

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 563

Introduced by Robak, 22

Read first time January 12, 2001

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to insurance; to amend section 44-793, Revised
2 Statutes Supplement, 2000; to change provisions relating
3 to coverage of mental health conditions; and to repeal
4 the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-793, Revised Statutes Supplement,
2 2000, is amended to read:

3 44-793. (1) On or after January 1, 2000, notwithstanding
4 section 44-3,131, any health insurance plan delivered, issued, or
5 renewed in this state (a) if coverage is provided for treatment of
6 mental health conditions other than alcohol or substance abuse, (i)
7 shall not establish any rate, term, or condition that places a
8 greater financial burden on an insured for access to treatment for
9 a serious mental illness than for access to treatment for a
10 physical health condition and (ii) if ~~an~~ a copayment, coinsurance,
11 or out-of-pocket limit is established for physical health
12 conditions, shall apply such copayment, coinsurance, or
13 out-of-pocket limit as a single comprehensive copayment,
14 coinsurance, or out-of-pocket limit for both physical health
15 conditions and mental health conditions, or (b) if no coverage is
16 to be provided for treatment of mental health conditions, shall
17 provide clear and prominent notice of such noncoverage in the plan.

18 (2) If a health insurance plan provides coverage for
19 serious mental illness, the health insurance plan shall cover
20 health care rendered for treatment of serious mental illness (a) by
21 a mental health professional, (b) by a person authorized by the
22 rules and regulations of the Department of Health and Human
23 Services Regulation and Licensure to provide treatment for mental
24 illness, (c) in a mental health center as defined in section
25 71-423, or (d) in any other health care facility licensed under the
26 Health Care Facility Licensure Act that provides a program for the
27 treatment of a mental health condition pursuant to a written plan.
28 The issuer of a health insurance plan may require a health care

1 provider under this subsection to enter into a contract as a
2 condition of providing benefits.

3 (3) The Director of Insurance may disapprove any plan
4 that the director determines to be inconsistent with the purposes
5 of this section.

6 Sec. 2. Original section 44-793, Revised Statutes
7 Supplement, 2000, is repealed.