

HEALTH AND HUMAN SERVICES COMMITTEE OF THE
NEBRASKA LEGISLATURE

SUMMARY OF 2023 LEGISLATION

One Hundred Eighth Legislature
First Session

Committee Members

Senator Ben Hansen, Chairperson, District 16
Senator Brain Hardin, Vice-Chairperson, District 48
Senator Lynne Walz, District 16
Senator Machaela Cavanaugh, District 6
Senator Merv Riepe, District 12
Senator Jen Day, District 49
Senator Beau Ballard, District 21

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LIST OF BILLS AND RESOLUTIONS REFERENCED TO THE HEALTH AND HUMAN SERVICES COMMITTEE

One Hundred Eighth Legislature, First Session

- LB 12** (Blood) Create the Nebraska Human Breast Milk Bank
Held in Committee
- LB 13** (Blood) Require coverage of human breast milk under the Medical Assistance Act
Held in Committee
- LB 35** (DeBoer) Change provisions relating to child care assistance
Amended into LB 227; Indefinitely Postponed
- LB 55** (McKinney) Change provisions relating to self-sufficiency contracts and work activity requirements under the Welfare Reform Act
Withdrawn
- LB 62** (M. Cavanaugh) Provide for coverage of translation and interpretation services under the medical assistance program
Held in Committee
- LB 64** (Day) Require the Department of Health and Human Services to provide notice in certain cases of child abuse and neglect
Held in Committee
- LB 65** (Day) Change provisions relating to the complaint tracking system and disciplinary action under the Child Care Licensing Act
Held in Committee
- LB 75** (Vargas) Provide for review of incidents of severe maternal morbidity
Amended into LB 227; Indefinitely Postponed
- LB 78** (Day) Redefine massage therapy under the Massage Therapy Practice Act
General File
- LB 84** (Day) Change provisions relating to the Supplemental Nutrition Assistance Program
Amended into LB 227; Indefinitely Postponed
- LB 85** (Day) Provide for express lane eligibility under the Medical Assistance Act and the Children's Health Insurance Program
Held in Committee

- LB 88** (Hunt) Change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits
Held in Committee
- LB 115** (Raybould) Adopt the Family Home Visitation Act
Held in Committee
- LB 123** (Fredrickson) Adopt the Behavior Analyst Practice Act
Amended into LB 227; Indefinitely Postponed
- LB 179** (Fredrickson) Prohibit conversion therapy
Held in Committee
- LB 181** (Hansen) Provide for filling and refilling prescriptions in certain circumstances
Amended into LB 227; Indefinitely Postponed
- LB 189** (Kauth) Change and provide exemptions for natural hair braiding and natural hairstyling
Held in Committee
- LB 200** (Briese) Adopt the Canadian Prescription Drug Importation Act
Held in Committee
- LB 202** Provide for vaccine administration by pharmacy technicians
Held in Committee; Amended into LB 227
- LB 204** (Riepe) Provide for reimbursement for pharmacy dispensing fees under the medical assistance program
General File
- LB 216** (Hughes) Provide certification requirements for optometrists performing certain procedures
Held in Committee
- LB 219** (Ibach) Require the Department of Health and Human Services to rebase rates for critical access hospitals
Amended into LB 227; Held in Committee
- LB 227** (Hansen) Provide Medicaid reimbursement to hospitals for providing nursing facility level of care services
Passed into Law
- LB 233** (J. Cavanaugh) Provide for child support payment disregard under aid to dependent children program and eliminate child support income in determining eligibility
Held in Committee

- LB 245** (Walz) Change per diem compensation for members of the Board of Barber Examiners
Amended into LB 227; Indefinitely Postponed
- LB 261** (Riepe) Change apprenticeship requirements under Funeral Directing and Embalming Practice Act
Amended into LB 227; Indefinitely Postponed
- LB 276** (Wishart) Adopt the Certified Community Behavioral Health Clinic Act
Passed into Law
- LB 280** (Blood) Adopt the Interstate Massage Compact
Held in Committee
- LB 286** (Walz) Provide for confidentiality of a physician wellness program under the Uniform Credentialing Act
Amended into LB 227; Indefinitely Postponed
- LB 290** (M. Cavanaugh) Change standard of need requirements for the aid to dependent children program
Held in Committee
- LB 291** (M. Cavanaugh) Require implicit bias or diversity, equity, and inclusion training for certain applicants and credential holders under the Uniform Credentialing Act
Held in Committee
- LB 310** (Conrad) Change the maximum payment level under the aid to dependent children program
Held in Committee
- LB 326** (Raybould) Provide for eligibility for certain children under the Medical Assistance Act
Held in Committee
- LB 333** (Conrad) Require a state plan amendment for coverage of family planning services under the Medical Assistance Act
Held in Committee
- LB 337** (Riepe) Change provisions relating to disclosure of patient information under the Mental Health Practice Act
Amended into LB 50; Indefinitely Postponed
- LB 345** (Armendariz) Define palliative care under the Health Care Facility Licensure Act
Amended into LB 227; Indefinitely Postponed

- LB 353** (Raybould) Provide for grants for projects that increase long-term care facility capacity
Held in Committee
- LB 357** (Walz) Change the maximum support allowable under the Disabled Persons and Family Support Act
Amended into LB 227; Indefinitely Postponed
- LB 358** (Walz) State intent to increase dental services reimbursement under the Medical Assistance Act
General File
- LB 402** (Ballard) Redefine home health agency under Health Care Facility Licensure Act
Amended into LB 227; Indefinitely Postponed
- LB 419** (Wishart) Require submission of a medicaid state plan amendment to extend postpartum coverage
Amended into LB 227; Indefinitely Postponed
- LB 421** (Kauth) Provide procedures for directed health measures
Held in Committee
- LB 422** (Kauth) Exempt certain activities from disciplinary action under the Uniform Credentialing Act
Held in Committee
- LB 430** (Walz) Prohibit a multiple procedure payment reduction policy from being applied to physical therapy, occupational therapy, or speech-language pathology services as prescribed under the Uniform Credentialing Act
General File
- LB 431** (Halloran) Change provisions relating to criminal history record information checks under the Uniform Credentialing Act
Amended into LB 227; Indefinitely Postponed
- LB 433** (Jacobson) Provide requirements for distribution of funding for behavioral health regions
Amended into LB 814; Held in Committee
- LB 434** (Jacobson) Require the Department of Health and Human Services to enroll long-term care hospitals as providers under the medical assistance program and submission of a state plan amendment or waiver
Amended into LB 227; Held in Committee

- LB 451** (Brewer) Provide for the Department of Health and Human Services to award a grant to assist a rehabilitation hospital
General File
- LB 458** (Ballard) Allow certain central fill pharmacies to deliver to a patient under the Prescription Drug Safety Act
Amended into LB 227; Indefinitely Postponed
- LB 463** (HHS Committee) Change provisions relating to application for licensure under the Health Care Facility Licensure Act
Held in Committee
- LB 468** (DeBoer) Create the position of State Dementia Director in the Department of Health and Human Services
Held in Committee
- LB 488** (Hunt) Adopt the Sexual Assault Emergency Care Act
Held in Committee
- LB 500** (M. Cavanaugh) Change provisions relating to the family support program for persons with developmental disabilities and their families
Held in Committee
- LB 503** (Aguilar) Adopt the Rural Nebraska Nursing Workforce Act
Held in Committee
- LB 510** (Conrad) Require annual cost-of-living adjustments in child welfare rates
Held in Committee
- LB 517** (Walz) Require the Department of Health and Human Services to pay discharge incentives to post-acute placement facilities
Amended into LB 227; Held in Committee
- LB 523** (Walz) Require a state plan amendment to include school psychologists as medicaid providers
Held in Committee
- LB 548** (Ballard) Change examination and compounding requirements under the Pharmacy Practice Act
Amended into LB 227; Indefinitely Postponed
- LB 561** (Blood) Adopt the Cosmetology Licensure Compact
Held in Committee
- LB 570** (Vargas) Adopt the Overdose Fatality Review Teams Act
General File; Amended into LB 227

