PREPARED BY: DATE PREPARED: PHONE: Liz Hruska February 09, 2016 471-0053 **LB 1032** 

Revision: 00

## FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT - STATE AGENCIES (See narrative for political subdivision estimates)							
	FY 201	16-17	FY 2017-18				
_	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE			
GENERAL FUNDS							
CASH FUNDS							
FEDERAL FUNDS							
OTHER FUNDS							
TOTAL FUNDS							

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill establishes the Transitional Health Insurance Program Act. The Department is required to develop and submit a Medicaid demonstration waiver within 14 months after the effective date of this act and any other waivers or state plan amendments necessary to implement the act. Implementation is to begin 90 days after approval. The department is to establish three types of programs for newly eligible individuals under federal Medicaid Expansion as described below:

- 1) Transitional Health Insurance Premium Assistance Program: For newly eligible individuals who do not have access to cost-effective employer-sponsored insurance and who are not determined to medically frail or are not otherwise exempt from enrolling in a qualified health plan on the exchange. They would be enrolled in a high value, one hundred percent actuarial value, silver-level health plan on the exchange. The department will pay copays, coinsurance and deductibles. Coverage is effective the first day of the month following the month of application. Until enrollment in a qualified plan, the individual will be covered under fee-for-service coverage. Wrap around benefits will be provided.
- 2) Employee Health Insurance Program: Newly eligible individuals who have access to cost-effective employer-sponsored insurance will have the employee portion of their premiums and the employees' share of copayments, coinsurance and deductibles paid for by the department. Wrap around benefits will be provided.
- 3) Innovation Health Improvement Program: Newly eligible who are medically frail or who are otherwise exempt from the Transitional Health Insurance Premium Assistance Program will be enrolled in Medicaid with the benchmark benefit package. Services include all mandatory and optional coverage, additional wrap-around benefits and coverage under the Paul Wellstone and Pete Domenici Mental Health Parity Act and Addiction Equity Act. Medically frail individuals or individuals with exceptional medical conditions would have health homes that provide intensive care management and patient navigation services by a multidisciplinary team.

Enrollees are covered for 12 continuous months. Eligibility shall be reviewed annually.

Each newly eligible participant whose income is above 50% of the Federal Poverty Level (FPL) will be required to make monthly contributions up to two percent of their income. Failure to make the monthly contributions will not impact eligibility but will constitute a debt to the state. The monthly contributions would be deposited into the Transitional Health Insurance Program Fund and used to support the cost of newly eligible participants. The Legislature is authorized to use the Health Care Cash Fund for the Transitional Health Care Insurance Program Act.

The bill states that if the Federal Financial Participation Rate (FMAP) falls below 90%, the coverage for newly eligible individuals shall terminate as of the date the federal funding falls below that level. The bill has the emergency clause.

The Health Insurance Employment Program is created. It is a pilot program for individuals participating in Medicaid Expansion to receive assistance with referral to employment programs, adult basic education or GED Programs. The bill states legislative intent to appropriate \$500,000 each year through FY19-20.

Rule 5 Section 7(h) which states: "If after investigation, it is determined that no dollar estimate is possible, the fiscal note shall contain a statement to that effect, setting forth the reasons why no dollar amount can be given." A definitive fiscal note is not possible at this time due to the late delivery of the agency fiscal note and supporting documentation. A fiscal note will be supplied at a later date once information is fully analyzed.

## LB1032 FISCAL NOTE, CONTINUED

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: 1032	AM:	AGENCY/POLT. SUB: Dept. of Education				
REVIEWED BY: Elton Larson			DATE: 2/9/16	PHONE: 471-4173		
COMMENTS: Dep	t. of Ed. analysis and	estimate of fiscal	I impact appear reasonable.			

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: 1032	AM:	AGENCY/POLT. SUB: NACO				
REVIEWED BY: EI	ton Larson		DATE: 2/8/16	PHONE: 471-4173		
COMMENTS: Various counties surveyed by NACO estimated a reduction in general assistance programs, but not a corresponding reduction in revenue generated mainly through property taxes. This apparently indicates that the expenditure						
reduction will not be reflected in a reduction in the overall county budgets.						

