

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 270

Introduced by Campbell, 25.

Read first time January 16, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public health and welfare; to amend section
2 68-911, Reissue Revised Statutes of Nebraska; to provide
3 for a medicaid state plan amendment or waiver; to repeal
4 the original section; and to declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-911, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 68-911 (1) Medical assistance shall include coverage for
4 health care and related services as required under Title XIX of the
5 federal Social Security Act, including, but not limited to:

- 6 (a) Inpatient and outpatient hospital services;
- 7 (b) Laboratory and X-ray services;
- 8 (c) Nursing facility services;
- 9 (d) Home health services;
- 10 (e) Nursing services;
- 11 (f) Clinic services;
- 12 (g) Physician services;
- 13 (h) Medical and surgical services of a dentist;
- 14 (i) Nurse practitioner services;
- 15 (j) Nurse midwife services;
- 16 (k) Pregnancy-related services;
- 17 (l) Medical supplies; and
- 18 (m) Early and periodic screening and diagnosis and
19 treatment services for children.

20 (2) In addition to coverage otherwise required under this
21 section, medical assistance may include coverage for health care and
22 related services as permitted but not required under Title XIX of the
23 federal Social Security Act, including, but not limited to:

- 24 (a) Prescribed drugs;
- 25 (b) Intermediate care facilities for the mentally

1 retarded;

2 (c) Home and community-based services for aged persons
3 and persons with disabilities;

4 (d) Dental services;

5 (e) Rehabilitation services;

6 (f) Personal care services;

7 (g) Durable medical equipment;

8 (h) Medical transportation services;

9 (i) Vision-related services;

10 (j) Speech therapy services;

11 (k) Physical therapy services;

12 (l) Chiropractic services;

13 (m) Occupational therapy services;

14 (n) Optometric services;

15 (o) Podiatric services;

16 (p) Hospice services;

17 (q) Mental health and substance abuse services;

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

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

24 (3) No later than July 1, 2009, the department shall
25 submit a state plan amendment or waiver to the federal Centers for

1 Medicare and Medicaid Services to provide coverage under the medical
2 assistance program for community-based secure residential and
3 subacute behavioral health services for all eligible recipients,
4 without regard to whether the recipient has been ordered by a mental
5 health board under the Nebraska Mental Health Commitment Act to
6 receive such services.

7 (4) No later than September 1, 2013, the department shall
8 submit a state plan amendment or waiver under section 1915(c) of the
9 federal Social Security Act, as amended, 42 U.S.C. 1396n(c), to the
10 federal Centers for Medicare and Medicaid Services to provide
11 coverage under the medical assistance program for home and community-
12 based services for children with serious emotional disturbance. Such
13 amendment or waiver shall provide for serving children four years of
14 age or older and younger than twenty-one years of age who have been
15 deinstitutionalized or diverted from a psychiatric hospital level of
16 care. Services under the waiver shall include, but not be limited to,
17 attendant care, independent living and skills building, short-term
18 respite care, parent support and training, professional resource
19 family care, and facilitation of wrap-around services. For purposes
20 of this subsection, wrap-around services means strength-based,
21 individualized community-based services for a family with a child
22 with a serious emotional disturbance.

23 Sec. 2. Original section 68-911, Reissue Revised Statutes
24 of Nebraska, is repealed.

25 Sec. 3. Since an emergency exists, this act takes effect

1 when passed and approved according to law.