- LB 572** (Riepe) Provide, change, and eliminate provisions relating to the Medical Nutrition Therapy Practice Act
Amended into LB 227; Indefinitely Postponed
- LB 574** (Kauth) Adopt the Let Them Grow Act and the Preborn Child Protection Act and provide for discipline under the Uniform Credentialing Act
Passed into Law
- LB 586** (Hughes) Provide duties for the Nebraska Center for Nursing regarding clinical training sites
Amended into LB 227; Indefinitely Postponed
- LB 590** (Holdcroft) Change the personal needs allowance for eligible aged, blind, and disabled persons
Amended into LB 227; Indefinitely Postponed
- LB 592** (Hardin) Adopt the Social Care Information Privacy Act
Held in Committee
- LB 593** (Hardin) Change provisions relating to licensure and regulation of hearing instrument specialists
General File
- LB 595** (Hardin) Change supervision requirements under the Pharmacy Practice Act
General File
- LB 605** (Albrecht) Change provisions of the Mental Health Practice Act to include protections and requirements for certified art therapists
General File
- LB 611** (Riepe) Provide requirements for certain health care facility-provided medications
Amended into LB 227; Held in Committee
- LB 626** (Albrecht) Adopt the Nebraska Heartbeat Act
Amended into LB 574; Indefinitely Postponed
- LB 657** (McDonnell) Appropriate funds to the University of Nebraska relating to cancer support and education
Held in Committee
- LB 661** (Ibach) Appropriate funds to the Department of Health and Human Services relating to food security
Held in Committee

- LB 664** (Reipe) Provide powers and duties for the state medicaid fraud control unit and the Attorney General
General File
- LB 676** (Day) Create the Nebraska Diaper Distribution Grant program
Held in Committee
- LB 677** (Day) Create the Nebraska Knowing is Doing Something pilot program
Held in Committee
- LB 680** (Day) Change provisions of the Parkinson’s Disease Registry Act
Held in Committee
- LB 714** (J. Cavanaugh) Change provisions of the Nebraska Affordable Housing Act
Held in Committee
- LB 748** (M. Cavanaugh) Adopt the Persons with Intellectual and Developmental Disabilities Assistance Act
Held in Committee
- LB 765** (DeKay) Change, provide, and eliminate definitions, powers, and duties under the Statewide Trauma System Act
Amended into LB 227; Indefinitely Postponed
- LB 772** (Hughes) Create the Residential Youth Parenting Facility Grant Program
Amended into LB 814; Indefinitely Postponed
- LB 792** (Wayne) Provide for a pilot program for assessing and treating post traumatic stress disorder
General File; Amended into LB 814
- LB 794** (Wayne) Adopt the Nursing Incentives Scholarship Act
Held in Committee
- LB 810** (Murman) Adopt the Medical Ethics and Diversity Act
Held in Committee
- LR 18CA** (Hunt) Constitutional amendment to protect the right to reproductive freedom
Held in Committee
- LR 19CA** (Hunt) Constitutional amendment to protect the right to reproductive freedom and prohibit the state from taking adverse action for exercising or assisting in the exercise of such right
Held in Committee

BILL SUMMARIES: BILLS ENACTED

LB 227 (Hansen) Change provisions relating to public health and welfare

LB 227, as amended by AM 340, requires the State to provide Medicaid reimbursement to a hospital at 100% of the statewide average nursing facility per diem rate for an individual. The individual must be enrolled in the Medicaid program; has been admitted to such hospital; has been admitted as an inpatient to such hospital; no longer requires inpatient care and discharge planning; requires nursing facility level of care upon discharge; and is unable to be transferred to a nursing facility and has been approved for a guardianship.

Committee Amendment 848 contained AM340 to LB 227 as well as amended provisions of LB 434, LB 219, LB 590 and LB 517.

LB 434 requires DHHS to enroll long-term care hospitals in Nebraska as providers eligible to receive Medicaid funding. No later than July 1, 2023, DHHS shall submit a state plan amendment or waiver to the federal Centers for Medicare and Medicaid Services to provide coverage under the Medicaid program for long-term acute care hospitals.

LB 219 requires DHHS to provide for rebasing inpatient interim per diem rates for critical access hospitals. DHHS shall rebase the rates every 2 years, and the most recent audited Medicare cost report shall be used as the basis for the rebasing process within 90 days after receiving the cost report.

LB 590 (Sen. Holdcroft) increases the standard of need for eligible aged, blind, and disabled persons from at least \$60 to \$75 per month for a personal needs allowance if they reside in an alternative living arrangement.

LB 517 requires DHHS to contract with, or provide a grant to, an eligible entity to implement a pilot program to facilitate the transfer of patients with complex health needs from eligible acute care hospitals to appropriate post-acute care settings. DHHS or other eligible entities responsible for developing the pilot program are required to determine criteria for patients with complex health needs, develop a process for capacity and funding, and include regular consultation and include quarterly updates. The pilot program may include direct payments to post-acute care facilities that support care to patients with complex health needs. Funding utilized under the pilot program shall comply with all Medicaid and Medicare reimbursement policies for skilled nursing facilities, nursing facilities, and swing-bed hospitals. It is the intent of the Legislature to appropriate \$1 million from the General Fund to carry out this section. No more than 2.5% of the contracted amount shall be used to administer the program.

Committee Amendment 848 was adopted on General File, April 17, 2023.

AM1332, introduced by Senator Hansen, contained the provisions of Committee Amendment 848 to LB 227, provisions of Committee Amendment 812 to LB 181, and amended provisions of LB 123, LB 431, LB 572, LB 35, LB 402, and LB 765. AM1332 was adopted on General File, April 17, 2023.

AM334 to LB 181 contained amended provisions of LB 548, LB 202, LB 458, and LB 611. LB 181 (Sen. Hansen) provides that a prescription is valid when written remains valid for the period stated in the medical order notwithstanding the prescribing practitioner's subsequent death or retirement or the suspension or revocation or the prescribing practitioner's credential by the appropriate board, and a pharmacist may use professional judgment to fill or refill such a prescription which has sufficient fills remaining. Also, this section shall not apply to a prescription issued by a veterinarian.

LB 548 allows an applicant for a pharmacist license to no longer need to obtain a grade of 75 on the pharmacy jurisprudence examination. Also, any person authorized to compound do so in compliance with the standards of the U.S. Pharmacopeia and the National Formulary.

LB 202 allows a pharmacy technician to administer vaccines. Such task is not considered a task requiring professional judgment when: the vaccines are verified by a supervising pharmacist limited to intra-muscular deltoid or subcutaneous arm to at least a 3-year old; the tech is certified under state law; the tech has completed training in vaccine administration; and the tech is certified in basic life support skills.

LB 458 provides that if the dispensing and central fill pharmacy are under common ownership, the fill pharmacy can deliver to the patient on behalf of the dispensing pharmacy. The dispensing pharmacy is ultimately responsible for the prescriptions filled and delivered by the central fill pharmacy. The label affixed to the container must include the name and address of the central fill pharmacy if a central fill pharmacy is used.

LB 611 changes medication requirements of the administration of drugs for a hospital, an ambulatory surgical center, or health care practitioner facility. When a provided medication is ordered at least 24 hours in advance for surgical procedures and is administered to a patient, any unused portion of the medication shall be offered to the patient upon discharge when it is required for continuing treatment. The prescriber is responsible for counseling the patient on its proper use and administration. The unused portion of such medication shall be labeled by the prescriber or a pharmacist consistent with current labeling requirements.

LB 123 requires behavior analysts to obtain a credential under the Uniform Credentialing Act (UCA). The Board of Behavior Analysts is added to the statutory list of medical boards and duties. Credentialing exceptions are provided for certain health professionals working in this field of practice.

LB 431 changes criminal background checks requirements for an applicant's license involving health professions. This bill authorizes the Nebraska State Patrol to submit the fingerprints of such applicants to the F.B.I. and to issue a report to DHHS that includes the criminal history record information concerning the applicant. The Nebraska State Patrol shall forward submitted fingerprints to the F.B.I. for a national criminal history record information check.

LB 572 updates the Medical Nutrition Therapy Act by making terminology consistent with other states and provides a pathway to licensure for certified nutrition specialists. This bill contains exemptions to clarify the activities for which no licensure is required, including providing

nutrition information, guidance, motivation, nutrition recommendations, behavior change management, health coaching, holistic and wellness education, or other nutrition-care services that do not constitute medical nutrition therapy.

