

AMENDMENTS TO LB 578

Introduced by Health and Human Services

1 1. Strike original section 3 and insert the following new
2 section:

3 Section 1. Section 44-4225, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

5 44-4225 (1) Following the close of each calendar year,
6 the board shall report the board's determination of the paid and
7 incurred losses for the year, taking into account investment income
8 and other appropriate gains and losses. The board shall distribute
9 copies of the report to the director, the Governor, and each member
10 of the Legislature. The report submitted to each member of the
11 Legislature shall be submitted electronically.

12 (2) The Comprehensive Health Insurance Pool Distributive
13 Fund is created. Commencing with the premium and related
14 retaliatory taxes for the taxable year ending December 31,
15 2001, and for each taxable year thereafter, any premium and
16 related retaliatory taxes imposed by section 44-150 or 77-908
17 paid by insurers writing health insurance in this state, except
18 as otherwise set forth in subdivisions (1) and (2) of section
19 77-912, shall be remitted to the State Treasurer for credit to
20 the fund. The fund shall be used for the operation of and payment
21 of claims made against the pool. Any money in the fund available
22 for investment shall be invested by the state investment officer
23 pursuant to the Nebraska Capital Expansion Act and the Nebraska

1 State Funds Investment Act.

2 (3) The board shall make periodic estimates of the amount
3 needed from the fund for payment of losses resulting from claims,
4 including a reasonable reserve, and administrative, organizational,
5 and interim operating expenses and shall notify the director of the
6 amount needed and the justification of the board for the request.

7 (4) The director shall approve all withdrawals from the
8 fund and may determine when and in what amount any additional
9 withdrawals may be necessary from the fund to assure the continuing
10 financial stability of the pool.

11 (5) (a) No later than May 1~~7~~ 2002~~7~~ and each May 1
12 ~~thereafter~~, in 2013, 2014, and 2015, after funding of the
13 net loss from operation of the pool for the prior premium and
14 related retaliatory tax year, taking into account the policyholder
15 premiums, account investment income, claims, costs of operation,
16 and other appropriate gains and losses, the director shall transmit
17 any money remaining in the fund as directed by section 77-912,
18 disregarding the provisions of subdivisions (1) through (3) of such
19 section. Interest earned on money in the fund prior to May 1, 2015,
20 shall be credited proportionately in the same manner as premium and
21 related retaliatory taxes set forth in section 77-912.

22 (b) No later than May 1, 2016, and each May 1 thereafter,
23 after funding of the net loss from operation of the pool for the
24 prior premium and related retaliatory tax year, taking into account
25 the policyholder premiums, account investment income, claims, costs
26 of operation, and other appropriate gains and losses, the director
27 shall transmit any money remaining in the fund to the State

1 Treasurer for credit to the various funds as follows:

2 (i) Fifty percent of the money remaining to the Insurance
3 Tax Fund;

4 (ii) Sixteen and one-half percent of the money remaining
5 to the General Fund;

6 (iii) Twenty-three and one-half percent of the money
7 remaining to the Health Care Access and Support Fund; and

8 (iv) Ten percent of the money remaining to the Mutual
9 Finance Assistance Fund.

10 Interest earned on money in the Comprehensive Health
11 Insurance Pool Distributive Fund beginning May 1, 2015, shall
12 be credited proportionately in the same manner as provided in
13 subdivision (5)(b) of this section.

14 2. On page 3, line 25, strike "68-901 and 77-912" and
15 insert "44-4225 and 68-901".

16 3. Renumber the remaining sections and correct internal
17 references accordingly.