

The background of the entire page is a blue-tinted image of the Nebraska State Capitol building. Overlaid on the left side is a large, stylized American flag motif, featuring a series of white stars on a blue field and red and white stripes that curve around the building. The text is positioned in the upper right quadrant.

Legislative Wrap-Up

2014 by the numbers

NHA Nebraska
Hospital
Association

The influential voice of Nebraska's hospitals

2014 Legislative Session by the numbers

The Nebraska Hospital Association's (NHA) public policy and advocacy priorities are driven by a vision that every Nebraskan has equitable access to affordable, safe, high-quality, medically necessary health care. Through effective leadership and member participation, the NHA seeks to develop consensus, establish public policy priorities, represent and serve hospitals and health systems.

The NHA is committed to establishing and maintaining a financial and regulatory environment within which hospitals and health care systems can respond to the opportunities and challenges of health care reform and provide the health care that all Nebraskans deserve.

Strategically collaborating with policymakers, members and other health care stakeholders, the NHA had a successful legislative session in 2014, advocating for our top priorities.

Nebraska Unicameral Legislature 103rd Legislature, Second Session

- 60 day session convened on January 8, 2014
- 507 legislative bills introduced
- 81 "bills of interest" to the NHA
 - The NHA initially:
 - Supported 19
 - Opposed 3
 - Monitored 56
 - Neutral on 3
- NHA testified 19 times before 6 of the 14 standing committees
- First session adjourned on April 17, 2014
- 18 bills of interest became law
- 48 bills of interest indefinitely postponed or withdrawn
- 15 bills of interest amended into other bills that became law

Composition of 103rd Legislature

- 49 senators
 - 11 began serving their first terms in 2013
 - 17 term limited out of office at the end of 2014
 - 8 more up for re-election in 2014, including Sen. Tommy Garrett, LD 3, who was appointed in 2013 to replace Sen. Scott Price who resigned.

Legislative Interim Studies

- 95 legislative Interim Study Resolutions (ISRs) introduced
- 23 identified as "of interest" to NHA members

Legislative bills of interest

The following action was taken on bills of interest to the NHA during the 2014 session:

HEALTH & HUMAN SERVICES COMMITTEE

LB 76: Health Care Transparency Act

Introducer: Sen. Jeremy Nordquist

NHA position: Support

Status: Signed into law

- Requires the Director of Insurance to appoint Health Care Data Base Advisory Committee to make recommendations regarding creation of Nebraska Health Care Data Base, which shall provide a tool for objective analysis of health care costs and quality, promote transparency for health care consumers, and facilitate reporting of health care and health quality data.
- Hospital representatives appointed to Advisory Committee:
 - Jeanette Wojtalewicz – CHI Nebraska
 - Russell Gronewold – Bryan Health

LB 854 – Prohibit issuance of a long-term care RFP before September 1, 2015

Introducer: Sen. Bob Krist

NHA position: Support

Status: Signed into law

- Nebraska's health care professionals who would be affected by proposed Medicaid Managed Long-Term Services and Supports (MLTSS) project are concerned with ambitious timeline established by DHHS. The proposed May 2014 deadline for completion of RFP does not allow sufficient time to understand plan and provide meaningful input.

LB 887 – Adopts the Wellness in Nebraska (WIN) Act

Introducer: Sen. Kathy Campbell

NHA position: Support

Status: Failed to Advance. Did not garner 33 votes needed to overcome filibuster on General File. Vote was 27-21.

- Provides, through Medicaid expansion demonstration waivers, health care coverage to uninsured and underinsured newly eligible individuals, age 19 through 64 between 0 and 133 percent of the Federal Poverty Limit. Coverage was to begin January 1, 2015.

LB 901 – Provides psychology internships through Behavioral Health Education Center

Introducer: Sen. Amanda McGill

NHA position: Support

Status: Signed into law

- Provides funding for five doctoral-level psychology internships in first year with an increase to ten by third. Coordinated by Behavioral Health Education Center. Interns placed in communities where presence will improve access for patients residing in rural and underserved areas.

LB 916 – Eliminate integrated practice agreements for nurse practitioners

Introducer: Sen. Sue Crawford

NHA position: Support as amended

Status: Advanced to governor 43-0, but was returned unsigned

- Eliminates integrated practice agreements (IPAs). Committee amendment requires all NPs to submit to DHHS a transition-to-practice agreement (TPA) or evidence of completion of 2,000 hours of practice which have been completed under a TPA or a similar collaborative agreement. In order for NP to be a supervising provider, the NP must submit evidence of completion of 10,000 hours of practice as a NP completed under a TPA or similar agreement.