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: 1032 AM:	1032 AM: AGENCY/POLT. SUB: Dept of Insurance					
REVIEWED BY: Elton Larson	DATE: 2/8/16	PHONE: 471-4173				
COMMENTS: Dept. of Insurance analysis	s and estimate of fiscal impact appear reasonable.					

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES					
LB: 1032	AM:	AGENCY/POLT. SUB: Dept of Labor			
REVIEWED BY: Elton Larson			E: 2/8/16	PHONE: 471-4173	
COMMENTS: Dept. of Labor estimate of no fiscal impact to agency appears reasonable.					

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: 1032	AM:	AGENCY/POLT. SUB: University of Nebraska				
REVIEWED BY: Elton Larson			DATE: 2/8/16	PHONE: 471-4173		
COMMENTS: NU analysis did not identify savings associated with Transitional Health Insurance Program.						

**LB 1032** Fiscal Note 2016

State Agency Estimate						
State Agency Name: Department	of Revenue				Date Due LFA:	2/8/2016
Approved by: Tony Fulton		Date Prepared:	2/5/2016		Phone: 471-5896	
FY 2016-2017			FY 2017-2018		FY 2018-2019	
	Expenditures	Revenue	Expenditures	Revenue	<b>Expenditures</b>	Revenue
General Funds	See below	See below	See below	See below	See below	See below
Cash Funds						
Federal Funds						
Other Funds						
Total Funds	See below	See below	See below	See below	See below	See below

LB 1032 adopts the Transitional Health Insurance Program Act. It is to provide private health insurance to Nebraska resident individuals between the ages of 18 and 65, who would have been covered within the expanded Medicaid population under the federal Affordable Care Act had Nebraska opted in. The Department of Health and Human Services (DHHS) would seek a Medicaid waiver to allow three types of programs: 1) a high-value, 100% actuarial value, silver-level plan for which the DHHS will pay the full cost; 2) a premium subsidy plan for those who have access to cost-effective employer-sponsored insurance either directly or through a parent or spouse; and 3) a benchmark benefit package for those individuals who are medically frail. Medically frail is defined as a serious mental condition or two or more chronic conditions which impair the ability to perform one or more daily activities.

The waiver is to include provisions to ensure personal responsibility and cost-conscious behavior. Persons whose income exceeds 50% of the federal poverty level are to contribute 2% of their monthly household income to purchase the plan. DHHS is to collect the contributions through garnishment, lien foreclosure, or recovery in an action at law. The waiver is to be sought no more than 14 months after the effective date of this Act. Coverage is to begin 90 days after approval of the waiver.

The plans must provide for primary care providers and the medically fragile must also be enrolled in a health home to provide intensive management and patient navigation services. DHHS is also to develop measures to determine clinical outcomes and quality health benchmarks that meet specified goals.

The bill also provides that individuals receiving assistance under the Act receive employment programs, adult basic educational programs, GED programs, or English reading and writing. The programs are to target specific workforce needs and use educational best practices. The bill provides legislative intent to appropriate \$500,000 for this part of the Act. The bill also provides for data collection and evaluation including data-sharing agreements with the Departments of Education, Labor, Revenue, and Insurance. This is to establish whether the programs increase transitions from Medicaid to traditional health insurance, increased employment, increased education, and decreased public assistance. DHHS is to prepare a report for the Health and Human Services Committee of the Legislature each December 1, beginning in 2017.

The bill also creates the Transitional Health Insurance Program Fund and provides that if the rate of federal funding falls below 90%, the coverage provided will terminate. The DHHS must adopt rules and regulations to carry out the Act and the bill contains a severability clause.

It is estimated that there will be an impact on General Fund revenues through DHHS and Medicaid above the \$500,000 appropriation for employment and educational programs.

It is estimated that there will be no cost to the Department to implement this bill.

