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Health and Human Services Committee
Nebraska Unicameral
LB 1093

Dear Chairman Gay and members of the Health and Human Services Committee:

The Arc of Nebraska is a support and advocacy organization with and for people with developmental disabilities. We are a state affiliated chapter of The Arc of the United States. The Arc of Nebraska is a statewide organization with 17 local chapter and approximately 1,500 members across Nebraska.

The Arc of Nebraska supports LB 1093 because it is more specific in the duties required of the therapeutics committee in advising the department on the preferred drug.

Many Nebraskans with intellectual and/or developmental disabilities use Medicaid for their health insurance. As a support and advocacy organization for individuals with intellectual and developmental disabilities and their families, we need to ensure that they will have the drug coverage they need. This law will help them with that.

We also believe it may be beneficial to allow the therapeutics committee to only concentrate their efforts on the therapeutic uses of the drug without also having the responsibility of considering costs. This clearly delineates what responsibilities fall to whom. If a drug does not move to the preferred drug list for therapeutic reasons, it is clear that it was a decision of the committee and therefore, the reasoning behind that is also more transparent. The same is true when only cost decisions lie with the Department of Health and Human Services. Both the committee and the Department should concentrate their efforts where their areas of expertise lie.

While we understand from The Department of Health and Human Services that people receiving Medicaid may also take prescriptions not on the preferred drug list, we question how well this is understood and practiced by treating physicians. Along with that we question whether persons receiving Medicaid know to discuss drugs not on the list with their physicians. This is particularly true with persons who have an intellectual or developmental disability and are on Medicaid. Often communication barriers may exist and additional conversations may not be had simply because of the difficulty of the communication process.

Ensuring that the right individuals are making decisions in their areas of expertise and maximizing the potential for all persons who need medications will only produce more productive citizens leading to more workers and greater community participation. If using an effective medication will allow even one person to participate and/or become employed in their community, it's worth it.

We strongly urge you to move LB 1093 to General File.

Sincerely,
Marla Fischer-Lempke
Executive Director

