '82-'83 but I would not be all that comfortable that it was good for '83-'84 and it certainly isn't good beyond that. And again I would remind you that if you adopt this, there is no doubt in my mind that we are talking of from one to two years before full implementation because of the process that would have to be gone through. It will not interfere with the study. In fact it is very compatible with the study, and beyond that and the most important thing is that the state can begin to address an issue that I suspect there is not a soul in this body that does not believe or accept the fact that we need to begin to address it. Virtually every state in the Union is trying to do similar things. The things that are contained in this particular amendment has features that other states have implemented in part, some of them, some of them completely. Some of them have been found to be effective, effective for cost containment and providing adequate services, both, and I would hope that the Legislature would endorse this knowing full well that you have every protection, if that is your concern, that you can possibly have as a Legislature to stop through rules and regulations implementation anything that the body would object to. I would move suspension of the rule to take up this amendment which does not include the provisions of 611 and does not include the optional eligibility requirements that are the medically needy that are not necessarily on welfare. Those two things are not included in this amendment.