

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 204

Introduced by Riepe, 12.

Read first time January 09, 2023

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Medical Assistance Act; to amend
- 2 section 68-901, Revised Statutes Cumulative Supplement, 2022; to
- 3 establish reimbursement for pharmacy dispensing fees for pharmacies
- 4 participating in the medical assistance program; to harmonize
- 5 provisions; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-901, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 68-901 Sections 68-901 to 68-9,101 and section 2 of this act shall
4 be known and may be cited as the Medical Assistance Act.

5 Sec. 2. (1) For the fiscal year beginning July 1, 2024, contingent
6 upon implementation of the contractual agreements with medicaid managed
7 care organizations as described in subsection (2) of this section, the
8 department shall establish a fee-for-service pharmacy dispensing fee
9 reimbursement of ten dollars and thirty-eight cents per prescription
10 until a cost of dispensing survey is completed. The actual dispensing fee
11 shall be determined by a cost of dispensing survey administered by the
12 department and completed by all medical assistance program participating
13 pharmacies every two years. The change in the dispensing fee shall become
14 effective following federal approval of the medicaid state plan.

15 (2) The department shall amend all medicaid managed care
16 organization contracts to authorize establishment of a managed care
17 pharmacy dispensing fee reimbursement in accordance with the established
18 fee-for-service pharmacy dispensing fee reimbursement per prescription
19 pursuant to subsection (1) of this section.

20 (3) Any dispensing fee cost information submitted to the department
21 as part of the cost of dispensing survey described in subsection (1) of
22 this section that specifically identifies individual costs of a pharmacy
23 or provider shall remain confidential.

24 (4) No later than December 15, 2024, the department shall
25 electronically submit a report to the Clerk of the Legislature providing
26 recommendations for adjusting pharmacy dispensing fees between completion
27 of surveys to ensure fair and adequate reimbursement for pharmacies.

28 Sec. 3. Original section 68-901, Revised Statutes Cumulative
29 Supplement, 2022, is repealed.