LB 35 (Sen. DeBoer) extends the sunset date for eligibility for transitional child care assistance under the federal Child Care Subsidy program and cash assistance to families who have not achieved economic self-sufficiency to October 1, 2026. The Nebraska Department of Health and Human Services and private non-profit organization independent evaluation of the income eligibility changes in this section of law shall be completed by July 1, 2024 instead of December 15, 2023.

LB 402 (Sen. Ballard) defines home health agency that does not include a person or legal entity which engages only in social work practice.

LB 765 eliminates the regional trauma advisory boards and replaces them with regional trauma committees. Legislative findings are changed. DHHS duties and State Trauma Advisory Board duties are changed as well as definitions of regional medical director, specialty level burn, pediatric trauma center, state trauma medical director, trauma medical director, trauma team, and trauma system.

On Select File, LB 227 was further amended. AM1497 by Senator Hansen, AM1488 by Senator Day, AM1486 by Senator Riepe, and AM1477 by Senator Walz were introduced and adopted. AM1497 contained amended versions of LB 261, LB 357, LB 245, and LB 345. AM1497 further amended the provisions of LB 517, LB 35, and LB 458.

LB 261 changes provisions relating to the Funeral Directing and Embalming Act. The requirements of completing a split apprenticeship are changed to allow the apprentice license to be completed while attending a school of mortuary science. Current requirements involving course of study, examination, and completion of apprenticeship remain unchanged.

LB 357 (Sen. Walz) Increase the maximum support allowable under the Disabled Persons and Family Support Act from \$300 per month to \$400, for disabled persons, plus \$200 per month for each additional disabled family member.

LB 245 (Sen. Walz) increases the compensation of Board of Barber Examiners members from \$75 to \$150 for per diem expenses.

LB 345 (Sen. Armendariz) defines palliative care as specialized care or treatment for a person living with a serious illness that carries a high risk of mortality or negatively impacts quality of life. This type of care or treatment addresses the symptoms and stress of a serious illness. Palliative care is a team-based approach to care or treatment, providing essential support at any age and stage of a serious illness and can be provided across care settings and along with curative treatment. The goal of palliative care is to improve quality of life for both the patient and the patient's family or care partner.

AM1488 amended the provisions of LB 84 into LB 227. LB 84 changes provisions relating to the Supplemental Nutrition Assistance Program (SNAP). The SNAP gross income eligibility limit of 165% of the federal poverty is extended to October 1, 2025. DHHS is required to evaluate the TANF funded program related to this section and report to the Legislature December 15 of each year.

AM1486 amended the provisions of LB 586 into LB 227. LB 586 requires the Nebraska Center for Nursing Board to provide for the expansion of clinical training sites for nurses throughout the state. Preference shall be given to areas that have lower numbers of registered nurses per capita compared to the state average. It is the intent of the Legislature to appropriate funds to cover administrative costs incurred by DHHS and funds for expansion of clinical training sites in the amount of \$3 million from the General Fund for the next 2 fiscal years.

AM1477 amended the provisions of LB 286 into LB 227. LB 286 provides that if a Physician/Surgeon is participating in a wellness program, such participation is confidential and not subject to DHHS discovery, subpoena or reporting requirements. The individual may still voluntarily provide information to the DHHS.

On Final Reading, LB 227 was brought back to Select File to be amended by AM1989, by Senator Vargas. AM1989 was adopted and LB 227 was advanced to Second Final Reading and passed into law by the Legislature and approved by the Governor.

AM1989 contained amended provisions of LB 75, LB 419, and LB 570.

LB 75 (Sen. Vargas) allows the State Child and Maternal Death Review Team to review incidents of severe maternal morbidity and may use the Centers for Disease Control guidelines for the review. The members of the team may review such records or documents to identify preventable causes of severe maternal morbidity.

LB 419 (Sen. Wishart), as amended, requires DHHS to submit a state plan amendment or waiver to extend postpartum coverage from 60 days to at least 6 months. Nothing in this subsection shall preclude DHHS from submitting a state plan amendment for 12 months.

LB 570 (Sen. Vargas) adopts the Overdose Fatality Review Team Act. This bill establishes county-level multidisciplinary overdose fatality review teams. These teams will be given access to documents and records to examine while remaining compliant to confidentiality laws or regulations.

LB 227 contains the Emergency Clause for the provisions relating to LB 202, LB 434, LB 431, and LB 570.

LB 276 (Wishart) Adopt the Certified Community Behavioral Health Clinic Act

LB 276 as amended by AM 674 is enabling legislation that allows for implementation of the Certified Community Behavioral Health Clinic model in Nebraska. Key components of the model include integration of primary and behavioral health care services, increased access to

medication assisted treatment and strengthening the treatment system capacity by requiring quality reporting, increased evidence-based practices and expanded community partnerships with law enforcement, justice system and schools. The program is capped at \$4.5 of general funds beginning fiscal year 2025-26.

LB 574 (Kauth) Adopt the Let Them Grow Act and the Preborn Child Protection Act and provide for discipline under the Uniform Credentialing Act

LB 574 as amended by AM 1658 enacted the Let Them Grow Act and the Preborn Child Protection Act. More specifically it prohibits the performance of gender altering procedures for individuals under the age of 19 as well as abortions, not excepted, when the preborn child has a probable gestational age of twelve weeks or more. A violation of either act results in disciplinary actions under the Uniform Credentialing Act.

BILL SUMMARIES: BILLS ON GENERAL FILE

LB 78 (Day) Redefine massage therapy under the Massage Therapy Practice Act

LB78 defines massage therapy as a health service

LB 204 (Riepe) Provide for reimbursement for pharmacy dispensing fees under the medical assistance program

LB204 would provide a pharmacy, through Medicaid, a \$10.38 dispensing fee per Rx filled. Committee Amendment 1418 makes LB204 only apply to independent pharmacies. It is understood that this will reduce the fiscal note by 50%

LB 358 (Walz) State intent to increase dental services reimbursement under the Medical Assistance Act.

LB 358 increases, by 25%, dental reimbursement under Medicaid.

LB 430 (Walz) Prohibit a multiple procedure payment reduction policy from being applied to physical therapy, occupational therapy, or speech-language pathology services as prescribed under the Uniform Credentialing Act

Under LB 430 physical therapy, occupational therapy, and speech-language policy services are not subject to a multiple procedure payment reduction policy (MPPRP) under Medicaid or by a private insurer

LB 451 (Brewer) Provide for the Department of Health and Human Services to award a grant to assist a rehabilitation hospital

LB 451 requires the Department of Health and Human Services to award a one-time grant to assist a rehabilitation hospital that has a distinct nursing facility part, that is located in Nebraska, and that has a capacity to provide post-acute long-term care to Medicaid patients. The grant shall include \$30 million for infrastructure and facilities upgrades. The grant shall not be expended no later than December 31, 2026. An emergency clause is also provided. Committee Amendment 659 strikes Health and Human Services and replaces it with Economic Development.

LB 570 (Vargas) Adopt the Overdose Fatality Review Teams Act.

LB 570 adopts the Overdose Fatality Review Teams Act with the purpose of establishing county-level multidisciplinary overdose fatality review teams. These teams will be given access to documents and records to examine the who, what, when, where, why of overdoses while remaining compliant to any confidentiality laws or regulations.

LB 570 was amended by AM1989 to LB 227.

LB 593 (Hardin) Change provisions relating to licensure and regulation of hearing instrument specialists

LB 593 allows a licensed hearing instrument specialist to engage in the scope of cerumen (earwax) removal and the dispensing of hearing instruments. Prior to performing cerumen

removal, a licensed hearing instrument specialist shall have an arrangement with a medical liaison. Training requirements are provided.

Committee Amendment 828 changes cerumen removal to cerumen management. Also, the amendment requires a licensed hearing instrument specialist to complete a cerumen management course approved by the Board of Hearing Instrument Specialists.

LB 595 (Hardin) Change supervision requirements under the Pharmacy Practice Act.

This bill changes the number of pharmacy technicians and pharmacist interns supervised by a pharmacist from three people to four people.

LB 605 (Albrecht) Change provisions of the Mental Health Practice Act to include protections and requirements for certified art therapists

LB 605 includes art therapy under the Uniform Credentialing Act as well as the Mental Health Practice Act. Definitions are provided for art media, art therapy, certified art therapist, and qualified supervisor. Licensed mental health practitioners and certified art therapists may use the title licensed art therapist. Licensed independent mental health practitioners and certified art therapists may also use the title licensed art therapist. One certified art therapist is added to the membership of the Board of Mental Health Practice. DHHS (Department of Health and Human Services) certification and provisional certification requirements are provided. The Board is allowed to appoint an art therapist advisory committee.

