

J.S. v. Health and Human Services

Case Number

S-18-1149

Case Audio

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Call Date

October 3, 2019

Case Time

9:00 AM

Court Number

Lancaster

Case Location

Lincoln

Court Type

District Court

Case Summary

S-18-1149 J.S. v. Nebraska Department of Health and Human Services, et al.

Lancaster County District Court, Judge Kevin R. McManaman

Attorneys: Allison Derr, Robert McEwen, Sarah Helvey (Nebraska Appleseed, for Appellant) --- Douglas J. Peterson Ryan C. Gilbride (Office of the Attorney General, for Appellees)

Civil: Administrative Procedure Act; Medicaid

Proceedings below: The trial court affirmed the Department's denial of the Appellant's application for Medicaid coverage.

Issues: Whether the trial court erred in 1) determining that citizenship or immigration status is relevant to eligibility for medical coverage for participants in the Bridge to Independence program; 2) affirming the Department's determination that Appellant is not eligible for medical coverage while in Bridge to Independence, after she turned nineteen, due to her immigration status; and 3) failing to determine that the Department's practice of denying medical coverage to participants in the Bridge to Independence program due to their citizenship or immigration status violated the Separation of Powers Clause of the Nebraska Constitution.

Schedule Code

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