

AMENDMENTS TO LB263

(Amendments to Standing Committee amendments, AM538)

Introduced by Smith, 14.

1           1. On page 82, line 5, strike beginning with "contract" through  
2 "authorized" and insert "regulated motor carrier holding a designation of  
3 authority issued"; in line 11 strike "the authority of a permit" and  
4 insert "a designation of authority"; and in line 12 strike "contract" and  
5 insert "regulated motor".

6           2. On page 83, strike beginning with "common" in line 27 through  
7 line 31 and insert "regulated motor carrier holding a designation of  
8 authority issued pursuant to subsection (3) of section 75-311".

9           3. On page 84, strike line 1.

10          4. On page 85, line 9, strike "section 75-303.01" and insert  
11 "subsection (3) of section 75-311"; and strike lines 13 through 27 and  
12 insert the following new subsections:

13           "(3) Rates for nonemergency medical transportation service providers  
14 with a designation of authority issued pursuant to subsection (3) of  
15 section 75-311 are not subject to commission regulation, and regulated  
16 motor carriers with such a designation reimbursed under this section are  
17 not subject to commission rate regulation for such reimbursement rates.

18           (4)(a) The Department of Health and Human Services may reimburse an  
19 individual for the costs incurred by such individual in the  
20 transportation of a person eligible to receive transportation services  
21 through the department if:

22           (i) The individual is under contract with the department and  
23 provides transportation to the eligible person; and

24           (ii) The eligible person has chosen the individual to provide the  
25 transportation.

26           (b) The department shall reimburse for the costs incurred in the

1 transportation at a rate no greater than that provided for reimbursement  
2 of state employees pursuant to section 81-1176.

3 (c) Transportation provided to an eligible person by an individual  
4 pursuant to this section does not constitute transportation for hire.

5 (d) The department may adopt and promulgate rules and regulations to  
6 implement this subsection."

7 5. On page 87, strike lines 19 through 31 and insert the following  
8 new subsection:

9 "(3) A designation of authority shall be issued to any regulated  
10 motor carrier holding a certificate under subsection (1) of this section  
11 or a permit under subsection (2) of this section authorizing such carrier  
12 to provide medicaid nonemergency medical transportation services pursuant  
13 to a contract with (i) the Department of Health and Human Services, (ii)  
14 a medicaid-managed care organization under contract with the department,  
15 or (iii) another agent working on the department's behalf as provided  
16 under section 75-303.01, if it is found after notice and hearing from the  
17 application or from any hearing held on the application that the  
18 authorization is or will be required by the present or future convenience  
19 and necessity to serve the distinct needs of medicaid clients. In  
20 determining whether the authorization is or will be required by the  
21 present or future convenience and necessity to serve the distinct needs  
22 of medicaid clients, the commission shall consult with the Director of  
23 Medicaid and Long-Term Care of the Division of Medicaid and Long-Term  
24 Care of the department or his or her designee."

25 6. On page 88, strike lines 1 through 7.