LB 1072 – Adopt the Prescription Drug Monitoring Act

Introducer: Sen. Steve Lathrop

NHA position: Support as amended

Status: Signed into law

- Requires the Board of Pharmacy to establish and maintain a program to monitor the prescribing and dispensing of substances that demonstrate a potential for abuse.

LB 1078 – Amend the Nebraska Telehealth Act

Introducer: Sen. Jeremy Nordquist

NHA position: Support

Status: Portions amended into LB 1076 and signed into law

- Defines telehealth and telemonitoring; clarifies that a physician, physician assistant, nurse practitioner, and pharmacist may establish a patient relationship either in-person or with real-time, two-way electronic video conference; and provides that the reimbursement rate for telehealth consultation shall, as a minimum, be set at the same rate as the medical assistance program rate for comparable in-person consultation and shall not depend on distance between health care practitioner and patient.

JUDICIARY COMMITTEE

LB 893 – Change amount recoverable under Nebraska Hospital Medical Liability Act

Introducer: Sen. Les Seiler

NHA position: Support

Status: Amended into LB 961 and signed into law

- Increases medical liability cap to \$2.25 million
- Currently, recovery is limited to \$1.75 million per occurrence. NHA supported LB 893 in its original form that limited the amount recoverable to \$2 million per occurrence after December 31, 2014. Another bill, LB 862 called for an increase to \$2.5 million. The Judiciary Committee advanced LB 893 to General File with amendment to increase cap to \$2.25 million and that amendment is what was signed into law.

APPROPRIATIONS COMMITTEE

LB 905 – Provide, change and eliminate provisions relating to appropriations

Introducer: Speaker Greg Adams at request of governor

NHA position: Support

Status: Became law notwithstanding the governor's vetoes

- Contains recommendations for adjustments of existing appropriations. Adjustments include an additional \$150,000 to Rural Health Provider Incentive Program, \$1.5 million for Nebraska's six federally qualified health centers (FQHCs), \$212,000 for state aid for tuition reimbursement for EMS responder training, \$1.8 million for pediatric cancer research at UNMC and an additional \$10 million for behavioral health aid.

Interim Studies

Legislative Interim Studies are introduced each year and allow a committee to study a certain subject after the adjournment of a legislative session. Each committee will choose priorities from the list of interim studies they are assigned and hold hearings throughout the interim.

LR 422 (Sen. Kathy Campbell) – The HHS Committee, in cooperation with the Banking, Commerce & Insurance Committee, shall develop policy recommendations towards transformation of Nebraska's health care system.

LR 559 (Sen. Heath Mello) – Examine issues surrounding the Medicaid Reform Council.

LR 565 (Sen. Mike Gloor) – Examine whether adding antidepressant, antipsychotic, and anticonvulsant drugs to the Medicaid preferred drug list would be of benefit to Nebraska Medicaid or Nebraska Medicaid clients.

LR 575 (Sen. Heath Mello) – Examine issues surrounding in-home personal services.

LR 576 (Sen. Kathy Campbell) – Study the current status of the sharing of electronic health records and health information exchanges in Nebraska.

LR 580 (Sen. Kathy Campbell) – Examine reform efforts of Nebraska's behavioral health system.

LR 592 (Sen. Amanda McGill) – Study various methods of behavioral health workforce development.

LR 596 (Sen. Dan Watermeier) – Evaluate potential uses of Physician Orders for Life-Sustaining Treatment and out-of-hospital Do Not Resuscitate protocols.

LR 601 (Sen. Al Davis) – Examine impact of implementing and the impact of failing to implement, Medicaid expansion in Nebraska.