LB 664 (Riepe) Provide powers and duties for the state medicaid fraud control unit and the Attorney General

LB 664 makes two modifications related to the Nebraska False Medicaid Claims Act, Neb. Rev. Stat. 68-945 et. seq. First, it allows the Attorney General to investigate and prosecute cases of abuse, neglect or exploitation of Medicaid recipients who do not reside in an institutional setting. This authority was passed by Congress in the COVID-19 relief bill signed by the President in January 2021. Second, it provides that the Attorney General can access the records of any resident living in a Medicaid-funded facility when investigating and prosecuting the abuse, neglect or exploitation of that resident, regardless of whether that resident is a Medicaid recipient. This change makes Nebraska's law consistent with Congress' intent and aligns our law with similar provisions found in 49 other states.

LB 792 (Wayne) Provide for a pilot program for assessing and treating post traumatic stress disorder

LB 792 will create a pilot program for assessing and treating post traumatic stress disorder

BILL SUMMARIES: BILLS HELD IN COMMITTEE

LB12 (Blood) Create the Nebraska Human Breast Milk Bank

LB 12 creates the Nebraska Human Breast Milk Bank and provides duties for DHHS.

LB 13 (Blood) Require Medicaid coverage of human breast milk

LB 13 requires pasteurized donated human breast milk to be covered under the Medical Assistance Act (Medicaid) for eligible persons. In order for human breast milk to be covered by Medicaid, the eligible person must be an infant less than 6 months old and a licensed medical practitioner must prescribe the milk for the infant. Also, the milk must be obtained from a human milk bank, the infant's mother is medically or physically unable to produce maternal breast milk, the milk is medically necessary for the infant and the infant has certain medical conditions (i.e. low birth weight, heart disease, sepsis). Requirements for coverage for children 6 months to 12 months old and children over 12 months are also provided.

LB62 - Provide for coverage of translation and interpretation services under the medical assistance program

LB 62 includes translation/interpretation services as those services covered under Medicaid.

LB64 (Day) Require the Department of Health and Human Services to provide notice in certain cases of child abuse and neglect

DHHS is required to provide notice to parents, guardians or custodians of children of persons entered into the central registry for cases of child abuse and neglect in child care facilities.

LB 65 (Day) Change provisions relating to the complaint tracking system and disciplinary action under the Child Care Licensing Act

LB 65 requires that the DHHS child care licensing complaint tracking system identify licensing violations which are self-reported and licensing violations discovered as the result of a complaint.

LB 85 (Day) Provide for express lane eligibility under the Medical Assistance Act and the Children's Health Insurance Program.

LB 85 requires DHHS to submit applications to CMS to amend the Medicaid and CHIP state plans to implement express lane eligibility. The state plan amendments shall identify DHHS/Children and Family Services Division as an express lane agency and specify that this option will be used for eligibility purposes. The implementation date shall be no later than January 1, 2024. Lastly, DHHS is required to take all necessary actions to maximize financial participation to carry out this bill.

LB 88 (Hunt) Change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits

Under LB 88, a person convicted of a felony involving the possession, use, or distribution of a controlled substance would be eligible for SNAP if they have completed their sentence or if they are serving a term of parole, probation, or post-release supervision.

LB 115 (Raybould) Adopt the Family Home Visitation Act

LB 115 requires DHHS to limit funding for a home visitation program that includes periodic home visits to improve the health, well-being, and self-sufficiency of parents and their children. The program shall provide visits by nurses, social workers, and other early childhood and health professionals or trained and supervised lay workers. This bill also requires DHHS to create a website and submit a report.

LB 179 (Fredrickson) Prohibit conversion therapy

LB 179 prohibits conversion therapy from being performed to any individual under the age of nineteen. Conversion therapy is the practice or treatment that seeks to change an individual's sexual orientation or gender identity. Disciplinary sanctions under the Uniform Credentialing Act may be applied to those persons holding a credential under the Medicine and Surgery Act, Pharmacy Practice Act or Psychology Practice Act. Violations of this bill constitute a deceptive trade practice. No state funds shall be spent on the practice of conversation therapy.

LB 189 (Kauth) Change and provide exemptions for natural hair braiding and natural hairstyling

LB 189 exempts natural hairstyling from the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act and changes the exemption for natural hair braiding.

LB 200 (Briese) Adopt the Canadian Prescription Drug Importation Act

LB would create the Canadian Drug Importation Act, and require the department of Health and Human Services to apply for federal approval, and to administer the program. The program would require vendors seeking to import Canadian prescriptions to identify medications with the highest potential cost savings to the people of the State of Nebraska. Canadian supplies must be in full compliance with all relevant federal and provincial laws, and all prescription drugs imported under the program must be tested for authenticity and degradation.

LB 202 (Walz) Provide for vaccine administration by pharmacy technicians

LB 202 would allow a pharmacy technician, supervised by a pharmacist, to administer vaccinations in Nebraska. Prior to administration by a pharmacy technician, vaccinations would be reviewed and verified by a pharmacist. A pharmacy technician would be limited to administering a vaccination to patients three years of age and older, and only in the deltoid muscle of the arm.

LB 216 - Provide certification requirements for optometrists performing certain procedures

Under LB216 the practice of optometry will include the performance of Selective Laser Trabeculoplasty for the treatment of glaucoma. Selective Laser Trabeculoplasty is a procedure that reduces the intraocular pressure associated with glaucoma.

LB 219 (Ibach) Require the Department of Health and Human Services to rebase rates for critical access hospitals

LB 219 requires DHHS to provide for rebasing inpatient interim per diem rates for critical access hospitals. DHHS shall rebase the rates every 2 years, and the most recent audited Medicare cost report shall be used as the basis for the rebasing process within 90 days after receiving the cost report. LB 219 was amended into LB 227.

LB 233 (J. Cavanaugh) Provide for child support payment disregard under aid to dependent children program and eliminate child support income in determining eligibility

DHHS is required to pay to the recipient of aid to dependent children (ADC) payments, aid, or assistance, the current child support collected pursuant to the assignment. These payments shall not be considered

income for purposes of calculating a recipient's eligibility for assistance. DHHS shall disregard the amount of child support paid to the recipient in calculating the amount of the recipient's monthly assistance payment.

LB280 - Adopt the Interstate Massage Compact

Under LB 280 Nebraska would adopt the Interstate Massage Compact and become a member state of such Compact if and when at least 7 states also adopt said Compact. The compact would allow individuals to obtain a multistate massage therapist license recognized in all states that are a member of the compact.

LB290 (M. Cavanaugh) Change standard of need requirements for the aid to dependent children program

LB 290 increases the Standard of Need from \$601 for an individual and \$140 for each additional eligible individual to \$1,132.50 for an individual and \$393 for each additional individual.

LB 291 (M. Cavanaugh) Require implicit bias or diversity, equity, and inclusion training for certain applicants and credential recipients under the Uniform Credentialing Act

LB 291 requires every person holding a credentialing under the Uniform Credentialing Act to annually complete implicit bias or diversity, equity, and inclusion training. This bill does not apply to certain professions (i.e. athletic training, body art, nail technology). Implicit bias or diversity, equity, and inclusion training is defined. DHHS may approve this training provided by a national or state medical association.

LB310 (Conrad) Change the maximum payment level under the aid to dependent children program

LB 310 would increase Aid to Dependent Children (ADC) benefits by adjusting the maximum benefit amount from 55 percent of the Standard of Need to 85 percent of the Standard of Need.

LB326 (Raybould) Provide for eligibility for certain children under the Medical Assistance Act

LB 326 would change continuous eligibility for children and youth under 18 years of age in the Medicaid system from the current six months to 12 months, ensuring no disruption in health care services

LB 333 (Conrad) Require a state plan amendment for Medicaid coverage of family planning services

LB 333 requires DHHS to submit a state plan amendment to the federal Centers for Medicare and Medicaid Services (CMS) for family planning services. Persons receiving these services must have income that is at, or below the income eligibility level set by the state as of January 1, 2023 for coverage for pregnant women as permitted under federal law.

