

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB584

Chairperson: Senator Steve Lathrop

Committee: Business and Labor

Date of Hearing: March 18, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 584 would require the scope and duration of medical, surgical, and hospital services to be provided in accordance with the official disability guidelines published by the Work Loss Data Institute. Medical, surgical and hospital services provided in accordance with the official disability guidelines would be presumed to be reasonable under Section 48-120(1)(a).

Under LB 584, no insurer, risk-management pool, or self-insured employer would be responsible for charges for medical, surgical, or hospital services not provided in accordance with the official disability guidelines unless such services were (a) provided in a medical emergency; (b) preauthorized by the insurer, risk-management pool, or self-insured employer; or (c) approved by an independent medical examiner pursuant to Section 48-134.01(6).

If the parties to a dispute involving the reasonableness and necessity of medical, surgical, or hospital treatment that was not provided in accordance with the official disability guidelines agree to the use of an independent medical examiner of their own choosing, the medical findings of the independent medical examiner would be binding on the parties and constitute a final resolution of the reasonableness and necessity of the medical, surgical, or hospital treatment in dispute.

If the compensation court assigns an independent medical examiner in any case involving the reasonableness and necessity of medical, surgical, or hospital treatment that was not provided in accordance with the official disability guidelines, the compensation court would be required to adopt the medical findings of the independent medical examiner on the issue of reasonableness and necessity, unless there was clear and convincing evidence to the contrary in the record that did not support the medical findings.

Principal Introducer: _____

Senator Jim Smith

