

February 5, 2015

Senator Kathy Campbell, Chair
Health and Human Services Committee
P.O. Box 94604
Lincoln, NE 68509-4604

RE: LB 320

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

The Division of Medicaid and Long-Term Care has reviewed LB 320 and offers the following technical information on the bill. The agency takes no policy position on the bill at this time.

The bill would direct the Division of Medicaid and Long-Term Care of the Department of Health and Human Services to establish Aging and Disability Resource Centers to assist eligible individuals to access the most appropriate public and private resources to meet the individual's long-term care needs, to include a system of standards, certification, and funding in order to implement and operate ADRCs efficiently and responsibly.

If the committee decides to advance LB 320, the agency requests that the requirement for the Department to promulgate rules and regulations within 240 days be stricken from the bill. As you are aware, the rulemaking promulgation processing timeline is outside the Department's control to comply with a 240-day requirement. Proposed regulations must be approved by several entities before they are approved by the Governor and filed with the Secretary of State.

Another area that needs to be harmonized is the Section 11 language which addresses reimbursement to the (Area Agencies on Aging) or other entities operating an ADRC. The sentence regarding payments to be made on or before the 20th day of the month is in conflict with Nebraska Revised Statutes §81-2403 Goods or services; payment in full; when required. The existing law requires agencies to make payments on or before the 45th day after receipt of an invoice. The agency recommends the 45-day standard be used in this bill for ease of operations.

Please feel free to contact me for discussion that you would deem necessary on this matter.

Sincerely,



Courtney Miller
Deputy Director, Programs
Division of Medicaid & Long-Term Care

Cc: Senator Bolz