

February 23, 2012

Senator Kathy Campbell, Chair
Health and Human Services Committee

Dear Senator Campbell and members of the Health and Human Services Committee:

This letter is being sent in opposition to LB 1002 which changes the long-term care bed moratorium provisions.

The intent of the Nebraska Health Care Certificate of Need Act is to discourage the proliferation of long-term care beds in Nebraska as a means of containing the cost of nursing home care. However, this Act contains provisions that allow for an increase in long-term care beds under certain circumstances.

LB 1002 authorizes the Department to waive the certification of need limitations such that political subdivisions or non-profit organizations that are located in cities of the second class or villages would be able to establish long-term care beds when such beds have been sold or transferred to another facility that is located outside a 25 mile radius of the city or village and there are no licensed long-term care beds within the corporate limits of the city or village. Since LB 1002 does not limit the timeframe within which such cities or villages could exercise this option following the transfer of long-term care beds, perhaps consideration should be given to doing so to eliminate ambiguity and minimize the potential for undue growth in long-term care beds in Nebraska.

Please feel free to contact me with any questions.

Sincerely,



Joann Schaefer, M.D.
Chief Medical Officer, Director
Division of Public Health, NE Dept of Health and Human Services