
LEGISLATIVE UPDATE

September 14, 2020

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FEDERAL

Congress

The House and Senate will be in session this week.

There is a lot of work to accomplish before Congress adjourns ahead of the upcoming general election, but the bipartisan priority will be a Continuing Resolution (CR) by Oct. 1 to avoid a government shutdown.

At this time, a “clean CR”- without any other priority legislation, e.g. COVID-19 relief package- is requested by leadership and is likely to push the FY 2021 funding deadline well past Election Day into December or later. CRs are becoming a necessary tool to borrow time to build a compromise while also maintaining the previous year’s funding limits, avoiding as much disruption as possible. For programs like Children’s Hospital Graduate Medical Education (CHGME), a CR would authorize the \$340 million appropriated in FY 2020 for FY 2021 unless a later appropriations bill increasing the funding passed- a request prioritized with Children’s Hospital Association (CHA).

Meanwhile, it is becoming less likely that Congress is able to agree on another COVID-19 relief bill at this time. Last week, the Senate failed to advance a \$500 billion package offering zero additional relief to providers.

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

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

STATE

Department of Health and Human Services (DHHS)

Monday, September 14, all counties- excluding Lancaster- will move to [Phase 4](#).

Under the new directed health measure (DHM), bars, restaurants, gyms, churches, salons, sports activities and child care facilities no longer are restricted under a DHM, however social distancing is still encouraged. Indoor gatherings can be increased to 75% capacity while outdoor functions are up to 100% capacity pending the approval of the local public health department.

The mask mandate in Omaha remains in effect until Oct. 20; Lincoln’s mandate is through Sept. 30.

2020 General Election News

History was made on Thursday as the Nebraska Democratic Party announced its support for North Omaha activist Preston Love Jr. as a write-in candidate for U.S. Senate. Love will face incumbent U.S. Senator Ben Sasse (R) and Chris Janicek (D) who is facing controversy among his campaign team for lewd texts to a female.

In a shocking turn of events, the ballot in November will NOT include a Medical Marijuana initiative.

Nebraskans for Medical Marijuana gathered over 182,000 signatures (122,000 necessary) to place the decision on the ballot this fall and recently overcame opposition from Secretary of State Bob Evnen. But on Sept. 10, the Nebraska Supreme Court ruled the initiative violated the state’s single-subject rule and ordered the Evnen to remove it from the ballot. The initiative would allow adults- with the recommendation of a licensed physician or NP- to use, possess,

purchase and produce marijuana to alleviate a serious medical condition. Children 18 and younger would also be permitted to use with permission of apparent or legal guardian.

The state Supreme Court also ruled that a trio of gambling initiatives did not violate the state's single-subject rule, which Evnen argued it did, placing them back on the ballot. The measure would authorize, regulate and tax gambling at horse racetracks in Nebraska.

Other ballot initiatives that will be on the ballot-

- Capping interest rates for payday lenders. Currently payday lending interest rates are outrageously high, negatively impacting those already experiencing financial hardship. The decision on the ballot will require their interest rates to be capped at 36 percent per year.
- Constitutional amendment removing language allowing slavery as criminal punishments.
- Constitutional amendment increasing the repayment period for tax increment financing (TIF) from 15 to 20 years.

[2020 General Election Guide for Nebraska](#)

Nebraska Legislature

[Children's Final 2020 Priority Bill Watch List](#)

[Children's Master Copy of the 2020 Nebraska Legislature](#)

Child Health Champion Advocacy Team

Please join Children's Child Health Champion Advocacy Team every Friday at 7:30am 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, HHS, Nebraska Legislature, Peetz & Co.)