

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Jim Pillen, Governor

June 7, 2026

James G. Scott, Director
Centers for Medicare & Medicaid Services
Kansas City Regional Operations Group
Division of Medicaid Field Operations-North
601 East 12th Street, Suite 355
Kansas City, Missouri 64106-2898

RE: Nebraska State Plan Amendment NE 26-0002

Dear Mr. Scott:

Enclosed please find the above referenced amendment to the Nebraska Medicaid State Plan regarding community engagement requirements.

The Division of Medicaid and Long-Term Care (MLTC) sent notice on April 7, 2026 (attached) to the federally recognized Native American Tribes and Indian Health Programs within the State of Nebraska to discuss the impact the proposed state plan amendment might have, if any, on the Tribes. MLTC received comments from the Tribes and extended the Tribal Notice period to 60 days. The comments were addressed at the Quarterly Tribal Consultation on May 14, 2026. Responses to the comments are included in the submission.

If you have content questions, please feel free to contact Ashiye Aator at ashiye.aator@nebraska.gov or 402-613-1645. For submittal questions, please contact Dawn Kastens at dawn.kastens@nebraska.gov or 531-893-3379.

Sincerely,

A handwritten signature in black ink that reads "Drew Gonshorowski".

Drew Gonshorowski, Director
Division of Medicaid and Long-Term Care
Department of Health and Human Services

cc: Tyson Christensen

Enclosures

Community Engagement for Certain Adults

The state operates the community engagement requirement described under section 1902(xx) of the Social Security Act (the Act) in accordance with the following provisions:

A. General Requirements for Community Engagement

1. The state requires as condition of eligibility that an applicable individual demonstrates (or the state deems the applicable individual to demonstrate) community engagement for the number of months specified by the state during the applicable review period. An applicable individual is an individual who is not a specified excluded individual under Section B. below who is eligible for or enrolled in:
 - The state plan eligibility group described in 42 CFR § 435.119.
 - A demonstration expenditure authority under section 1115(a)(2) of the Act that provides coverage equivalent to minimum essential coverage and who: attained the age of 19 and is under 65 years of age, is not pregnant, is not entitled to, or enrolled for, benefits under Medicare Part A or Part B, and is not otherwise eligible to enroll under the state plan.
2. An applicable individual demonstrates compliance with community engagement for a month if the individual meets one or more of the following:
 - a. Works not less than 80 hours
 - b. Completes not less than 80 hours of community service
 - c. Participates in a work program for not less than 80 hours
 - d. Enrolled in an educational program at least half-time
 - e. Any combination of A.2.a. through A.2.d. for a total of not less than 80 hours (except educational program hours may only be combined with other activities if the individual is enrolled less than half-time)
 - f. Has monthly income that is not less than the federal minimum wage multiplied by 80 hours
 - g. For a seasonal worker, has average monthly income over the preceding six months that is not less than the federal minimum wage multiplied by 80 hours
3. The state verifies an applicable individual meets an exception or demonstrates community engagement or that an individual is a specified excluded individual using reliable information available to the state without requiring information from the individual when possible.

Transmittal # NE 26-0002

Supersedes _____

Transmittal # New

Approved _____

Effective _____

4. The state conducts initial and periodic outreach to notify specified excluded individuals and applicable individuals described of the requirement to demonstrate community engagement.

B. Mandatory Exceptions and Exclusions

Exceptions

1. The state deems an applicable individual to demonstrate community engagement for a month during the review period if:
 - a. For part or all of that month, the individual was: Under age 19; entitled to, or enrolled for, benefits under Medicare Part A or Part B; described in any mandatory eligibility group under section 1902(a)(10)(A)(i)(I) through (VII) of the Act; or a specified excluded individual.
 - b. At any point during the 3-month period ending on the first day of that month, the individual was an inmate of a public institution.

