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**LB 610 (Sen. Mello)**  
Health & Human Services Committee  
Hearing: February 11, 2009, 1:30 p.m. Room 1510

Background

LB 610 allows for exemption process on Medicaid limitation provisions (caps) relating to services for persons with disabilities.

- The process shall include:
  - The recipient of services or legally responsible individual shall submit request for exception with demonstrated need from physician or other licensed medical professional.
  - Services will be continued pending decision
  - Decision on exception will be made within 10 business days after receipt of request
  - Exception is deemed approved if decision is not made within 10 days
  - No premium will be charged for additional services
  - Individual will revert to caps for following Fiscal Year when no longer needing extra services, individuals can reapply as many times as services are needed.
  - There is normal appeal process
  - Parents with children receiving services under specialized categories (Katie Beckett, Home and Community Based Waivers) will pay premium when family income exceeds 500% FPL

Arc of Nebraska Position: **Support**

Talking Points

- Medicaid caps are a hardship on people with disabilities. Depending on a person's disability, more services may be needed in order to maintain or develop independent living.
- Health may deteriorate if additional services are not obtained, requiring significantly more expensive care.
- People may have to resort to institutional living to get the needed services. Institutional living costs twice as much as community services on average.
- People with disabilities who use Medicaid are not allowed to work and receive health insurance. The State forces them into poverty making it impossible for them to purchase additional services.
- Disability services are expensive.
- Parents with children in specialized categories pay for private insurance which is primary, then they pay out-of-pocket for items not covered by insurance. On average these parents' ability to work is limited and they pay about \$500/month more out-of-pocket than a family without a child with a disability.