Nebraska's Governor & 103rd Unicameral Legislature

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Dist.	Senator	Committees	Election
1	Dan Watermeier	Health & Human Services Transportation & Telecommunications	Elected to first term in 2012
2	Bill Kintner	Appropriations	Elected in 2012; up for election to first full term in 2014
3	Tommy Garrett	Government, Military and Veterans Affairs Transportation & Telecommunications	Re-elected to last term in 2014
4	Pete Pirsch	Banking Commerce & Insurance, Revenue	Term limited in 2014
5	Heath Mello	Appropriations (Chair), Retirement	Re-elected to last term in 2012
6	John Nelson	Appropriations	Term limited in 2014
7	Jeremy Nordquist	Retirement (Chair), Appropriations	Re-elected to last term in 2012
8	Burke Harr	Agriculture, Business & Labor, Revenue	Elected to first term in 2010
9	Sara Howard	Banking Commerce & Insurance Health & Human Services	Elected to first term in 2012
10	Bob Krist	General Affairs, Health & Human Services, Urban Affairs	Elected to first full term in 2010
11	Ernie Chambers	Agriculture, Business & Labor; Judiciary	Elected to first term in 2012
12	Steve Lathrop	Business & Labor (Chair), Agriculture	Term limited in 2014
13	Tanya Cook	Education, Health & Human Services Legislature's Planning	Re-elected to last term in 2012
14	Jim Smith	Natural Resources, Transportation & Telecommunications	Elected to first term in 2010
15	Charlie Janssen	Revenue, Transportation & Telecommunications	Re-elected to last term in 2012
16	Lydia Brasch	Natural Resources, Transportation & Telecommunications	Elected to first term in 2010
17	Dave Bloomfield	Agriculture, General Affairs Government, Military & Veterans Affairs	Appointed 2010; elected to last term in 2012
18	Scott Lautenbaugh	General Affairs, Urban Affairs Government Military & Veterans Affairs	Term limited in 2014
19	Jim Scheer	Education; Government, Military & Veterans Affairs	Elected to first term in 2012
20	Brad Ashford	Judiciary (Chair), Business & Labor, Urban Affairs	Term limited in 2014
21	Ken Haar	Education, Natural Resources	Re-elected to last term in 2012
22	Paul Schumacher	Banking, Commerce & Insurance; Revenue	Elected to first term in 2010

Dist.	Senator	Committees	Election
23	Jerry Johnson	Agriculture, General Affairs, Natural Resources	Elected to first term in 2012
24	Greg Adams	Speaker	Term limited in 2014
25	Kathy Campbell	Health & Human Services (Chair) Banking, Commerce & Insurance	Re-elected to last term in 2012
26	Amanda McGill	Urban Affairs (Chair), Business & Labor, Judiciary	Term limited in 2014
27	Colby Coash	General Affairs, Judiciary, Urban Affairs	Re-elected to last term in 2012
28	Bill Avery	Government, Military & Veterans Affairs (Chair) Education	Term limited in 2014
29	Kate Bolz	Appropriations	Elected to first term in 2012
30	Norm Wallman	Agriculture, Business & Labor Government, Military & Veterans Affairs	Term limited in 2014
31	Rick Kolowski	Education, Natural Resources, Retirement	Elected to first term in 2012
32	Russ Karpisek	General Affairs (Chair); Retirement; Urban Affairs Government, Military & Veterans Affairs	Term limited in 2014
33	Les Seiler	Education, Judiciary	Appointed 2011, Elected to first term in 2012
34	Annette Dubas	Transportation & Telecommunications (Chair)	Term limited in 2014
35	Mike Gloor	Banking, Commerce & Insurance (Chair) Health & Human Services	Re-elected to last term in 2012
36	John Wightman	Appropriations	Term limited in 2014
37	Galen Hadley	Revenue (Chair), Transportation & Telecommunications	Re-elected to last term in 2012
38	Tom Carlson	Natural Resources (Chair) Banking Commerce & Insurance	Term limited in 2014
39	Beau McCoy	Revenue, Transportation & Telecommunications	Re-elected to last term in 2012
40	Tyson Larson	Appropriations	Elected to first term in 2010
41	Kate Sullivan	Education (Chair), Revenue	Re-elected to last term in 2012
42	Tom Hansen	Agriculture, Business & Labor; Revenue	Term limited in 2014
43	Al Davis	Education, Judiciary, Retirement	Elected to first term in 2012
44	Mark Christensen	Banking, Commerce & Insurance; Judiciary	Term limited in 2014
45	Sue Crawford	Banking, Commerce & Insurance Health & Human Services	Elected to first term in 2012
46	Danielle Conrad	Appropriations, Retirement	Term limited in 2014
47	Ken Schilz	Agriculture (Chair), General Affairs, Natural Resources	Re-elected to last term in 2012
48	John Harms	Appropriations	Term limited in 2014
49	John Murante	General Affairs; Government, Military & Veterans Affairs; Urban Affairs	Elected to first term in 2012

Effective tools for year-round advocacy

Traditional ways of doing business in the development of health care policy are quickly becoming obsolete. Term limits in Nebraska's legislature and health care reform, coupled with the current economic conditions, have intensified and accelerated the need for innovative and resourceful efforts that advance the NHA's advocacy agenda.

Hospital leaders must be proactive in public policy development—identifying important issues and developing strategies to address them. When Nebraska's hospitals adapt, adjust and respond to new health care policy initiatives in a timely and informed manner, they position themselves as reliable, trusted resources and empower policymakers to make informed decisions.

