

Revision: HCFA-PM-94-5
April 1994

(MB)

OMB No. 0938-0193

State/Territory: Nebraska

SECTION 3 – SERVICES: GENERAL PROVISIONS

Citation3.1 Amount, Duration, and Scope of Services

42 CFR
Part 440,
Subpart B
1902(a), 1902(e),
1905(a), 1905(p),
1915, 1920, and
1925 of the Act

- (a) Medicaid is provided in accordance with the requirements of 42 CFR Part 440, Subpart B and sections 1902(a), 1902(e), 1905(a), 1905(p), 1915, 1920, and 1925 of the Act.

(1) Categorically needy.

Services for the categorically needy are described below and in ATTACHMENT 3.1-A. These services include:

- (i) Each item or service listed in section 1905(a)(1) through (5) and (21) of the Act, is provided as defined in 42 CFR Part 440, Subpart A, or, for EPSDT services, section 1905(r) and 42 CFR Part 441, Subpart B.
- (ii) Nurse-midwife services listed in section 1905(a)(17) of the Act, are provided to the extent that nurse-midwives are authorized to practice under State law or regulation and without regard to whether the services are furnished in the area of management of the care of mothers and babies throughout the maternity cycle. Nurse-midwives are permitted to enter into independent provider agreements with the Medicaid agency without regard to whether the nurse-midwife is under the supervision of, or associated with, a physician or other health care provider.

Not applicable. Nurse-midwives are not authorized to practice in this State.

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(BPD)

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State/Territory: NebraskaCitation

3.1(a)(1) Amount, Duration, and Scope of Services: Categorically Needy
(Continued)

1902(e)(5) of
the Act

(iii) Pregnancy-related, including family planning services, and postpartum services for a 60-day period (beginning on the day pregnancy ends) and any remaining days in the month in which the 60th day falls are provided to women who, while pregnant, were eligible for, applied for, and received medical assistance on the day the pregnancy ends.

(iv) Services for medical conditions that may complicate the pregnancy (other than pregnancy-related or postpartum services) are provided to pregnant women.

1902(a)(10),
Clause (VII)
of the matter
following (F)
of the Act

(v) Services related to pregnancy (including prenatal, delivery, postpartum, and family planning services) and to other conditions that may complicate pregnancy are the same services provided to poverty level pregnant women eligible under the provision of sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act.

TN No. MS-91-24

Supersedes

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October 1992

State/Territory: Nebraska

Citation

3.1(a)(1) Amount, Duration, and Scope of Services: Categorically Needy (Continued)

- 1902(a)(10)(D)
of the Act
- (vi) Home health services are provided to individuals entitled to nursing facility services as indicated in item 3.1(b) of this plan.
- 1902(e)(7)
of the Act
- (vii) Inpatient services that are being furnished to infants and children described in section 1902(1)(1)(B) -through (D), or section 1905(n)(2) of the Act on the date the infant or child attains the maximum age for coverage under the approved State plan will continue until the end of the stay for which the inpatient services are furnished.
- 1902(e)(9)
of the Act
- (viii) Respiratory care services are provided to ventilator dependent individuals as indicated in item 3.1(h) of this plan.
- 1902(a)(52)
and 1925
of the Act
- (ix) Services are provided to families eligible under section 1925 of the Act as indicated in item 3.5 of this plan.
- 1905(a)(23)
and 1929
- (x) Home and Community Care for Functionally Disabled Elderly Individuals, as defined, described and limited in Supplement 2 to Attachment 3.1-A and Appendices A-G to Supplement 2 to Attachment 3.1-A.

ATTACHMENT 3.1-A identifies the medical and remedial services provided to the categorically needy, specifies all limitations on the amount, duration and scope of those services, and lists the additional coverage (that is in excess of established service limits) for pregnancy-related services and services for conditions that may complicate the pregnancy.

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(BPD)

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State/Territory: Nebraska

Citation

3.1 Amount, Duration, and Scope of Services (continued)

42 CFR Part 440,
Subpart B

(a) (2) Medically needy.

- This State plan covers the medically needy. The services described below and in ATTACHMENT 3.1-B are provided.

Services for the medically needy include:

1902(a)(10)(C)(iv)
of the Act
42 CFR 440.220

- (i) If services in an institution for mental diseases (42 CFR 440.140 and 440.160) or an intermediate care facility for the mentally retarded (or both) are provided to any medically needy group, then each medically needy group is provided either the services listed in section 1905(a)(1) through (5) and (17) of the Act, or seven of the services listed in section 1905(a)(1) through (20). The services are provided as defined in 42 CFR Part 440, Subpart A and in sections 1902, 1905, and 1915 of the Act.

