

**Health and Human Services Committee**

**LB 1093**

**February 21, 2018**

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Chief Medical Officer  
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Department of Health and Human Services**

Good afternoon, Senator Riepe, and members of the Health and Human Services Committee. My name is Thomas Williams (T-H-O-M-A-S W-I-L-L-I-A-M-S) and I am the Chief Medical Officer and Director of the Division of Public Health for the Department of Health and Human Services (DHHS). I am here to testify in opposition to LB 1093.

The Division of Public Health is the State Survey Agency for Nebraska that works under agreement with the Centers for Medicare and Medicaid Services (CMS) to assure basic levels of quality and safety for all patients, residents and clients receiving care from Medicare and Medicaid certified institutional providers.

CMS trains and qualifies federal and state personnel to conduct Medicare and Medicaid surveys and provider certification. Survey and certification is the system that provides onsite, objective, and outcome-based verification by knowledgeable and trained individuals to assure that basic standards of quality are being met by healthcare providers or if not met, that appropriate remedies are promptly applied and implemented effectively. It is unclear from the bill what kind of duties the investigators in the proposed office would perform, whether it would be review and assessment of care provided from a healthcare point of view, financial audits, or both.

The CMS survey and certification system covers the majority of health care facilities and services that are licensed in Nebraska. Surveys conducted of these facilities and services accomplish both state licensure and federal certification for participation in Medicare and Medicaid which is more cost-effective than if the state and federal work was done separately.

Given the extensive system that currently exists for quality assurance in health care facilities and services, it is unnecessary to create an additional system to oversee all health care facilities that would essentially duplicate the services provided through CMS. In addition, it may be problematic for the Office of Inspector General of Nebraska Public Health to access records obtained through a federal survey or investigation as these records are the property of CMS and are not in all cases considered public documents.

Thank you for the opportunity to testify before you today. I'm happy to answer any questions you may have.