For purposes of this bill, family planning services must be consistent with federal law and include coverage of all U.S. Food and Drug Administration approved family planning methods. Family planning services must also include related services of medical diagnosis and treatment, preventive services, treatment of a major medical complication and the insertion of a long-acting reversible contraceptive.

State funds shall not be used to pay for elective abortion services.

LB 353 (Raybould) Provide for grants for projects that increase long-term facility capacity

LB 353 requires DHHS/Division of Public Health (Division) to award a grant to a nursing facility or skilled nursing facility that has applied for this grant. A grant shall be used for any project that increases the long-term care facility capacity to support the transition of residents with specific service needs that are not readily available in the long-term care setting. A grant is limited to a maximum of \$250,000. A facility shall agree to complete the project and use the grant within 12 months after receipt of the grant.

The Division is required to provide an annual report on the grants to the Legislature.

\$25 million from the General Fund is appropriated to DHHS to award these grants.

LB 421 (Kauth) Provide procedures for directed health measures

LB 421 provides new duties for local boards of health and local health directors, regarding directed health measures.

LB 421 adds a duty for a city/county board of health to make recommendations to the city council or county board regarding adoption of directed health measures. Also, the city/county health director is required to advise the city/county board of health regarding measures to arrest the progress of the disease as well as issuing and enforcing directed health measures.

In addition, LB 421 adds a duty for local health directors to issue and enforce directed health measures.

LB422 (Kauth) Exempt certain activities from disciplinary action under the Uniform Credentialing Act

Under LB 422 a license to practice medicine and surgery or osteopathic medicine and surgery shall not be subject to any disciplinary measures as a result of the applicant or licensee expressing an opinion or providing medical advice that disagrees with the medical consensus on an issue of health or disease unless the opinion or advice is disseminated with malicious intent or an intent to deceive.

LB 433 (Jacobsen) Provide requirements for distribution of funding for behavioral health regions

LB 433 requires any appropriation to DHHS for behavioral health aid that is allocated to a behavioral health region (region) to be used to provide activities pursuant to the approved budget of the region. Whenever circumstances occur during the budget year that impact the region's budget, the DHHS/Division of Behavioral Health Director (Director) shall allow for reassignment of funds to accommodate the emerging needs of the region. The Director may deny a region's budget request only if the request is prohibited under state or federal law. If a request is denied by the Director, the region may request a hearing pursuant to the Administrative Procedure Act. Provisions of LB 433 were amended into LB 814.

LB 434 (Jacobson) Require the Department of Health and Human Services to enroll long-term care hospitals as providers under the medical assistance program and submission of a state plan amendment or waiver

LB434 directs the Department of Health and Human Services Medicaid and Long Term Care Division to enroll long-term acute care hospitals in Nebraska as providers eligible to receive funding under the medical assistance program. Without this level of Medicaid licensure in Nebraska. Medicaid patients needing the care provided in rehab hospitals are unable to access the appropriate level of care.

LB 458 (Ballard) Allow certain central fill pharmacies to deliver to a patient under the Prescription Drug Safety Act

LB 458 clarifies that central fill pharmacies can distribute directly to the patient or caregiver, if the dispensing pharmacy and central fill pharmacy are under common ownership. Additionally, LB 458 strikes the requirement to include the phone number of the central fill pharmacy on the label of a non-controlled prescription drug.

LB 463 (Health and Human Services Committee) Change provisions relating to application for licensure under the Health Care Facility Licensure Act

LB 463 changes the Health Care Facility Licensure Act to require one member's signature of a limited liability company, instead of two, to apply for a license to operate a health care facility. This bill is to be used if other bills need to be amended into it.

LB468 (DeBoer) Create the position of State Dementia Director in the Department of Health and Human Services

LB 468 creates a staff position at the Department of Health & Human Services to (1) facilitate policy implementation to support persons with dementia and their family caregivers and (2) coordinate and manage the Alzheimer's Disease and Other Dementia Advisory Council.

LB488 (Hunt) Adopt the Sexual Assault Emergency Care Act

The Sexual Assault Emergency Care Act would require hospital emergency rooms to provide sexual assault survivors with medically and factually accurate information about emergency contraception, and to dispense a course of emergency contraception if the survivor wants it.

LB500 (M. Cavanaugh) Change provisions relating to the family support program for persons with developmental disabilities and their families

LB 500 amends language that began as LB 376, passed in 2022, authorizing the Department of Health and Human Services Division of Developmental Disabilities to apply for and implement a Medicaid waiver known as the Family Support Waiver.

LB 503 (Aguilar) Adopt the Rural Nebraska Nursing Workforce Act

LB 503 requires DHHS to administer a scholarship program under the newly created Rural Nebraska Nursing Workforce and award scholarships to students who qualify under this act. To qualify for this scholarship, a student shall intend to enroll in a nursing program, intend to practice as a licensed registered nurse, and agree in writing to work for three years in Nebraska as a licensed registered nurse. The scholarship shall be used for tuition and fees. Legislative findings and definitions are provided. The Legislature appropriates funds, for the next two fiscal years (\$1 million in first FY and \$2 million in the second FY), to DHHS to carry out the purposes of this Act. Additional funding is provided for approved clinical and learning environments.

LB510 (Conrad) Require annual cost-of-living adjustments in child welfare rates

LB 510 would require the Department of Health and Human Services to include annual cost of living adjustments in all child welfare rates paid out of program 354 in order to ensure the needs of vulnerable families are being met and assist providers in budgeting.

LB 517 (Walz) Require the Department of Health and Human Services to implement a pilot program regarding patient with complex health needs

As amended, LB 517 requires DHHS to contract with, or provide a grant to, an eligible entity to implement a pilot program to facilitate the transfer of patients with complex health needs from eligible acute care hospitals to appropriate post-acute care settings. DHHS or other eligible entities responsible for developing the pilot program are required to determine criteria for patients with complex health needs, develop a process for capacity and funding, and include regular consultation and include quarterly updates. The pilot program may include direct payments to post-acute care facilities that support care to patients with complex health needs. Funding utilized under the pilot program shall comply with all Medicaid and Medicare reimbursement policies for skilled nursing facilities, nursing facilities, and swing-bed hospitals. It is the intent of the Legislature to appropriate \$1 million from the General Fund to carry out this section. No more than 2.5% of the contracted amount shall be used to administer the program. LB 517 was amended into LB 227.

LB 523 (Walz) Require a state plan amendment to include school psychologists as Medicaid providers

DHHS is required, by October 1, 2023, to submit a state plan amendment to the federal centers for Medicare and Medicaid Services to include school psychologists as Medicaid providers.

LB 561 (Blood) Adopt the Cosmetology Licensure Compact

LB 561 creates the Cosmetology Licensure Compact. The goal is to improve public access to cosmetology services and reduce unnecessary burdens. Member states seek to establish a regulatory framework which provides for a new multistate licensing program.

The Compact consists of 13 Articles: purpose; definitions; member state requirements; multistate license; reissuance of a multistate license by a new home state; authority of Compact Commission and member state licensing authorities; adverse actions; active duty military and their spouses; establishment and operation of the cosmetology licensure compact commission; data system; rulemaking; oversight, dispute resolution, and enforcement; and effective date, withdrawal, and amendment.

The Compact shall come into effect on the date on which the Compact statute is enacted into law in the seventh Member State.

LB592 (Hardin) Adopt the Social Care Information Privacy Act

LB 592 creates the Social Care Information Privacy Act. The Social Care Information Privacy Act restricts access to personally identifiable information or social care information in a closed loop referral system to those participating organizations to whom an individual has been referred for services and the individual has consented for that participating organization to access such information.

LB 611 (Riepe) Provide requirements for certain health care facility-provided medications

LB 611 changes medication requirements of the administration of drugs for a hospital, an ambulatory surgical center, or health care practitioner facility. When a provided medication is ordered at least 24 hours in advance for surgical procedures and is administered to a patient, any unused portion of the medication shall be offered to the patient upon discharge when it is required for continuing treatment. The prescriber is responsible for counseling the patient on its proper use and administration. The unused portion of such medication shall be labeled by the prescriber or a pharmacist consistent with current labeling requirements.

LB 657 (McDonnell) Appropriate funds to the University of Nebraska relating to cancer support and education

LB 657 appropriates \$500,000 from the Nebraska Health Care Cash Fund to the University of Nebraska Medical Center (UNMC). The intent of the funds are to be used by UNMC to contract with a Nebraska organization for cancer education.