- Not applicable with respect to nurse-midwife services under section 1902(a)(17). Nurse-midwives are not authorized to practice in this State.

1902(e)(5) of
the Act

- (ii) Prenatal care and delivery services for pregnant women.

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Supersedes

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TN No. MS-91-24

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OMB No. 0938-

State/Territory: NebraskaCitation3.1(a)(2) Amount, Duration, and Scope of Services: Medically Needy
(Continued)

- (iii) Pregnancy-related, including family planning services, and postpartum services for a 60-day period (beginning on the day the pregnancy ends) and any remaining days in the month in which the 60th day falls are provided to women who, while pregnant, were eligible for, applied for, and received medical assistance on the day the pregnancy ends.
- (iv) Services for any other medical condition that may complicate the pregnancy (other than pregnancy related and postpartum services) are provided to pregnant women.
- (v) Ambulatory services, as defined in ATTACHMENT 3.1-B, for recipients under age 18 and recipients entitled to institutional services.
- Not applicable with respect to recipients entitled to institutional services; the plan does not cover those services for the medically needy.
- 1902(a)(10)(c) (vi) Home health services to recipients entitled to nursing facility services as indicated in item 3.1(b) of this plan.
- (vii) Services in an institution for mental diseases for individuals over age 65.
- 42 CFR 440.140,
440.150, 440.160,
Subpart B 442.441,
Subpart C
1902(a)(20)
and (21) of the Act (viii) Services in an intermediate care facility for the mentally retarded.
- (ix) Inpatient psychiatric services for individuals under age 21.

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Supersedes

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20b

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Citation

3.1(a)(2) Amount, Duration, and Scope of Services: Medically Needy
(Continued)

1902(e)(9) of Act

- (x) Respiratory care services are provided to ventilator dependent individuals as indicated in item 3.1(h) of this plan.

1905(a)(23)
and 1929 of the Act

- (xi) Home and Community Care for Functionally Disabled Elderly Individuals, as defined, described and limited in Supplement 2 to Attachment 3.1-A and Appendices A-G to Supplement 2 to Attachment 3.1-A.

ATTACHMENT 3.1-B identifies the services provided to each covered group of the medically needy; specifies all limitations on the amount, duration, and scope of those items; and specifies the ambulatory services provided under this plan and any limitations on them. It also lists the additional coverage (that is in excess of established service limits) for pregnancy-related services and services for conditions that may complicate the pregnancy.

TN No. MS-93-11

Supersedes

Approval Date Jul 12 1993

Effective Date Apr 1 1993

TN No. MS-92-22

Revision: HCFA-AT-9801
April 1998

(CMSO)

State/Territory: Nebraska

Citation

3.1 Amount, Duration, and Scope of Services (continued)

<p>1902(a)(10)(E)(i) and clause (VIII) of the matter following (F), and 1905(p)(3) of the Act</p>	(a)(3)	<p><u>Other Required Special Groups: Qualified Medicare Beneficiaries</u></p>	<p>Medicare cost sharing for qualified Medicare beneficiaries described in section 1905(p) of the Act is provided only as indicated in item 3.2 of this plan.</p>
<p>1902(a)(10)(E)(ii) and 1905(s) of the Act</p>	(a)(4)(i)	<p><u>Other Required Special Groups: Qualified Disabled and Working Individuals</u></p>	<p>Medicare Part A premiums for qualified disabled and working individuals described in section 1902(a)(10)(E) (ii) of the Act are provided as indicated in item 3.2 of this plan.</p>
<p>1902(a)(10)(E)(iii) and 1905(p)(3)(A)(ii) of the Act</p>	(ii)	<p><u>Other Required Special Groups: Specified Low-Income Medicare Beneficiaries</u></p>	<p>Medicare Part B premiums for specified low-income Medicare beneficiaries described in section 1902(a)(10)(E)(iii) of the Act are provided as indicated in item 3.2 of this plan.</p>
<p>1902(a)(10)(E)(iv)(I), 1905(p)(3)(A)(ii), and 1933 of the Act</p>	(iii)	<p><u>Other Required Special Groups: Qualifying Individuals -1</u></p>	<p>Medicare Part B premiums for qualifying individuals described in 1902(a)(10)(E)(iv)(I) and subject to 1933 of the Act are provided as indicated in item 3.2 of this plan.</p>

TN No. MS-98-1

Supersedes

Approval Date May 8 1998

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TN No. MS-93-4

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Citation

1902(a)(10)(E)(iv)(II), (iv) Other Required Special Groups: Qualifying
1905(p)(3)(A)(iv)(II), Individuals -2
1905(p)(3) of the Act

The portion of the amount of increase to the Medicare Part B premium attributable to the Home Health provisions for qualifying individuals described in 1902(A)(10)(E)(iv)(II) and subject to 1933 of the Act are provided as indicated in item 3.2 of this plan.

