



**Ninety-Eighth Legislature - First Session - 2003**  
**Committee Statement**  
**LB 483**

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**Hearing Date:** February 3, 2003  
**Committee On:** Business and Labor

**Introducer(s):** (D. Pederson)

**Title:** Require patient's waiver for medical records in workers' compensation cases

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

4	Yes	Senator Vrtiska, Burling, Kremer, Combs
2	No	Senator Hartnett, Chambers
1	Present, not voting	Senator Preister
	Absent	

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**Proponents:**

Senator Pederson  
Dan Fridrich  
Bob Hallstrom  
Ron Sedlacek  
Jack Cheloha  
2 letters

**Representing:**

Introducer  
Nebraskans for Workers' Compensation Equity  
NFIB/NBA/NPA  
Nebraska State Chamber  
City of Omaha  
Jack Struyk, Holmes Murphy and Associates, Inc.  
Michael Hybl, Nebraska Trucking Association

**Opponents:**

John Lindsay

**Representing:**

Nebraska Association of Trial Attorneys

**Neutral:**

Ken Mass  
Glenn Morton

**Representing:**

AFL-CIO  
NE Workers' Compensation Equity

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**Summary of purpose and/or changes:**

LB 483 would amend §48-146.02 of the workers' compensation statutes by adding a patient waiver requirement when an employee has filed a workers' compensation claim, and the insurer, risk management pool or self-insurer is, under this section, required to show that their entity is not engaging in unfair practices. The employee patient waiver is to allow the employer, insurer, risk management pool or self-insurer to obtain previous hospital and medical records concerning previous treatment with any

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physician or psychologist. Failure to provide such information will toll a 30-day period for liability. Excludes record providers from liability.

**Explanation of amendments, if any:**

AM 0835 narrows what an insurer or employer may obtain with the required patient waiver. New language states that the insurer or employer is not entitled to a patient's records pertaining to previous treatment for sexual abuse, human immunodeficiency virus, mental health conditions, or alcohol or controlled substance abuse.

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**Senator Floyd P. Vrtiska, Chairperson**