

ONE HUNDRED SIXTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE RESOLUTION 170**

Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to study the Department of Health and Human Services' plan to submit a demonstration project waiver for the medical assistance program under section 1115 of the Social Security Act.

In November 2018, the people of Nebraska voted to expand access to the medical assistance program through Initiative No. 427. On April 1, 2019, the Division of Medicaid and Long-Term Care of the Department of Health and Human Services submitted three state plan amendments to the federal Centers for Medicaid and Medicare Services, which are necessary to implement medicaid expansion. Approval of those state plan amendments would allow implementation and coverage to begin. However, the department does not plan to begin coverage until October 1, 2020, nearly two years after Nebraskans voted for such coverage, because the department is tying expansion to an optional 1115 waiver, which is not necessary for expansion, and that will make significant changes to Nebraska's current medical assistance program.

The issues addressed by this interim study shall include, but not be limited to:

(1) The detailed substance of the 1115 waiver and application submitted by the Department of Health and Human Services to the Centers for Medicaid and Medicare Services, including work requirements and benefit limitations;

(2) Any challenges to beneficiaries, providers, contractors, or the department in implementing these significant policy changes to Nebraska's medical assistance program;

(3) The additional fiscal impact of the 1115 waiver, including the increased cost of the 1115 waiver compared to the expansion of the medical assistance program contemplated by Initiative No. 427 and completed through the

submission of state plan amendments; and

(4) Whether significant policy changes to the structure, benefits, and administration of the medical assistance program should be made or approved by the state's policymaking body.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.