February 7, 2013

Senator Kathy Campbell, Chair

Health and Human Services Committee
Room 1402, State Capitol
Lincoln, NE 68509

Chairwoman Campbell and members of the Health and Human Services Committee,

On behalf of Nebraska Appleseed, I am here to testify in support of LB 270.

The Home and Community Based Services (HCBS) waiver is intended to provide an array of community-based services under Medicaid to eligible individuals to avoid institutionalization. LB 270 would build on the benefits of the HCBS waiver, by providing access to needed complementary services, including independent living, respite care, and the facilitation of wrap-around services for children and youth with serious emotional disturbances.

Unfortunately, at Nebraska Appleseed we continue to hear heartbreaking stories from families with children who have unmet behavioral health needs. These families are often driven to the brink, and in some cases beyond, of relinquishing their child into the system to obtain needed behavioral health services. LB 270 can make strides to prevent this sad situation.

At the same time, it is important to note that, even with the waiver, Medicaid eligible children are still entitled to receive all mandatory and optional services under the Early Periodic Screening Diagnosis and Treatment (EPSDT) provisions of Medicaid as recommended by their provider, including medically necessary treatment. Even so, the supplemental services available under the HCBS waiver are also critical to meeting the needs of children in the home and community and to help fill the gap between high level institutional care and limited community based services.

In fact, a major benefit of the HCBS waiver is that it allows the state to waive the income and resources of the child’s parents in determining Medicaid eligibility and essentially treat the child as a family of one. This allows more children to access needed services.

Finally, we understand that this bill at least in part grew out of recommendations from the Cross System Analysis from last year’s LB 821. We want to again thank the Committee for
your continued commitment to the LR 37 process and to improving the children’s behavioral health system in Nebraska. Therefore, we respectfully request that you vote to advance LB 270.

Sincerely,
NEBRASKA APPLESEED

James Goddard, J.D. Sarah Helvey, J.D., M.S.
Director Director
Economic Justice & Health Care Access Child Welfare Program

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i HCBS is authorized by Section 1915(c) of the Social Security Act and reauthorized by the Affordable Care Act (ACA).

ii This includes, but is not limited, conditions such as autism, bi-polar disorder, or post-traumatic stress disorder.