Major Objects of Expenditure								
Class Code	Classification Title	16-17 <u>FTE</u>	17-18 <u>FTE</u>	18-19 <u>FTE</u>	16-17 Expenditures	17-18 Expenditures	18-19 <u>Expenditures</u>	
Travel								
Capital Outlay								
Capital Improvement	nts							

<b>LB</b> <sup>(1)</sup> 103	2			FISCAL NOTE				
State Agency OR	Political Subdivision Name: (2)	Nebraska Association of County Officials (NACO)						
Prepared by: (3) Elaine Menzel		Date Prepared: (4)	1/125/2016	Phone: (5) 402.434.5660				
	ESTIMATE PROVI	DED BY STATE AGENO	CY OR POLITICAL SU	JBDIVISION				
	FY	2016-17		FY 2017-18				
	EXPENDITURES		<b>EXPENDITUR</b>					
GENERAL FU	NDS	_						
CASH FUNDS	-							
FEDERAL FUN	NDS							
OTHER FUND	S							
TOTAL FUND	S	-	-					
Explanation of				<u> </u>				
Dawso Dougl Lancas Sarpy Sewar	as \$1,831,877 ster approximately \$145,000 d \$80,000							
As noted in th	e above costs, LB 1032 w	all vary county by coun	ity and is projected to	o provide savings to counties				
Personal Service		WN BY MAJOR OBJECT	S OF EXPENDITURI	<u> </u>				
		NUMBER OF POSITION 16-17 17-18	S 2016-17 EXPENDITUE	2017-18 EXPENDITURES				
Benefits			<del>-</del>	_				
Capital outlay								
Aid								
	ements							
TOTAL								

<b>LB</b> <sup>(1)</sup>	1032						FISCAL NOTE
State Ag	gency OR Po	litical Su	ıbdivision Name: (2)	Nebraska Depa	rtment of Ed	ducation	
Prepare	ed by: (3)	Joel Sc	herling	Date Prepared: (4)	1/21/16	Phone: (5)	471-4736
		ES	TIMATE PROVIDE	D BY STATE AGEN	CY OR POLIT	TICAL SUBDIVISI	ON
			FY 20	16-17		FY 2017	-18
			EXPENDITURES	REVENUE	EXPE	NDITURES	REVENUE
GENER	RAL FUND	S					
CASH I	FUNDS						
FEDER	AL FUND	S					
ОТНЕН	R FUNDS						
TOTAI	L FUNDS	=	0	0		0	0
Explanat	tion of Esti	mate:					
				ter are eligible to partic no is less than .50 FTE			nealth insurance
			BREAKDO	OWN BY MAJOR OB	JECTS OF EX	PENDITURE	

BR	EAKDOWN BY	<b>MAJOR OBJEC</b>	TS OF EXPENDITURE	
Personal Services:				
	NUMBER OF	POSITIONS	2016-17	2017-18
POSITION TITLE	<u>16-17</u>	<u>17-18</u>	<b>EXPENDITURES</b>	<b>EXPENDITURES</b>
	· · · · · · · · · · · · · · · · · · ·			
Benefits				
Operating	•••			
Travel	•••			-
Capital outlay				
Aid				
Capital improvements				
TOTAL				

LB <sup>(1)</sup> 1032				FISCAL NOTE			
State Agency OR Po	olitical Subdivision Name: (2)	Nebraska Department of Insurance					
Prepared by: (3)	Robert M. Bell	Date Prepared: (4)	2/8/2016 Phone: (5	(402) 471-4650			
	ESTIMATE PROVIDEI	D BY STATE AGENO	CY OR POLITICAL SUBDIVIS	ION			
	FY 201 EXPENDITURES	. <u>6-17</u> FY 2 REVENUE EXPENDITURES		7-18 REVENUE			
GENERAL FUND	os						
CASH FUNDS	36,928		69,102				
FEDERAL FUND	S						
OTHER FUNDS			<u> </u>				
TOTAL FUNDS	36,928		69,102				

## **Explanation of Estimate:**

Legislative Bill 1032 would adopt the Transitional Health Insurance Program Act. Among other provisions, LB 1032 would require the Department of Health and Human Service to submit to the Center for Medicare and Medicaid Services any waivers or stat plan amendments necessary to implement and establish a premium assistance program known as the Transitional Health Insurance Premium Assistance Program, to allow health insurance coverage for all newly eligible individuals, as defined in the legislation. This program would provide full cost premium and cost-sharing assistance to newly eligible individuals on the health benefit exchange or pay for premiums for certain employees who have access to certain cost-effective employer-sponsored insurance.