Specified Excluded Individuals

2. A specified excluded individual is not an applicable individual and is not subject to the community engagement requirement.
3. The state provides that the following categories of individuals meet the definition of specified excluded individual:
 - a. Former foster care child described in section 1902(a)(10)(A)(i)(IX) of the Act (as amended by Pub. L. 115-271)
 - b. American Indian as defined at § 447.51
 - c. Parent, guardian, caretaker relative, or family caregiver of a dependent child age 13 or under or of a disabled individual.
 - i. Elections on the relationships for a caretaker relative that the state makes on the Parents and Other Caretaker Relatives state plan page apply for the purpose of this category of specified excluded individuals.
 - d. Veteran with a total disability rating
 - e. Medically frail or otherwise has special medical needs
 - f. Compliant with a TANF work requirement or a member of a household that receives SNAP benefits and is subject to a SNAP work requirement
 - g. Participant in a drug addiction or alcoholic treatment and rehabilitation program
 - h. Inmate of a public institution
 - i. Pregnant woman or entitled to Medicaid during a postpartum period

C. Short-Term Hardship Exception

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Supersedes _____

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Effective _____

1. The state deems an applicable individual to demonstrate community engagement for a month during the review period during a short-term hardship event.
 Yes No
2. A short-term hardship event exists when:
 - a. An individual receives inpatient hospital services, nursing facility services, services in an intermediate care facility, inpatient psychiatric services, or other services with similar acuity (including services received in an outpatient setting), as determined appropriate by the Secretary.
 - b. An individual resides in a county (or equivalent unit of local government) in which there exists an emergency or disaster declared by the President under the National Emergencies Act (NEA) or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act).
 - c. An individual resides in a county (or equivalent unit of local government) which has an unemployment rate that is at or above the lesser of 8 percent or 1.5 times the national unemployment rate.
 - d. An individual or their dependent must travel outside of their community for an extended period to receive medical services for a serious or complex medical condition that are not available in their community.
3. An individual must request a short-term hardship event from the state for the events described in C.2.a and C.2.d. The state must request from CMS a short-term hardship event for the event described in C.2.c.

D. Assessing Compliance with Community Engagement

For Individuals Who File an Application for Medical Assistance

1. The state determines applicants meet an exclusion or are an applicable individual and demonstrate or are deemed to demonstrate community engagement at application.
2. For an applicable individual to be considered compliant with the community engagement requirement at application, the state requires demonstration or deemed demonstration of community engagement for (select one):
 - 1 month prior to the month of application.
 - 2 consecutive months prior to the month of application.
 - 3 consecutive months prior to the month of application.

For Individuals Who Are Enrolled and Receiving Medical Assistance

3. The state determines enrolled beneficiaries meet an exclusion or are an applicable individual and demonstrate or are deemed to demonstrate community engagement during the individual's periodic renewal of eligibility.
4. For an applicable individual to be considered compliant with the community engagement requirement at renewal, the state requires demonstration or deemed demonstration of community engagement for (select one):

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1 month during the individual's eligibility period
 More than 1 month, whether or not consecutive, during the individual's eligibility period

i. Enter the number of months: _____

E. More Frequent Verifications of Community Engagement for Applicable Individuals

1. The state conducts more frequent verifications of the community engagement requirement in between renewals of eligibility for enrolled applicable individuals.
 Yes No (skip to section F)
2. The state elects the following more frequent verifications of community engagement in between renewals of eligibility for enrolled applicable individuals (select one):
 Once every 3 months
 Another frequency. Enter frequency by once every number of months:

3. For an applicable individual to demonstrate or be deemed to demonstrate community engagement during a periodic verification, the state requires demonstration or deemed demonstration of community engagement for (select one):
 1 month during the relevant review period
 More than 1 month during the relevant review period
 i. Enter the number of months: _____

F. Notice of Noncompliance and Defining When a State is "Unable to Verify" Compliance with the Community Engagement Requirement

1. The state sends a notice of noncompliance to request information from the individual when it is unable to verify an applicable individual demonstrates or is deemed to demonstrate community engagement at application, renewal, and if elected by the state, during a periodic verification of community engagement.
2. The state provides an applicable individual 30 days from the date of the notice of noncompliance to make a satisfactory showing of community engagement or that the requirement does not apply.
3. The state elects to consider that it is unable to verify community engagement at renewal (select one):
 After the state checks reliable information and cannot verify compliance with community engagement without requesting information from the individual
 After the state provides the individual with a renewal form and the form is not returned or does not include sufficient information needed to verify compliance with community engagement.

G. Additional Information (optional)

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Effective _____