

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 326

Introduced by Rogert, 16.

Read first time January 15, 2009

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to the Comprehensive Health Insurance Pool
2 Act; to amend section 44-4226, Reissue Revised Statutes
3 of Nebraska; to require certain pool coverage; to provide
4 for independent reviews of disputes; and to repeal the
5 original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-4226, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 44-4226 (1) The pool shall offer major medical expense
4 coverage to every eligible individual. The pool coverage, its
5 schedule of benefits, and exclusions and other limitations
6 shall be established through rules and regulations adopted and
7 promulgated by the director taking into consideration the advice
8 and recommendations of the members. The pool coverage shall include
9 coverage for biliopancreatic diversion with duodenal switch and
10 Roux-en-Y gastric bypass.

11 (2) In establishing the pool coverage, the director
12 shall take into consideration the levels of individual health
13 insurance coverage provided in the state and such medical economic
14 factors as may be deemed appropriate and shall determine benefit
15 levels, deductibles, coinsurance and stop-loss factors, exclusions,
16 and limitations determined to be generally reflective of and
17 commensurate with individual health insurance coverage provided by
18 the five insurers writing the largest amount of individual health
19 insurance coverage in the state.

20 (3) Pool coverage established under this section shall
21 provide both an appropriate high and low deductible to be
22 selected by the pool applicant. The deductibles and coinsurance
23 and stop-loss factors may be adjusted annually according to the
24 medical component of the Consumer Price Index.

25 (4) The board shall establish an independent review

1 process to have medical professionals review coverage disputes
2 under the Comprehensive Health Insurance Pool Act. The decision of
3 the independent reviewers shall be binding on the parties to the
4 dispute. The director shall establish standards for the selection
5 of the independent reviewers and the operation of independent
6 reviews by rule and regulation.

7 Sec. 2. Original section 44-4226, Reissue Revised
8 Statutes of Nebraska, is repealed.