The Department of Insurance anticipates the need of an Insurance Claims Investigator I to handle the increase in the number of consumer questions and complaints against insurers from newly eligible individuals. This note presumes that the investigator would begin on January 1, 2017.

Section 8 of the legislation requires DHHS to establish a plan and enter into data-sharing agreements with a variety of state agencies, including the Department of Insurance. This requirement can be accomplished within existing staffing and resources of the Department of Insurance.

BREAKD	OWN BY MA.	OR OBJECTS O	F EXPENDITURE	<del></del>
Personal Services:				
	NUMBER OF	FPOSITIONS	2016-17	2017-18
POSITION TITLE	<u>16-17</u>	<u>17-18</u>	<b>EXPENDITURES</b>	<b>EXPENDITURES</b>
Insurance Claims Investigator I	.5	1.0	23,481	48,019
Benefits			8,218	16,807
Operating			2,079	4,276
Travel				
Capital outlay			3,150	
Aid				
Capital improvements				
TOTAL			36,928	69,102

<b>LB</b> <sup>(i)</sup> 1032			FISCAL NOTE				
State Agency OR Political Subdivision Name: (2	, Nebraska Departm	Nebraska Department of Labor					
Prepared by: (3) Kim Schreiner	Date Prepared: (4) 1/2	20/2016 Phone:	(5) 402-471-2492				
-							
	<u>IDED BY STATE AGENCY</u> Y 2016-17						
EXPENDITURE		EXPENDITURES	017-18 <u>REVENUE</u>				
GENERAL FUNDS	_						
CASH FUNDS							
FEDERAL FUNDS	_						
OTHER FUNDS							
TOTAL FUNDS							
	VN BY MAJOR OBJECTS O	<u>F EXPENDITURE</u>					
Personal Services:	NUMBER OF POSITIONS	0010.15	2017-18				
POSITION TITLE	16-17 17-18	2016-17 EXPENDITURES	EXPENDITURES				
Benefits							
Operating							
Travel							
Capital outlay							
Aid							
Capital improvements							

<b>LB</b> <sup>(1)</sup> 1032							FISCAL NOTE
State Agency OR Political Subdivision	Name: (2)	University of Nebraska					
Prepared by: (3) Michael Justus		_ Date Pı	repared: <sup>(4)</sup>	January	30, 2016	Phone: (5)	402-472-2191
ESTIMAT	TE PROVIDI	ED BY ST	ATE AGEN	NCY OR I	OLITICA	L SUBDIVIS	SION
<u>FY 20</u> <u>EXPENDITURES</u>		016-17 <u>REVENUE</u>		EX	PENDITU	<u>'-18</u> <u>REVENUE</u>	
GENERAL FUNDS		<u> </u>					
CASH FUNDS				_			
FEDERAL FUNDS							
OTHER FUNDS							
TOTAL FUNDS							
<b>Explanation of Estimate:</b>							
We would like to point out that be eligible for premium assistanthresholds of eligibility and affo We have a small number of em than fifty percent of the total contract these employees do not work to a week and per our section 125 at prorated premium costs. Un 50% of the total health insurant (out of a total benefits eligible percentage)	nce under the rdability un ployees that ost of the ender the PPACA to cafeteria page der the proce premium.	ne Act. T der the fe it are elig mployee's threshold blan, they rated pre n. There of about	the Universited ederal Pati- ible for our side health proof 30 hour are eligible emium for the are appropriately are appropriately and the side of the	sity's hea ent Prote r benefit: emiums rs a weel le for par these em eximately	Ith plan mection and splan for (an eligibia. They a ticipation ployees, the same subsection actives and sectives and section and s	neets all the Affordable whom the lity guideling re employed in the Univers e employed	e necessary e Care Act (PPACA). University pays less ne in the bill). ed for 20 to 29 hours versity's health plan sity would not pay
Personal Services:	<u>EARDOWN</u>	BI MAJC	JK OBJECI	IS OF EA	PENDITU	<u>KE</u>	
POSITION TITLE	_	MBER OF 1 6-17	POSITIONS  17-18	-	2016-17 XPENDITI		2017-18 EXPENDITURES
Benefits				- <u>-</u>			
Operating				_			
Travel  Capital outlay				_			
Aid				_			
Capital improvements							
TOTAL				_			