LB 661 (Ibach) Appropriate funds to the Department of Health and Human Services relating to food security

LB 661 appropriates \$2,500,000 from the General Fund to DHHS for creating a program to award grants to nonprofit organizations. The purpose of this program is to address food security concerns in Nebraska.

LB676 (Day) Create the Nebraska Diaper Distribution Grant program

LB676 would create the Nebraska Diaper Distribution Grant Program, which would allow community-based diaper banks, nonprofit distribution centers, or a local health departments to apply for grants to assist with diaper distribution in their communities.

LB 677 (Day) Create the Nebraska Knowing is Doing Something pilot program

LB 677 creates the Nebraska Knowing is Doing pilot program within DHHS. This program's goal is to assist Temporary Assistance for Needy Families (TANF) recipients with removing barriers to employment and education. This bill requires the program to provide \$15 million in block grants over five years to no more than two nonprofit organizations. These organizations shall be located in a city of the metropolitan class and required to provide services for youth. DHHS is required to award grants no later than December 31, 2024.

LB 680 (Day) Change provisions of the Parkinson's Disease Registry Act

LB680 updates Nebraska's Parkinson's disease registry to make the data collected more accessible and relevant to researchers. To include the date of Parkinson's disease symptom onset. The age at onset. Whether the diagnosis was confirmed by a neurologist. Whether symptoms responded to treatment. Whether the patient has a first degree relative with the disease. Whether the patient has experienced dementia or mild cognitive impairment.

LB 714 (J. Cavanaugh) Change provisions of the Nebraska Affordable Housing Act

LB714 would allocate new, one-time funding of \$50M to double the program's capacity for the next biennium to launch more affordable housing. Expand eligibility to for-profit developers. Expand eligible uses of NAHTF funds and clarify statutory language to add low-rate mortgages as a qualified use of funds.

LB 748 (M. Cavanaugh) Adopt the Persons with Intellectual and Developmental Disabilities Assistance Act

LB748 will allow any eligible non-profit organization that provides sports opportunities to individuals with intellectual and developmental disabilities to apply for a grant to be awarded up to five hundred thousand dollars.

LB 794 (Wayne) Adopt the Nursing Incentives Scholarship Act

LB 794 by offers scholarships to eligible candidates with nursing degrees.

LB 810 (Murman) Adopt the Medical Ethics and Diversity Act

LB 810 adopts the Medical Ethics and Diversity Act ("MED Act") to protect the right of conscience for medical practitioners, health care institutions, and health care payers by providing that no medical practitioner, health care institution, or health care payer should be compelled to participate in or pay for any medical procedure or prescribe or pay for any medication, which such person or entity objects to on the basis of conscience.

BILL SUMMARIES: RESOLUTIONS HELD IN COMMITTEE

LR18CA - Constitutional amendment to protect the right to reproductive freedom

LR 18CA would give Nebraska voters the option to enshrine the right to reproductive freedom in the state Constitution.

LR 19 (Hunt) Constitutional amendment to protect the right to reproductive freedom and prohibit the state from taking adverse action for exercising or assisting in the exercise of such right

LR 19CA adds a new section 31 to Article I of the Nebraska State Constitution. LR 19CA creates a fundamental right to reproductive freedom for every individual which entails the right to make and effectuate decisions about all pregnancy matters. The state is prohibited from penalizing, prosecuting, or taking adverse actions against an individual based on their actual, potential, perceived, or alleged pregnancy outcomes. This section shall be self-executing. Proposed ballot language is provided.

BILL SUMMARIES: BILLS INDEFINITELY POSTPONED

LB 35 (DeBoer) Change provisions relating to child care assistance

LB 35 (Sen. DeBoer) extends the sunset date for eligibility for transitional child care assistance under the federal Child Care Subsidy program and cash assistance to families who have not achieved economic self-sufficiency to October 1, 2026. The Nebraska Department of Health and

Human Services and private non-profit organization independent evaluation of the income eligibility changes in this section of law shall be completed by July 1, 2024 instead of December 15, 2023.

LB 35 was amended into LB 227.

LB 75 (Vargas) Provide for review of incidents of severe maternal morbidity

B 75 allows the State Child and Maternal Death Review Team to review incidents of severe maternal morbidity and may use the Centers for Disease Control guidelines for the review. The members of the team may review such records or documents to identify preventable causes of severe maternal morbidity.

LB 75 was amended into LB 227.

LB 84 (Day) Change provisions relating to the Supplemental Nutrition Assistance Program

LB84 would eliminate the sunset on Nebraska's expansion of SNAP to 165% of the Federal Poverty Level. At the moment, Nebraska's SNAP eligibility is set to go down to 135% of the Federal Poverty Level on October 1, 2023.

LB 84 was amended into LB 227

LB 123 (Fredrickson) Adopt the Behavior Analyst Practice Act

LB 123 requires behavior analysts to obtain a credential under the Uniform Credentialing Act (UCA). The Board of Behavior Analysts is added to the statutory list of medical boards and duties. Credentialing exceptions are provided for certain health professionals working in this field of practice.

LB 123 was amended into LB 227.

LB 181 (Hansen) Provide for filling and refilling prescriptions in certain circumstances

LB 181 provides that a prescription is valid when written remains valid for the period stated in the medical order notwithstanding the prescribing practitioner's subsequent death or retirement or the suspension or revocation or the prescribing practitioner's credential by the appropriate board, and a pharmacist may use professional judgment to fill or refill such a prescription which has sufficient fills remaining. Also, this section shall not apply to a prescription issued by a veterinarian.

LB 181 was amended into LB 227.

LB 245 (Walz) Change per diem compensation for members of the Board of Barber Examiners

LB 245 increases the compensation of board members from \$75 to \$150 for per diem expenses.

LB 245 was amended into LB 227.

LB 261 (Riepe) Change apprenticeship requirements under Funeral Directing and Embalming Practice Act

LB 261 changes the requirements of completing a split apprenticeship by allowing the apprentice license to be completed while attending a school of mortuary science.

LB 261 was amended into LB 227.

LB 286 (Walz) Provide for confidentiality of a physician wellness program under the Uniform Credentialing Act

LB 286 provides that if a Physician/Surgeon is participating in a wellness program, such participation is confidential and not subject to DHHS discovery, subpoena or reporting requirements. The individual may still voluntarily provide information to the DHHS.

LB 286 was amended into LB 2227

LB 337 (Riepe) Change provisions relating to disclosure of patient information under the Mental Health Practice Act

LB 337 allows a licensed mental health practitioner or professional counselor to disclose information permitted under the Health Insurance Portability and Accountability Act or otherwise permitted by law.

LB 337 was amended into LB 50.

LB 345 (Armendariz) Define palliative care under the Health Care Facility Licensure Act

LB 345 defines palliative care as specialized care or treatment for a person living with a serious illness that carries a high risk of mortality or negatively impacts quality of life. This type of care or treatment addresses the symptoms and stress of a serious illness. Palliative care is a team-based approach to care or treatment, providing essential support at any age and stage of a serious illness and can be provided across care settings and along with curative treatment. The goal of palliative care is to improve quality of life for both the patient and the patient's family or care partner.

LB 345 was amended into LB 227.

LB 357 (Walz) Change the maximum support allowable under the Disabled Persons and Family Support Act

LB 357 increases the maximum support allowable under the Disabled Persons and Family Support Act from \$300 per month to \$400, for disabled persons, plus \$200 per month for each additional disabled family member.

LB 357 was amended into LB 227.

LB 402 (Ballard) Redefine home health agency under Health Care Facility Licensure Act

Under LB 402 Home Health Agency would exclude a person or entity which only provides social work services.

LB 402 was amended into LB 227

LB 419 (Wishart) Require submission of a Medicaid state plan amendment to extend postpartum coverage

LB 419, as amended, requires DHHS to submit a state plan amendment or waiver to extend postpartum coverage from 60 days to at least 6 months. Nothing in this subsection shall preclude DHHS from submitting a state plan amendment for 12 months.

LB 419 was amended into LB 227.

LB 431 (Halloran) Change provisions relating to criminal history record information checks under the Uniform Credentialing Act

LB 431 changes criminal background checks requirements for an applicant's license involving health professions. This bill authorizes the Nebraska State Patrol to submit the fingerprints of such applicants to the F.B.I. and to issue a report to DHHS that includes the criminal history record information concerning the applicant. The Nebraska State Patrol shall forward submitted fingerprints to the F.B.I. for a national criminal history record information check.

