



The influential voice of Nebraska's hospitals

# 2022 Legislative Update

The Nebraska Legislature and Healthcare  
UNMC  
College of Public Health

# 2022 Legislative Session

60 Day Session (January 5 through April 20)

- Property Tax/ Sale Tax
- New Prison
- Abortion
- Guns

592 bills introduced this session

104 Bills of Interest flagged by the NHA

# 2022 Legislative Session ARPA Funding

**\$1.04 Billion**

The American Rescue Plan Act (ARPA) was passed by Congress on March 11, 2021, creating various support programs for businesses, residents and local government.

The funds are subject to allocation by the Legislature and Governor.

Also \$775 Million in forecasted for state tax revenue in the next two years.

# 2022 Legislative Session

## ARPA Funding

### Responding to a Public Health Emergency

- Public Health Responses for those impacted by the pandemic, including the general public;
- Responses to negative economic impacts experienced as a result of the pandemic; and
- Additional services, either as public health response or response to negative economic impacts, for disproportionately impacted communities.

### Replacing Public Sector Revenue

### Premium Pay for Essential Workers

### Infrastructure, including Water, Sewer, and Broadband

# 2022 Legislative Session Senators Leaving

Senator Curt Friesen

Senator Mike Groene (RESIGNED)

Senator Robert Hilkemann

Senator Mark Kolterman

Senator Brett Lindstrom

Senator Adam Morfeld

Senator John Stinner

**Primary: May 10, 2022**

Senator Tim Gragert

Senator Matt Hansen

Senator Dan Hughes

Senator Steve Lathrop

Senator John McCollister

Senator Patty Pansing Brooks

Senator Matt Williams

**General: November 8, 2022**

# 2022 Legislative Session

## Senator Mike Jacobson

District 42

Sworn in on February 23, 2022

Lives in North Platte

Founder/Principal Shareholder of NebraskaLand Bank

Chair of the North Platte Redevelopment Authority

Chair of the North Platte Airport Authority

**Great Plains Health Board of Directors**

# Appropriations Committee

- **Chair: John Stinner Scottsbluff**
- Senator Robert Clements Elmwood
- Senator Myron Dorn Adams
- Senator Steve Erdman Bayard
- Senator Robert Hilkemann Omaha
- Senator Mark Kolterman Seward
- Senator Mike McDonnell Omaha
- Senator Tony Vargas Omaha
- Senator Anna Wishart Lincoln

# NHA PRIORITIES

## Wage and Inflation

Hospitals have experienced a 15.6% increase in labor expenses since September 2019.

Hospitals have also experienced increases in most categories of expenses. Labor expenses (salaries and benefits) are the largest expense category for hospitals, making up more than 50% of a hospital's total expenses.

Between February 2020 and August 2021, average hourly wages for hospital employees have risen 8.5%, and is unlikely to subside anytime soon.

53% of Nebraska's Critical Access Hospitals (CAHs) are facing financial stress.



# NHA PRIORITIES

## Workforce Shortage

According to the Nebraska Center for Nursing, Nebraska will experience a workforce shortage of 5,435 nurses by 2025.

Seventy-three of Nebraska's 93 counties have less than the national average ratio of registered nurses to patients.

Sixty-six of Nebraska's counties have been deemed medically underserved.

Nine counties in Nebraska have no registered nurses.

Four counties have just one registered nurse.

- 2,600** Fewer nurses compared to 2019
- 1.5** Fewer nurses per 1,000 people in the State of Nebraska.
- 1,415** RNs are very likely to leave their current employment in the next 12 months.

# NHA PRIORITIES

## Workforce Shortage

- 13 of Nebraska's 93 counties have no primary care physician.
- 44 counties do not have any OB-GYN physicians.
- 78 counties have no practicing psychiatrists.
- Nearly one-fifth of physicians in Nebraska are more than 60 years old.
- 17 of 93 Nebraska counties have no pharmacists.
- 16 out of 93 Nebraska counties have no physician assistants.
- 16 out of 93 Nebraska counties have no dentists.
- 18 out of 93 Nebraska counties have audiologists.

# NHA PRIORITIES

## Workforce Shortage

### \$91 Million Workforce Housing

The funding will address unprecedented labor shortages and attract workers to Nebraska.