1925 of the Act (a)(5) Other Required Special Groups: Families
Receiving Extended Medicaid Benefits

Extended Medicaid benefits for families described in section 1925 of the Act are provided as indicated in item 3.5 of this plan.

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21(a)

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April 1998

(CMSO)

State/Territory: Nebraska

Citation

Sec. 245A(h) of the
Immigration and
Nationality Act

(a)(6)

Limited Coverage for Certain Aliens

- (i) Aliens granted lawful temporary resident status under section 245A of the Immigration and Nationality Act who meet the financial and categorical eligibility requirements under the approved State Medicaid plan are provided the services covered under the plan if they –
 - (A) Are aged, blind or disabled individuals as defined in section 1614(a)(1) of the Act;
 - (B) Are children under 18 years of age; or
 - (C) Are Cuban or Haitian entrants as defined in section 501(e)(1) and (2)(A) of P.L. 96422 in effect on April 1, 1983.
- (ii) Except for emergency services and pregnancy-related services, as defined in 42 CFR 447.53(b) aliens granted lawful temporary resident status under section 245A of the Immigration and Nationality Act who are not identified in items 3.1(a)(6)(i)(A) through (C) above, and who meet the financial and categorical eligibility requirements under the approved State plan are provided services under the plan no earlier than five years from the date the alien is granted lawful temporary resident status.

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State/Territory: Nebraska

Citation

1905(a)(9) of the Act	(a)(7)	<u>Homeless Individuals</u> Clinic services furnished to eligible individuals who do reside in a permanent dwelling or do not have a fixed home or mailing address are provided without restrictions regarding the site at which the services are furnished.
1902(a)(47) of the Act	<input checked="" type="checkbox"/> (a)(8)	<u>Presumptively Eligible Pregnant Women</u> Ambulatory prenatal care for pregnant women is provided during a presumptive eligibility period if the care is furnished by a provider that is eligible for payment under the State plan.
42 CFR 441.55 50 FR 43654 1902(a)(43), 1905(a)(4)(B), and 1905(r) of the Act	(a)(9)	<u>EPSDT Services</u> The Medicaid agency meets the requirements of sections 1902(a)(43), 1905(a)(4)(B), and 1905(r) or the Act with respect to early and periodic screening, diagnostic, and treatment (EPSDT) services.

TN No. MS-97-11

Supersedes

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TN No. MS-92-1

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(BPD)

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Citation

3.1 (a)(9)

Amount, Duration, and Scope of Services:
EPSDT Services (continued)

42 CFR 441.60

The Medicaid agency has in effect agreements with continuing care providers. Described below are the methods employed to assure the providers' compliance with their agreements.

(a)(10)

Comparability of Services

42 CFR 440.240
and 440.250

Except for those items or services for which sections 1902(a), 1902(a)(10), 1903(v), 1915, 1925, and 1932 of the Act, 42 CFR 440.250 and section 245A of the Immigration and Nationality Act, permit exceptions:

1902(a) and 1902(a)(10), 1902(a)(52), 1903(v), 1915(g), 1925(b)(4) and 1932, of the Act.

- (i) Services made available to the categorically needy are equal in amount, duration, and scope for each categorically needy person.
- (ii) The amount, duration, and scope of services made available to the categorically needy are equal to or greater than those made available to the medically needy.
- (iii) Services made available to the medically needy are equal in amount, duration, and scope for each person in a medically needy coverage group.
- (iv) Additional coverage for pregnancy-related services and services for conditions that may complicate the pregnancy are equal for categorically and medically needy.

**Describe here.

The MCO submits monthly encounter data.