LB 431 was amended into LB 227.

LB 548 (Ballard) Change examination and compounding requirements under the Pharmacy Practice Act

LB 548 would allow the Board of Pharmacy to determine the grade required for the examination in jurisprudence of pharmacy. The bill would also require any person authorized to compound to be in compliance with the standards of Chapter 795 and 797 of the United States Pharmacopeia and the National Formulary existing on January 1, 2023.

LB 548 was amended into LB 227.

LB 572 (Riepe) Provide, change, and eliminate provisions relating to the Medical Nutrition Therapy Practice Act

LB572 changes the credential to practice medical nutrition therapy from a Licensed Medical Nutrition Therapist to either a Licensed Dietitian Nutritionist (for a Registered Dietitian Nutritionist) or a Licensed Nutritionist (for Certified Nutrition Specialists and nonregistered dietitian nutritionist).

LB 572 was amended into LB 227

LB 586 (Hughes) Provide duties for the Nebraska Center for Nursing regarding clinical training sites

LB 586 expands the duties of the Nebraska Center for Nursing for purposes of incentivizing the development of additional clinical training sites for nurses in Nebraska, focusing on areas of the state with the lowest per capita numbers of registered nurses. LB586 transfers \$3 million from the General Fund for FY23/24 and \$7 million from the General Fund for FY24/25 to expand clinical nursing training sites as specified in the bill.

LB 586 was amended into LB 227

LB 590 (Holdcroft) Change the personal needs allowance for eligible aged, blind, and disabled persons

A bill to increase the personal needs allowance for eligible aged, blind, and disabled persons that reside in an alternative living arrangement.

LB 590 was amended into LB 227

LB626 (Albrecht) Adopt the Nebraska Heartbeat Act

LB626 provides that a physician may not perform or induce an abortion before testing for a fetal heartbeat, and that a physician may not perform or induce an abortion if a fetal heartbeat is detected, except in cases of sexual assault, incest, or medical emergency. An unlawful abortion by a physician in violation of LB626 constitutes unprofessional conduct.

LB 765 (DeKay) Change, provide, and eliminate definitions, powers, and duties under the Statewide Trauma System Act

LB 765 eliminates the regional trauma advisory boards and replaces them with regional trauma committees. Legislative findings are changed. DHHS duties and State Trauma Advisory Board duties are changed. Definitions of regional medical director, specialty level burn, pediatric trauma center, state trauma medical director, trauma medical director, trauma team, and trauma system are changed.

LB 765 was amended into LB 227.

LB772 (Hughes) Create the Residential Youth Parenting Facility Grant Program

LB772 creates the Residential Youth Parenting Facility Grant Program for purposes of constructing a facility for pregnant and parenting homeless youth, to be located in a city of the primary class.

LB 772 was amended into LB 227

BILL SUMMARIES: BILLS WITHDRAWN

LB 55 (McKinney) Change provisions relating to self-sufficiency contracts and work activity requirements under the Welfare Reform Act

Applicants under the self-sufficiency contract shall be permitted to complete the monthly work activity requirements through remote or online course work. DHHS shall verify the applicants' participation.

**LIST OF 2023 HEALTH AND HUMAN SERVICES COMMITTEE
INTERIM STUDIES**

One Hundred Eighth Legislature, First Session

LR 132 (Blood) Interim study to examine plausibility of the State of Nebraska becoming a participant in the Dentist and Dental Hygienist Compact

LR 136 (McDonnell) Interim study to examine the critical role federally qualified health centers play in expanding access to health care in Nebraska

LR 150 (DeBoer) Interim study to examine the gap in services such as emergency shelters and transitional housing for individuals experiencing domestic violence and human trafficking

LR 151 (DeBoer) Interim study to examine the results of the Nebraska Child Care Cost Model developed as a product of the Preschool Development Grant

LR 154 (Day) Interim study to examine Nebraska's maternal care deserts

LR 168 (Conrad) Interim study to examine the impact on the services provided by eligible recipients of and how to best use Nebraska's federal Temporary Assistance for Needy Families (TANF) funds

LR 171 (Jacobsen) Interim study to examine the cost and needed frequency of rebasing medicaid inpatient per diem rates for psychiatric facilities, hospital-based psychiatric units, and psychiatric residential facilities

LR 190 (Fredrickson) Interim study to examine streamlining communications on rule and regulation changes proposed by the Department of Health and Human Services relating to the medical assistance program

LR 191 (Ibach) Interim study to examine the process for conducting the statutorily required fingerprint-based national criminal history record information check for the child care workforce pursuant to section 71-1912

LR 196 (McDonnell) Interim study to review ways to eliminate or reduce the current waiting list for services that adults with developmental disabilities experience

LR 199 (McDonnell) Interim study to research, through collaboration among stakeholders, ways to address youth and adult behavioral health issues

LR 202 (Fredrickson) Interim study to examine the mental and behavioral health care needs of Nebraskans

LR 203 (Dorn) Interim study to review how the State of Nebraska can ensure it has effective emergency medical services in rural communities

LR 211 (Ballard) Interim study to examine the statewide availability of assisted-living memory care for individuals with Alzheimer's disease or other dementia and the accessibility of this type of care for medicaid beneficiaries

LR 213 (Ibach) Interim study to review how the State of Nebraska can assist licensed hospitals in converting to the rural emergency hospital designation under the federal Consolidated Appropriations Act of 2021

LR 226 (Aguilar) Interim study regarding dental offices sharing information with patients on the chance of patients getting infections in artificial body parts due to dental cleanings

LR 229 (Sanders) Interim study to examine the lack of education and support services and any other obstacles for foster parents

LR 232 (Blood) Interim study to examine the plausibility of the State of Nebraska joining the Social Work Compact

LR 233 (Blood) Interim study to examine the plausibility of the State of Nebraska joining the Physician Assistant Licensure Compact

LR 234 (Hansen) Interim study to examine the effectiveness of the State of Nebraska's response to the COVID-19 pandemic

LR 241 (Wishart) Interim study to examine the sufficiency of current provider rates and the cost and needed frequency of rebasing provider rates for child welfare services providers

LR 252 (Health and Human Services Committee) Interim study to examine issues within the jurisdiction of the Health and Human Services Committee

DETAILED INDEX OF HEALTH AND HUMAN SERVICES COMMITTEE BILL AND RESOLUTIONS

One Hundred Eighth Legislature, First Session

Bill #	Introducer	One-liner	Hearing Date	Status
LB12	Blood	Create the Nebraska Human Breast Milk Bank	2/1/2023	Referral
LB13	Blood	Require coverage of human breast milk under the Medical Assistance Act	2/8/2023	Referral
LB35	DeBoer	Change provisions relating to child care assistance	3/2/2023	Indefinitely postponed
LB55	McKinney	Change provisions relating to self-sufficiency contracts and work activity requirements under the Welfare Reform Act	None	Withdrawn
LB62	Cavanaugh, M.	Provide for coverage of translation and interpretation services under the medical assistance program	3/1/2023	Referral
LB64	Day	Require the Department of Health and Human Services to provide notice in certain cases of child abuse and neglect	2/2/2023	Referral
LB65	Day	Change provisions relating to the complaint tracking system and disciplinary action under the Child Care Licensing Act	2/2/2023	Referral
LB75	Vargas	Provide for review of incidents of severe maternal morbidity	1/25/2023	Indefinitely postponed
LB78	Day	Redefine massage therapy under the Massage Therapy Practice Act	2/2/2023	General File
LB84	Day	Change provisions relating to the Supplemental Nutrition Assistance Program	3/2/2023	Indefinitely postponed
LB85	Day	Provide for express lane eligibility under the Medical Assistance Act and the Children's Health Insurance Program	3/15/2023	Referral
LB88	Hunt	Change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits	3/15/2023	Referral
LB115	Raybould	Adopt the Family Home Visitation Act	2/2/2023	Referral
LB123	Fredrickson	Adopt the Behavior Analyst Practice Act	1/26/2023	Indefinitely postponed
LB179	Fredrickson	Prohibit conversion therapy	3/1/2023	Referral
LB181	Hansen, B.	Provide for filling and refilling prescriptions in certain circumstances	2/1/2023	Indefinitely postponed
LB189	Kauth	Change and provide exemptions for natural hair braiding and natural hairstyling	2/2/2023	Referral
LB200	Briese	Adopt the Canadian Prescription Drug Importation Act	1/25/2023	Referral

