

LEGISLATIVE BILL 382

Approved by the Governor May 30, 2025

Introduced by Meyer, 17; Cavanaugh, M., 6; Guereca, 7; Quick, 35; Rountree, 3; DeKay, 40.

A BILL FOR AN ACT relating to aging services; to amend section 81-2224, Reissue Revised Statutes of Nebraska, and section 68-996, Revised Statutes Cumulative Supplement, 2024; to provide for appropriation of funds from the Medicaid Managed Care Excess Profit Fund to reimburse designated area agencies on aging; and to repeal the original sections.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 68-996, Revised Statutes Cumulative Supplement, 2024, is amended to read:

68-996 (1) The Medicaid Managed Care Excess Profit Fund is created. The fund shall contain money returned to the State Treasurer pursuant to subdivision (3) of section 68-995.

(2) The fund shall first be used to offset any losses under subdivision (2) of section 68-995 and then to provide for (a) services addressing the health needs of adults and children under the Medical Assistance Act, including filling service gaps, (b) providing system improvements, (c) providing evidence-based early intervention home visitation programs, (d) providing medical respite services, (e) translation and interpretation services, (f) providing coverage for continuous glucose monitors as described in section 68-911, (g) providing other services sustaining access to care, (h) services under the Nebraska Prenatal Plus Program, (i) and providing grants pursuant to the Intergenerational Care Facility Incentive Grant Program, and (j) reimbursement of the actual costs of providing eligible activities and services described in section 81-2222, as determined by the Legislature. The fund shall only be used for the purposes described in this section.

(3) Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Beginning October 1, 2024, any investment earnings from investment of money in the fund shall be credited to the General Fund.

Sec. 2. It is the intent of the Legislature to appropriate two million dollars in fiscal year 2025-26 and two million dollars in fiscal year 2026-27 from the Medicaid Managed Care Excess Profit Fund to the area agencies on aging for the purpose of providing additional eligible activities and services as defined in section 81-2222. An equal amount shall be distributed to each of the state's eight area agencies on aging.

Sec. 3. Section 81-2224, Reissue Revised Statutes of Nebraska, is amended to read:

81-2224 The department shall reimburse each designated area agency on aging for seventy-five percent of the actual cost of providing eligible activities and services as defined in section 81-2222. Such reimbursement shall be made from (1) state funds appropriated by the Legislature, including, but not limited to, cash fund appropriations as described in section 2 of this act, (2) federal funds allocated to the department, including federal funds allocated under the Older Americans Act, as now or hereafter amended, and (3) other funds as available. The payments shall be made by the department on or before the twentieth day of each month. If state funds appropriated, federal funds allocated, or other funds available are insufficient to finance the department-approved plan and budget for each designated area agency on aging, the reimbursement to each area agency on aging shall be proportionately reduced. If an area agency on aging chooses to exceed the budget approved by the department, costs in excess of the approved budget shall not be reimbursed by the department.

Sec. 4. Original section 81-2224, Reissue Revised Statutes of Nebraska, and section 68-996, Revised Statutes Cumulative Supplement, 2024, are repealed.