
LEGISLATIVE UPDATE

August 17, 2020

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FEDERAL

Department of Health and Human Services (HHS)

Reports from U.S. Secretary of HHS Alex Azar (finally) announced children's hospitals will be targeted in the upcoming funding distribution this week. A tremendous amount of advocacy, stringent financial reports and dedication went into securing adequate COVID-19 relief funding. Children's had the support of all but one of Nebraska federal delegates, who consistently urged conversation among peers in Congress to ensure HHS came through for children's hospitals nationally. With a little more than \$40 million left in the emergency relief funding, we are extremely grateful to be heard ahead of a likely difficult fall mitigating the virus.

Here is what we know about the \$1.4 billion in relief funding to children's hospitals:

1. The 80 freestanding children's hospitals will receive 2.5 percent of their net patient revenue.
2. Five children's hospitals in Ohio will receive the largest piece of the pie- \$165 million.
3. HHS will distribute the week of Aug. 17.

A final report of Children's relief aid will be reported following the distribution this week.

Congress

Both the House and Senate returned home for a four week August recess unable to overcome the impasse on a possible relief bill. While the House may return later this week to deal with U.S. Postal Service concerns ahead of the November election, it is more likely that Congress will use a Continuing Resolution (CR) to advance a short or long-term budget bill (due by Sept. 30) and any relief measures.

Children's Hospital & Medical Center continues to urge our Congressional leaders to:

- Secure further provider relief funding;
- Stabilize Medicaid by increasing the FMAP and defer the Disproportionate Share Hospital (DSH) payment cuts.

STATE

Nebraska Legislature

Nebraska senators adjourned *Sine Die* Thursday, Aug. 13 with three victories in their pocket- a state funding commitment to the University of Nebraska Medical Center's large [NExT project](#), a new business development tax incentive program and property tax relief.

While the Legislature's priorities this session won't impact us directly as an organization, the compromise in the final hour led us to a pathway for Children's priority bills, like:

- [LB825](#) (amended to [LB755](#))- A bill introduced by Senator Hilkemann of Omaha requiring all newborns in Nebraska be screened for Spinal Muscular Atrophy (SMA) along with over 20 other rare congenital disorders.

Children's requested this bill when the FDA approved two pediatric drugs that allow children diagnosed early to live a symptom-free life. Dr. Geeta Rathore testified before the committee and will oversee the inclusion of the test at Nebraska Department of Health and Human Services (DHHS). *Effective Nov. 15, 2020.*

- [LB772](#) (also amended to [LB755](#))- A bill that changes to scope of practice for physician assistants (PA). Following the required 407 licensure review process at DHHS, lawmakers unanimously approved the ability to allow PAs to

practice under several specialists rather than solely under one physician. Additionally, PAs may now prescribe non-pharmacological interventions and clarifies that language regarding furnishing medications also applies to PAs. *The bill becomes effective Dec.1, 2020.*

- [LB1053](#)- While still awaiting approval by the Governor, the Legislature advanced a bill that would require Nebraska Medicaid to continue to publicly print rules and regulations for Medicaid rate methodology for reimbursement. The bill passed unanimously, an effort towards improving Medicaid payment transparency. *Effective immediately.*
- [LB1064](#)- A bill to raise the legal age for use of cigarettes, cigars electronic nicotine delivery systems (ENDS) or tobacco from 19 to 21. *Effective mid-November, 90 days following Governor's signature.*
- [LB840](#)- Not only is the legal age of smoking in Nebraska 21, but now it is unlawful to smoke e-cigarettes indoors. This bill introduced by Senator Dan Quick of Grand Island, prohibits the use of electronic smoking devices under the Nebraska Clean Indoor Air Act. *Effective mid-November, 90 days following Governor's signature.*

[Children's Final 2020 Priority Bill Watch List](#)
[Children's Master Copy of the 2020 Nebraska Legislature](#)

Omaha City Council

Last week, to celebrate the unanimous decision for a mask mandate in Omaha, Children's initiated a social media campaign to educate the public on the requirements of the mandate and to thank Omaha Mayor Stothert and Omaha City Councilmembers for their thoughtful decision to enforce a mask mandate in our city.

The mask mandate went into effect Aug. 12 and will run through Sept. 15. Children age 5 and older will be required to wear masks indoors at public establishments when maintaining 6 feet is not possible; individuals not in compliance will be fined \$25.

Child Health Champion Advocacy Team

Please join Children's Child Health Champion Advocacy Team every Friday at 7am for a 30 minute call.

Advocating for children is extremely important at all stages and this internal group of stakeholders, comprised of providers and experts across the continuum of care at Children's, meets weekly to ensure we are leading the discussion on child advocacy in the region. If you are interested in joining the movement, contact Liz Lyons for more information.

(Sources: CHA, AHA, DHHS, Nebraska Legislature, Peetz & Co., Omaha World Herald)