



To: Health and Human Services Committee  
From: Marion Miner, Associate Director for Pro-Life & Family  
Nebraska Catholic Conference  
Subject: LB 423 (Change and eliminate provisions relating to school-based health centers under the Medical Assistance Act) (OPPOSE)  
Date: February 21, 2019

Vice Chairman Arch and Members of the Health and Human Services Committee,

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church and advances the Gospel of Life by engaging, educating, and empowering public officials, Catholic laity, and the general public. I am here today to express the Conference's opposition to LB 423.

LB 423 would amend portions of the Medical Assistance Act (MAA), which has governed the state of Nebraska's participation in the federal Medicaid program since 2006. In 2010, the Legislature saw fit to extend some benefits of the Medicaid program to Nebraska's schools. Accordingly, the concept of a "school-based health center" was created by the Legislature and rules were established for participation.

LB 423 would redefine the entire concept of what a "school-based health center" is and has been since it was first introduced into Nebraska law. Some of the negative consequences of the bill are as follows:

- First, the amendment to Section (5)(d) would remove the following requirements: (1) that a "school-based health center" provide any services on-site at the school; and (2) that such a center shall abide by local laws, rules, regulations, established standards, and community practice.
- Second, the amendment to Section (5)(e) would remove the requirement that "school-based health centers" not provide abortion or contraception.
- Third, the amendment to Section (7) would remove the definition of "health services" and not replace it with anything, meaning there would no longer be a requirement that a school-based health center actually provide any actual medical care. Instead, an entity that provides free or low-cost abortifacients and/or contraceptives to middle- and high school students – even if it provides little to no other services – would be eligible for participation as a "school-based health center" and would be reimbursed with Nebraska's Medicaid dollars.

It is also worth pointing out that this proposed change in the law must be read in tandem with the rest of the MAA, which, among other things, requires that "Each public school district shall annually, at the beginning of the school year, provide written information supplied by the department to every student describing the availability of children's health services provided under the medical assistance program." (Neb. Rev. Stat. § 68-913(1).) Therefore, in addition to the abortion industry being reimbursed by Medicaid for providing contraceptives and abortions to schoolchildren, they will also receive free annual advertising for those services, at taxpayer expense, from every school district in the state.

Finally, LB 423 outright repeals Neb. Rev. Stat. § 68-968, which until now has required that "To ensure that the interests of the school district, community, and health care provider are reflected within the



policies, procedures, and scope of services of school-based health centers,” every school district shall have a School Health Center Advisory Council, which must include one parent. The proposed removal of this requirement would mean the removal of the only provision that ensures some parental involvement in school policy regarding this program.

For all of the above reasons, the Nebraska Catholic Conference asks that you indefinitely postpone LB 423.