
LEGISLATIVE UPDATE

October 19, 2020

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FEDERAL

Congress

It was a long week before the Senate Judiciary Committee for Amy Coney Bennett who is seeking the late Justice Ruth Bader Ginsberg's vacant seat on the U.S. Supreme Court. The committee is scheduled to vote on her nomination Thursday, October 22 at noon (CST). It is evident that she will advance along party lines (12-10), in which the nomination then will be sent to the full Senate on Friday, the 23rd, and, according to Majority Leader Mitch McConnell (R-KY), "we will stay on it until we finish this... We have the votes."

Centers for Medicare and Medicaid Services (CMS)

Last week, CMS issued a [new supplement](#) to the State Medicaid and CHIP Telehealth Toolkit: Policy Considerations for States Expanding Use of Telehealth, COVID-19 Version.

This toolkit, released earlier this year, assists advocates at the state-level identify barriers and opportunities to advance telehealth in Medicaid programs and provide information on implementing telehealth flexibilities adopted during the COVID-19 public health emergency (PHE). Audio-only telehealth and particularly audio-only behavioral health are cited as some of the most important factors in the success of telehealth during the PHE. This toolkit will be beneficial as we open up discussions with Nebraska State Senator John Arch (R-Dist. 11, La Vista) during his interim study on telehealth during the pandemic. The Nebraska Legislature will need to move to permanently adopt each relaxation following the PHE and Children's has developed a [value proposition](#) as we prepare for the hearing.

CMS also released a preliminary [data snapshot](#) on the number of telehealth services delivered to Medicaid and CHIP beneficiaries during the PHE. Between March and June 2020, telehealth services increased 2,632% among all beneficiaries compared to the same time frame the previous year. Children age 18 and younger were the second largest group to utilize telehealth services behind adults age 19-64. Telehealth services for children varied by state with the highest rates seen in the upper Northeast. Although the number of services delivered via telehealth has begun to decline, they are still far above what they were at the outset of the PHE.

STATE

Nebraska

Late-Friday, Governor Pete Ricketts (R-NE) announced a [Directed Health Measure](#) (DHM) effective Oct. 21 through Nov. 30 in response to the rising cases of COVID-19 and low hospital capacity in Nebraska. Prior to the weekend, data shows 30% of all Nebraska hospital beds available, 29% of ICU beds and 77% of all ventilators with 323 COVID-related hospitalizations, which is 40% more than in our peak in May.

Effective Oct. 21st the DHM reduces indoor gatherings from 75% capacity to 50%. Bars & restaurant must require patrons remain seated and limit table sizes to 8 people. The same table capacity applies to weddings and funerals, but 100% occupancy is allowed in these circumstances.

The DHM requires hospital systems must maintain 10% staffed hospital and ICU beds to maintain bed capacity in order to do continue elective procedures; transferring patient is not allowed. The Governor is awarding \$40M in CARES Act money to hospitals to support the acquisition of contract traveling nurses, hazard pay or to add additional staff (i.e. screeners) at hospitals. . *We are in the process of clarifying the application process with the Governor's administration.*

In another press conference Monday morning, Governor Ricketts and Nebraska DHHS CEO Dannette Smith announced the second round of Community CARES Act funds, which the state is required to expend by Dec. 30, 2020.

In total, \$48.5M will be awarded to applicants on a first come, first serve basis beginning Wednesday, Oct. 22- Nov. 13. The Community CARES Stabilization Grant offers organizations working capital to help them cover operating expenses such as PPE, rent and utilities. Most eligible entities will receive \$12,000. Organizations in areas disproportionately impacted by COVID-19 will receive \$27,000. Disproportionately impacted areas are determined by DHHS through analysis of COVID-19 cases per capita, per zip code as of June 30, 2020. Grantees will be notified of their award amount at the time of award notification. The application can be found at www.coronavirus.nebraska.gov.

The \$48.5M also covers additional funding for:

- \$500,000 Healthy Places Grants- for centers for worship for PPE and cleaning supplies;
- \$2.2M Response & Recovery Grants- to cover food, rent, utilities and specific needs for communities of color;
- \$11M Food Bank Stabilization Grant- Directed to Food Bank of the Heartland and Food Bank of Lincoln that serve the entire state;
- \$2.5M Child Care Stabilization Grant- \$1,200 direct payments to DHHS-licensed subsidy providers
- \$3.3M Housing & Shelter Stabilization Grant- dedicated to organizations committed to eviction prevention and other housing security assistance;

\$40M Hospital Staffing Support Program- (reported Friday) intended to increase nursing staff, hospital screener support, and hazard pay for current staff to increase shifts to cover patient surge.

Other funds include:

- Grow Nebraska 2- \$146.25M: an example of funding is \$6M for the Omaha Henry Doorly Zoo;
- State Government- \$100M
- Local Government- Expanded Support

Another press conference is scheduled for Tuesday afternoon.

Election Day is approaching!

October is the new November and many of you are turning in your ballots before Election Day, therefore a comprehensive [2020 General Election Guide for Nebraska](#) has been created to inform voters about each candidate running for office. Remember, all mail-in ballots must be received before 8pm on November 3!

Click [here](#) for a list of Iowa candidates.

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.