Effective advocacy that produces substantive change is a year-round effort. During the 2014 legislative session, NHA members and staff took active roles on numerous bills by promoting those that positively impacted the delivery of health care and opposing those that would have an adverse affect on the health of the Nebraskans served by our state's community hospitals; however, there is a great deal more to be done.

The NHA encourages all of its members to participate in activities throughout the year that build stronger working relationships with those who have the power to change health care policy with their vote. Strong working relationships with legislators are the foundation for thoughtful, informed and substantive public policy changes. In cooperation with its members, the NHA staff has developed several programs and tools that hospital leaders can use to implement successful advocacy efforts.

- **Policy Development Committee:** In July of each year, the policy development process is initiated when the NHA surveys its members on state and federal issues. In August, the Policy Development Committee (PDC), a group of more than two dozen hospital executives and policymakers, meets to evaluate the outcome of the annual membership survey. The PDC reviews the members' comments, prioritization of the issues and the policy briefs prepared by staff. The PDC will then forward its recommendations to the entire NHA membership for review during the fall round of NHA district meetings. Final action on each of the issues will be determined by the NHA board of directors in October.
- **Advocacy Teams:** Advocacy teams are members of the hospital team selected by the hospital's chief executive officer to serve as advisors, planners and active participants in the hospital's political and community advocacy efforts. The team gathers and delivers political and community information for the CEO and helps develop and implement strategies to influence policymakers at the state and federal levels. Advocacy teams also coordinate grassroots political action, such as letter writing, meetings with legislators and hosting policymakers when they visit their facility.
- **Mini-Residencies:** Mini-residencies are designed to give policymakers a first-hand look at health care delivery. The program is designed to educate legislators about health care issues and encourage them to view local hospitals as reliable sources of information. It is an opportunity to establish a comfortable working relationship and open a line of communication with the policymaker, which can help advance the NHA's advocacy agenda.
- **CEO/Policymaker Meetings:** CEO meetings with state senators and members of Nebraska's congressional delegation are designed to educate policymakers about health care issues and further develop comfortable working relationships. Such meetings may take place at the hospital, Nebraska State Capitol, Washington, DC or other locations.
- **American Hospital Association Political Action Committee (AHAPAC) and Nebraska Hospital Association Political Action Committee (NHA PAC):** Contributions to the AHAPAC and NHA PAC are crucial for effectively advancing the NHA's advocacy agenda. As the premier vehicle for collecting candidate contributions, the AHAPAC and NHA PAC both set aside funding in order to highlight the importance of health care to Nebraska leadership in Washington, DC and in Lincoln.
- **NHA Advocacy Day:** In the spring of each year, the NHA hosts its annual Advocacy Day event. All members of the NHA are invited and encouraged to attend. The agenda includes presentations on key legislative and regulatory issues, provides hospital representatives the opportunity to meet with state senators, and advances the NHA's advocacy agenda during the legislative luncheon. Please mark your calendars for next year's NHA Advocacy Day on April 1, 2015.

Thank You for your support!

The NHA staff would like to thank everyone who participated in the development of public policy during the 2014 legislative session. Your efforts of attending NHA meetings, participating in conference calls and contacting policymakers on behalf of Nebraska's hospitals, are invaluable. The NHA's advocacy priorities are driven by our vision of providing high-quality, affordable health care to the patients we serve.

Through the board of directors and Policy Development Committee, NHA PAC Steering Committee, Priority Issue Teams, membership and staff, the NHA strives to promote public policy issues to make positive changes in Nebraska's health care environment.

Together, we are the influential voice for Nebraska health care.

Throughout the upcoming years, hospitals will need champions in the Legislature to deal with the issues that impact the operations and success of hospitals. Hospital representatives must be ready to engage in discussions vital to the communities they serve and to the mission of hospitals across Nebraska.

For more information about how you can become involved in this critical effort or for more information about legislative bills or resolutions, contact Bruce Rieker, vice president, advocacy, at (402) 742-8146 or brieker@nebraskahospitals.org.

To keep you informed about legislative activities, the NHA publishes *The Advocate*, a daily electronic newsletter during the legislative session, and twice a week during the interim. *The Advocate* highlights key health care-related legislative issues, NHA testimony and news. You may also visit the Advocacy home page: nebraskahospitals.org/advocacy/index.htm

For more information or to subscribe to The Advocate, contact the Nebraska Hospital Association at (402) 742-8140 or visit nebraskahospitals.org.



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