LB <sup>(1)</sup> 1032				FISCAL NOTE
State Agency OR Political	Subdivision Name: (2)	Lancaster Cour		
Prepared by: (3) Sara	ı Hoyle	_ Date Prepared: (4)	01/22/16 Phone: (5	(402) 441-6868
	ESTIMATE PROVIDE	D BY STATE AGENO	CY OR POLITICAL SUBDIVIS	ION
	FY 20	16-17	FY 201	17-18
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	(\$2,469,369)	(\$457,130)	(\$2,469,369)	(\$457,130)
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	(\$2,469,369)	(\$457,130)	(\$2,469,369)	(\$457,130)

## **Explanation of Estimate:**

Estimates include the current amount spent on providing medical services (including pharmaceuticals and assisted living expenses) to the indigent population in Lancaster County. This amount is referenced in the "Aid" section outlined below. Since providing medical assistance is the bulk of services provided through Lancaster County General Assistance, it is estimated we could reduce our workforce by 2 General Assistance Caseworkers and 2 General Assistance Representatives.

BREAKD	OWN BY MA.	OR OBJECTS O	F EXPENDITURE	
Personal Services:				
	NUMBER OF	FPOSITIONS	2016-17	2017-18
POSITION TITLE	<u>16-17</u>	<u>17-18</u>	<b>EXPENDITURES</b>	<b>EXPENDITURES</b>
General Assistance Caseworker	2	2	\$101,366	\$101,366
General Assistance Representative	2	2	\$94,768	\$94,768
Benefits			\$88,296	\$88,296
Operating			\$11,203	\$11,204
Travel				
Capital outlay				
Aid			\$2,173,736	\$2,173,736
Capital improvements				
TOTAL			(\$2,469,369)	(\$2,469,369)

Operating......

Travel.....

Capital outlay.....

LB1032(1) Adopt the Transitional Health Insurance
Program Act and provide duties for the
Department of Health and Human Services

**FISCAL NOTE** 

State Agency OR I	Political Subdivision Name	DOUGLAS DOUGLAS	COUNTY, NEBRA	SKA	
Prepared by: <sup>(3)</sup>	MARCOS SAN MART DOUGLAS COUNTY ADMINISTRATION	TIN, Date Prepared: (4	2/8/16	Phone: (5)	402.444.5116
	ESTIMATE PR	OVIDED BY STATE AGE	ENCY OR POLITICA	L SUBDIVIS	ION
	<u>EXPENDITUI</u>	FY 2016-17 RES REVENUE	EXPENDIT	FY 2017- <u>URES</u>	-18 <u>REVENUE</u>
GENERAL FUN	DS		_		
CASH FUNDS			_		
FEDERAL FUNI					
OTHER FUNDS		<u> </u>			
TOTAL FUNDS	N/A	N/A	N/A		N/A
Explanation of E	stimate:				
DOUGLAS CO	UNTY DEPARTMENI	OF GENERAL ASSI	STANCE (GA):		
County curreimburseme participate some reduction PHARMACY (	rently spends \$ ent. Depending ion of these pe tion in this re  DOUGLAS COUNTY	client medical as 51.75 million per 51.75 million per 5 on the actual 6 ersons, the Count 6 curring \$1.75 mi	year on medi expansion', e y could poter llion expense	ical assi enrollmer ntially e e/cost pe	istance nt and experience er year.
CENTER (CM	HC)):				
approximate these individuals	ely \$250,000 pe viduals gained s currently bei m severe mental	er uninsured indiver year. LB1032 access to privating served may be illness, theref	may reduce the insurance. e homeless, ur	nis cost However nemployed	<pre>if some of r, the bulk of d, and/or</pre>
Personal Services		OOWN BY MAJOR OBJEC	TS OF EXPENDITU	<u>JRE</u>	
	ION TITLE	NUMBER OF POSITIO <u>16-17</u> <u>17-18</u>	NS 2016-1' EXPENDIT		2017-18 EXPENDITURES
Benefits					