

**ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020**  
**COMMITTEE STATEMENT**  
**LB760**

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**Hearing Date:** Monday February 03, 2020  
**Committee On:** Banking, Commerce and Insurance  
**Introducer:** Kolterman  
**One Liner:** Require health carriers to provide coverage for asynchronous review by a dermatologist by way of telehealth

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	7	Senators Kolterman, Howard, Gragert, Lindstrom, McCollister, Quick, Williams
<b>Nay:</b>	1	Senator La Grone
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Oral Testimony:**

**Proponents:**

Senator Mark Kolterman  
Ashley Wysong  
Geri Schmid  
Mandi Constantine

**Representing:**

Introducer  
Nebraska Medicine  
Nebraska Medicine  
CHI Health

**Opponents:**

Dr. Deb Esser  
Jay McLaren  
Robert Bell

**Representing:**

Blue Cross Blue Shield of Nebraska  
Medica  
Nebraska Insurance Federation

**Neutral:**

**Representing:**

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

This bill would amend section 44-7,107 to provide that an insurer offering (a) an individual or group sickness and accident insurance policy, certificate, or subscriber contract, (b) a hospital, medical, or surgical expense-incurred policy, or (c) a self-funded employee benefit plan to the extent not preempted by federal law shall not exclude asynchronous review by a dermatologist from coverage solely because the service is delivered through telehealth and is not provided through in-person consultation or contact between a licensed health provider and a patient.

The bill would define "asynchronous review" as the acquisition and storage of medical information at one site that is then forwarded to or retrieved by a health care provider at another site for medical evaluation.

Section 44-312 (not in this bill) defines "telehealth" as the use of medical information electronically exchanged from one site to another, whether synchronously or asynchronously, to aid a health care provider in the diagnosis or treatment of a patient. Telehealth includes services originating from a patient's home or any other location where such patient is located, asynchronous services involving the acquisition and storage of medical information at one site that is then forwarded to or retrieved by a health care provider at another site for medical evaluation, and telemonitoring.

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**Explanation of amendments:**

The committee amendments would change new provisions of the bill in two places.

First, the committee amendments would provide that a health insurer shall "not exclude from coverage telehealth services provided by a dermatologist solely because the service is delivered asynchronously." This would replace provisions which provide that a health insurer shall include coverage for telehealth benefits in the same manner as any other covered benefits, and that an insurer shall not exclude asynchronous review by a dermatologist from coverage solely because the service is delivered through telehealth and is not provided through in-person consultation or contact between a licensed health care provider and a patient.

Second, the committee amendments would provide that a health insurer shall reimburse a health care provider for asynchronous review by a dermatologist delivered through telehealth "at a rate negotiated between the provider and the insurer." This would replace provisions which provide that a health insurer shall reimburse a health care provider for asynchronous review by a dermatologist delivered through telehealth "on the same basis and at the same rate as the insurer would apply to those services if the services had been delivered in person."

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Matt Williams, Chairperson