LB202	Walz	Provide for vaccine administration by pharmacy technicians	1/26/2023	Referral
LB204	Riepe	Provide for reimbursement for pharmacy dispensing fees under the medical assistance program	3/1/2023	General File
LB216	Hughes	Provide certification requirements for optometrists performing certain procedures	1/26/2023	Referral
LB219	Ibach	Require the Department of Health and Human Services to rebase rates for critical access hospitals	2/9/2023	Referral
LB227	Hansen, B.	Change provisions relating to public health and welfare	2/10/2023	Passed
LB233	Cavanaugh, J.	Provide for child support payment disregard under aid to dependent children program and eliminate child support income in determining eligibility	3/3/2023	Referral
LB245	Walz	Change per diem compensation for members of the Board of Barber Examiners	2/1/2023	Indefinitely postponed
LB261	Riepe	Change apprenticeship requirements under Funeral Directing and Embalming Practice Act	2/1/2023	Indefinitely postponed
LB276	Wishart	Adopt the Certified Community Behavioral Health Clinic Act	2/23/2023	Passed
LB280	Blood	Adopt the Interstate Massage Compact	2/2/2023	Referral
LB286	Walz	Provide for confidentiality of a physician wellness program under the Uniform Credentialing Act	2/9/2023	Indefinitely postponed
LB290	Cavanaugh, M.	Change standard of need requirements for the aid to dependent children program	3/8/2023	Referral
LB291	Cavanaugh, M.	Require implicit bias or diversity, equity, and inclusion training for certain applicants and credential holders under the Uniform Credentialing Act	3/9/2023	Referral
LB310	Conrad	Change the maximum payment level under the aid to dependent children program	3/8/2023	Referral
LB326	Raybould	Provide for eligibility for certain children under the Medical Assistance Act	2/9/2023	Referral
LB333	Conrad	Require a state plan amendment for coverage of family planning services under the Medical Assistance Act	3/9/2023	Referral
LB337	Riepe	Change provisions relating to disclosure of patient information under the Mental Health Practice Act	2/3/2023	Indefinitely postponed
LB345	Armendariz	Define palliative care under the Health Care Facility Licensure Act	2/3/2023	Indefinitely postponed

LB353	Raybould	Provide for grants for projects that increase long-term care facility capacity	2/9/2023	Referral
LB357	Walz	Change the maximum support allowable under the Disabled Persons and Family Support Act	3/2/2023	Indefinitely postponed
LB358	Walz	State intent to increase dental services reimbursement under the Medical Assistance Act	2/16/2023	General File
LB402	Ballard	Redefine home health agency under Health Care Facility Licensure Act	2/15/2023	Indefinitely postponed
LB419	Wishart	Require submission of a medicaid state plan amendment to extend postpartum coverage	2/2/2023	Indefinitely postponed
LB421	Kauth	Provide procedures for directed health measures	2/15/2023	Referral
LB422	Kauth	Exempt certain activities from disciplinary action under the Uniform Credentialing Act	2/16/2023	Referral
LB430	Walz	Prohibit a multiple procedure payment reduction policy from being applied to physical therapy, occupational therapy, or speech-language pathology services as prescribed under the Uniform Credentialing Act	2/3/2023	General File
LB431	Halloran	Change provisions relating to criminal history record information checks under the Uniform Credentialing Act	2/15/2023	Indefinitely postponed
LB433	Jacobson	Provide requirements for distribution of funding for behavioral health regions	2/9/2023	Referral
LB434	Jacobson	Require the Department of Health and Human Services to enroll long-term care hospitals as providers under the medical assistance program and submission of a state plan amendment or waiver	2/10/2023	Referral
LB451	Brewer	Provide for the Department of Health and Human Services to award a grant to assist a rehabilitation hospital	2/9/2023	General File
LB458	Ballard	Allow certain central fill pharmacies to deliver to a patient under the Prescription Drug Safety Act	2/9/2023	Referral
LB463	Health and Human Services Committee	Change provisions relating to application for licensure under the Health Care Facility Licensure Act	2/24/2023	Referral
LB468	DeBoer	Create the position of State Dementia Director in the Department of Health and Human Services	2/9/2023	Referral
LB488	Hunt	Adopt the Sexual Assault Emergency Care Act	3/1/2023	Referral

LB500	Cavanaugh, M.	Change provisions relating to the family support program for persons with developmental disabilities and their families	2/15/2023	Referral
LB503	Aguilar	Adopt the Rural Nebraska Nursing Workforce Act	2/24/2023	Referral
LB510	Conrad	Require annual cost-of-living adjustments in child welfare rates	3/8/2023	Referral
LB517	Walz	Require the Department of Health and Human Services to pay discharge incentives to post-acute placement facilities	2/10/2023	Referral
LB523	Walz	Require a state plan amendment to include school psychologists as medicaid providers	3/3/2023	Referral
LB548	Ballard	Change examination and compounding requirements under the Pharmacy Practice Act	2/3/2023	Indefinitely postponed
LB561	Blood	Adopt the Cosmetology Licensure Compact	2/3/2023	Referral
LB570	Vargas	Adopt the Overdose Fatality Review Teams Act	2/23/2023	General File
LB572	Riepe	Provide, change, and eliminate provisions relating to the Medical Nutrition Therapy Practice Act	2/3/2023	Indefinitely postponed
LB574	Kauth	Adopt the Let Them Grow Act and the Preborn Child Protection Act and provide for discipline under the Uniform Credentialing Act	2/8/2023	Passed
LB586	Hughes	Provide duties for the Nebraska Center for Nursing regarding clinical training sites	2/22/2023	Indefinitely postponed
LB590	Holdcroft	Change the personal needs allowance for eligible aged, blind, and disabled persons	2/8/2023	Indefinitely postponed
LB592	Hardin	Adopt the Social Care Information Privacy Act	2/16/2023	Referral
LB593	Hardin	Change provisions relating to licensure and regulation of hearing instrument specialists	2/22/2023	General File
LB595	Hardin	Change supervision requirements under the Pharmacy Practice Act	3/8/2023	General File
LB605	Albrecht	Change provisions of the Mental Health Practice Act to include protections and requirements for certified art therapists	2/23/2023	General File
LB611	Riepe	Provide requirements for certain health care facility-provided medications	2/10/2023	Referral
LB626	Albrecht	Adopt the Nebraska Heartbeat Act	2/1/2023	Indefinitely postponed
LB657	McDonnell	Appropriate funds to the University of Nebraska	2/23/2023	Referral
LB661	Ibach	Appropriate funds to the Department of Health and Human Services	2/15/2023	Referral

LB664	Riepe	Provide powers and duties for the state medicaid fraud control unit and the Attorney General	2/8/2023	General File
LB676	Day	Create the Nebraska Diaper Distribution Grant program	3/3/2023	Referral
LB677	Day	Create the Nebraska Knowing is Doing Something pilot program	3/9/2023	Referral
LB680	Day	Change provisions of the Parkinson's Disease Registry Act	2/16/2023	Referral
LB714	Cavanaugh, J.	Change provisions of the Nebraska Affordable Housing Act	2/24/2023	Referral
LB748	Cavanaugh, M.	Adopt the Persons with Intellectual and Developmental Disabilities Assistance Act	3/2/2023	Referral
LB765	DeKay	Change, provide, and eliminate definitions, powers, and duties under the Statewide Trauma System Act	2/22/2023	Indefinitely postponed
LB772	Hughes	Create the Residential Youth Parenting Facility Grant Program	2/10/2023	Indefinitely postponed
LB792	Wayne	Provide for a pilot program for assessing and treating post traumatic stress disorder	2/22/2023	General File
LB794	Wayne	Adopt the Nursing Incentives Scholarship Act	2/24/2023	Referral
LB810	Murman	Adopt the Medical Ethics and Diversity Act	2/10/2023	Referral
LR18CA	Hunt	Constitutional amendment to protect the right to reproductive freedom	3/16/2023	Referral
LR19CA	Hunt	Constitutional amendment to protect the right to reproductive freedom and prohibit the state from taking adverse action for exercising or assisting in the exercise of such right	3/16/2023	Referral