TN No. MS-03-12

Supersedes

Approval Date Nov 6 2003

Effective Date Aug 13 2003

TN No. MS-92-1

Revision: HCFA-AT-80-38 (BPP)
May 22, 1980

State/Territory: Nebraska

Citation

- 42 CFR Part 440, Subpart B
42 CFR 441.15
AT -78-90
AT-80-34
- 3.1(b) Home health services are provided in accordance with the requirements of 42 CFR 441.15.
- (1) Home health services are provided to all categorically needy individuals 21 years of age or over.
 - (2) Home health services are provided to all categorically needy individuals under 21 years of age.
 - Yes
 - Not applicable. The State plan does not provide for skilled nursing facility services for such individuals.
 - (3) Home health services are provided to the medically needy:
 - Yes, to all
 - Yes, to individuals age 21 or over; SNF services are provided
 - Yes, to individuals under age 21; SNF services are provided
 - No; SNF services are not provided
 - Not applicable; the medically needy are not included under this plan

TN No. MS-80-1

Supersedes

Approval Date Apr 17 1980

Effective Date Jan 1 1980

TN No. _____

Revision: HCFA-PM-93-8 (BPD)
December 1993

State/Territory: Nebraska

Citation

3.1 Amount, Duration, and Scope of Services (continued)

42 CFR 431.53

(c)(1) Assurance of Transportation

Provision is made for assuring necessary transportation of recipients to and from providers. Methods used to assure such transportation are described in ATTACHMENT 3.1-D.

42 CFR 483.10

(c)(2) Payment for Nursing Facility Services

The State includes in nursing facility services at least the items and services specified in 42 CFR 483.10 (c) (8) (i).

TN No. MS-93-17

Supersedes

Approval Date Jan 12 1994

Effective Date Oct 1 1993

TN No. MS-91-24

Revision: HCFA-AT-80-38
May 22, 1980

(BPP)

State/Territory: Nebraska

Citation

3.1(d) Methods and Standards to Assure Quality of Services

42 CFR 440.260
AT-78-90

The standards established and the methods used to assure high quality care are described in ATTACHMENTS 3.1-C.

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Supersedes

Approval Date Dec 3 1976

Effective Date Dec 1 1976

TN No. MS-74-10

Revision: HCFA-AT-80-38
May 22, 1980

(BPP)

State/Territory: Nebraska

Citation

3.1(e) Family Planning Services

42 CFR 441.20
AT-78-90

The requirements of 42 CFR 441.20 are met regarding freedom from coercion or pressure of mind and conscience, and freedom of choice of method to be used for family planning.

TN No. MS-76-14

Supersedes

Approval Date Dec 3 1976

Effective Date Dec 1 1976

TN No. MS-74-10

Revision: HCFA-PM-87-5
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(BERC)

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Citation

3.1(f)(1) Optometric Services

42 CFR 441.30
AT-78-90

Optometric services (other than those provided under §435.531 and 436.531) are not now but were previously provided under the plan. Services of the type an optometrist is legally authorized to perform are specifically included in the term "physicians' services" under this plan and are reimbursed whether furnished by a physician or an optometrist.

- Yes.
- No. The conditions described in the first sentence apply but the term "physicians' services" does not specifically include services of the type an optometrist is legally authorized to perform.
- Not applicable. The conditions in the first sentence do not apply.

(2) Organ Transplant Procedures

1903(i)(1)
of the Act,
P.L. 99-272
(Section 9507)

Organ transplant procedures are provided.

- No
- Yes. Similarly situated individuals are treated alike and any restriction on the facilities that may, or practitioners who may, provide those procedures is consistent with the accessibility of high quality care to individuals eligible for the procedures under this plan. Standards for the coverage of organ transplant procedures are described at ATTACHMENT 3.1-E.

TN No. MS-87-12

Supersedes

Approval Date Jul 24 1987

Effective Date Jul 1 1987

TN No. MS-84-7

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Citation

3.1 (g) Participation by Indian Health Service Facilities

42 CFR
431.110(b)
AT-78-90

Indian Health Service facilities are accepted as providers, in accordance with 42 CFR 431.110(b), on the same basis as other qualified providers.

(h) Respiratory Care Services for Ventilator-Dependent Individuals

1902(e)(9) of the Act,
P.L. 99-509
(Section 9408)

Respiratory care services, as defined in section 1902(e)(9)(C) of the Act, are provided under the plan to individuals who--

- (1) Are medically dependent on a ventilator for life support at least six hours per day;
- (2) Have been so dependent as inpatients during a single stay or a continuous stay in one or more hospitals, SNFs or ICFs for the lesser of--
 - 30 consecutive days;
 - ___ days (the maximum number of inpatient days allowed under the State plan);
- (3) Except for home respiratory care, would require respiratory care on an inpatient basis in a hospital, SNF, or ICF for which Medicaid payments would be made;
- (4) Have adequate social support services to be cared for at home; and
- (5) Wish to be cared for at home.

- Yes. The requirements of section 1902(e)(9) of the Act are met.
- Not applicable. These services are not included in the plan.

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Supersedes

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