

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 883**

Introduced by Nordquist, 7; Campbell, 25; Conrad, 46; Cook, 13;  
Howard, 9; Lathrop, 12; McGill, 26; Mello, 5; Wallman,  
30.

Read first time January 14, 2014

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to insurance; to amend section 44-7,104, Revised  
2 Statutes Cumulative Supplement, 2012; to eliminate a  
3 termination date relating to coverage requirements for  
4 certain anticancer medications; and to repeal the  
5 original section.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 44-7,104, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3           44-7,104 (1) Notwithstanding section 44-3,131, (a) any  
4 individual or group sickness and accident insurance policy,  
5 certificate, or subscriber contract delivered, issued for delivery,  
6 or renewed in this state and any hospital, medical, or surgical  
7 expense-incurred policy, except for policies that provide coverage  
8 for a specified disease or other limited-benefit coverage, and (b)  
9 any self-funded employee benefit plan to the extent not preempted by  
10 federal law that provides coverage for cancer treatment shall provide  
11 coverage for a prescribed, orally administered anticancer medication  
12 that is used to kill or slow the growth of cancerous cells on a basis  
13 no less favorable than intravenously administered or injected  
14 anticancer medications that are covered as medical benefits by the  
15 policy, certificate, contract, or plan.

16           (2) This section does not prohibit such policy,  
17 certificate, contract, or plan from requiring prior authorization for  
18 a prescribed, orally administered anticancer medication. If such  
19 medication is authorized, the cost to the covered individual shall  
20 not exceed the coinsurance or copayment that would be applied to any  
21 other cancer treatment involving intravenously administered or  
22 injected anticancer medications.

23           (3) A policy, certificate, contract, or plan provider  
24 shall not reclassify any anticancer medication or increase a  
25 coinsurance, copayment, deductible, or other out-of-pocket expense

1 imposed on any anticancer medication to achieve compliance with this  
2 section. Any change that otherwise increases an out-of-pocket expense  
3 applied to any anticancer medication shall also be applied to the  
4 majority of comparable medical or pharmaceutical benefits under the  
5 policy, certificate, contract, or plan.

6 (4) This section does not prohibit a policy, certificate,  
7 contract, or plan provider from increasing cost-sharing for all  
8 benefits, including cancer treatments.

9 (5) This section shall apply to any policy, certificate,  
10 contract, or plan that is delivered, issued for delivery, or renewed  
11 in this state on or after October 1, 2012.

12 ~~(6) This section terminates on December 31, 2015.~~

13 Sec. 2. Original section 44-7,104, Revised Statutes  
14 Cumulative Supplement, 2012, is repealed.