- \$39.5 million for workforce housing grants and to address labor shortages and attract workers
- \$30 million to address housing and workforce shortages in rural areas of Nebraska.
- \$20 million to address housing and workforce shortages in urban communities in Nebraska

### \$60 Million Community College/Workforce Development

\$60 Million Rural Health Complex The funding will go towards a joint University of Nebraska at Kearney (UNK) and University of Nebraska Medical Center (UNMC) Rural Health Complex to be located on the UNK campus.

### \$20 Million Intern Nebraska

### \$5 Million Rural Student Loan Repayment Program

### \$5 Million Nursing Scholarships

# NHA PRIORITIES

## Difficult to Place Patients

### \$55 Million Medicaid-Certified Nursing Facilities

- \$41,250,000 to Medicaid-certified nursing facilities divided proportionately by the Medicaid-certified beds at such facilities.
- \$13,750,000 divided proportionately by the Medicaid certified beds at the facilities that are in the top twenty-five percent of Medicaid certified nursing facilities with the highest percentage of Medicaid days.

### \$26 Million Medicaid Nursing Facility Reimbursement Rates Increase for all providers

### \$5.4 Million Payments to Assisted Living Facilities

Recruitment and retention incentives for staff, as well as for the purchase of supplies, including for testing and PPE.

### \$500,000 Guardianship Appropriation

# NHA PRIORITIES

## Behavioral Health

Behavioral health disorders are a major public health issue and hospitals provide essential behavioral health care services to thousands of Nebraskans every day.

Nearly 1 in 5 Nebraskans have a mental illness.

Compounding the problem is the high percentage of the behavioral health workforce that is able or expected to retire in the coming years.

- 88 of Nebraska's 93 counties are designated as federal mental health professional shortage areas.
- 78 counties have no practicing psychiatrists.
- 32 counties lack a behavioral health provider of any kind.

# NHA PRIORITIES

## Behavioral Health

\$28 Million Behavioral health care services

The University of Nebraska's the Behavioral Health Education Center of Nebraska (BHECN) will work with providers to assist in training and educational opportunities for the behavioral health workforce in rural Nebraska.

\$16.5 Million in increases in Medicaid provider rates for Behavioral health Regions

\$13.5 Million in increases in Medicaid provider rates for all providers

\$15 Million to build mental health care capacity

\$5 Million build mental health care capacity specifically in rural areas

\$1.8 Million for telehealth technology related to pediatric mental health services

# 2022 Legislative Session

LB697 Provide for licensure of rural emergency hospital services

The Consolidated Appropriations Act (CAA) of 2021 was signed into law in December 2020. This legislation established a new Medicare provider type called Rural Emergency Hospital (REH).

**To be eligible the facility must either already be a CAH or small rural hospital with less than 50 beds as of December 27, 2020, and:**

- An annual per patient average of 24 hours or less in the REH;
- Emergency services CoPs applicable to CAHs;
- A transfer agreement with a Level I or Level II trauma center; and
- Any other requirements the Secretary finds necessary in the interest of the health and safety of individuals who are furnished REH services.

# 2022 Legislative Session

LB 767 adopts the Pharmacy Benefit Manager (PBM) Licensure and Regulation Act

LB 767 establishes the standards and criteria for the licensure and regulation of PBMs by the Department of Insurance

- Standards for the audits conducted by PBMs
- Criteria pertaining to the updating and dissemination of Maximum Allowable Cost price lists
- A standard appeals process for pharmacies and PBM's
- Non-discrimination policies for 340B entities and 340B contract pharmacies



# ADVOCACY IN ACTION 2022

- ✓ New nursing scholarships
- ✓ Rural provider loan forgiveness
- ✓ UNMC/UNK Rural Health Complex
- ✓ Expanded health programs at community colleges
- ✓ Rural workforce housing funding
- ✓ 15% nursing home Medicaid rate increase
- ✓ 15% behavioral health provider rate increase
- ✓ Additional behavioral health residency training positions
- ✓ Behavioral health internship funding
- ✓ Construction funding for behavioral health beds
- ✓ Telebehavioral health grants
- ✓ Stop increase in medical malpractice caps
- ✓ Behavioral health points of contact in schools
- ✓ Pharmacy Benefit Manger regulations
- ✓ Stop discrimination by PBMs against 340b hospitals
- ✓ Expanded state guardianship capacity
- ✓ Rural Emergency Hospital licensure

**NHA** | **NEBRASKA HOSPITALS**

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