

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 440

Introduced by Morfeld, 46.

Read first time January 20, 2015

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Medical Assistance Act; to amend
- 2 section 68-901, Revised Statutes Cumulative Supplement, 2014; to
- 3 provide for a study of rates for care provided by an Alzheimer's
- 4 special care unit as prescribed; to harmonize provisions; to repeal
- 5 the original section; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-901, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 68-901 Sections 68-901 to 68-974 and section 2 of this act shall be
4 known and may be cited as the Medical Assistance Act.

5 Sec. 2. (1) The Division of Medicaid and Long-Term Care of the
6 Department of Health and Human Services shall contract for a study to
7 determine an appropriate rate for payment under the medicaid waiver for
8 the aged and disabled for care for individuals with Alzheimer's disease
9 or other dementia provided by an Alzheimer's special care unit as defined
10 in section 71-516.03 in an assisted-living facility as defined in section
11 71-406. The department shall publish the report on its web site on or
12 before July 1, 2015, and shall electronically inform the Governor and the
13 Clerk of the Legislature when the report is available.

14 (2) The study shall include an analysis of:

15 (a) The actual cost of providing care in an Alzheimer's special care
16 unit as defined in section 71-516.03 in an assisted-living facility as
17 defined in section 71-406;

18 (b) The differences in cost between such units which may be
19 attributable to geographic location or other factors;

20 (c) Best practices in the provision of care in an Alzheimer's
21 special care unit in an assisted-living facility;

22 (d) Medicaid reimbursement for the type of care provided by an
23 Alzheimer's special care unit in a nursing facility as defined in section
24 71-424 or a skilled nursing facility as defined in section 71-429, for
25 purposes of comparison;

26 (e) The advantages and disadvantages of an add-on medicaid waiver
27 rate structure or a tiered medicaid waiver rate structure;

28 (f) The number of persons likely to use services of an Alzheimer's
29 special care unit in an assisted-living facility if reimbursement is
30 changed pursuant to the appropriate rate as determined by this study;

31 (g) The eligibility criteria for receiving the appropriate rate by

1 an Alzheimer's special care unit in an assisted-living facility;

2 (h) The eligibility criteria for clients to have their care
3 reimbursed at the appropriate rate, including an assessment tool, a rate
4 period, and an approval process for the clients; and

5 (i) An evaluation process to identify desired client outcomes and
6 service quality for Alzheimer's special care units in assisted-living
7 facilities.

8 (3) The division shall make data reasonably required for the study
9 available to the contractor. The department may approve access by the
10 contractor to case-specific data or case-specific and patient-identifying
11 data to assist in the study. Any information released for the study shall
12 be disclosed as provided in sections 81-663 to 81-675.

13 (4) The cost of the study shall not exceed fifty thousand dollars.

14 Sec. 3. Original section 68-901, Revised Statutes Cumulative
15 Supplement, 2014, is repealed.

16 Sec. 4. Since an emergency exists, this act takes effect when
17 passed and approved according to law.