

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 760

FINAL READING

Introduced by Kolterman, 24.

Read first time January 08, 2020

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to insurance; to amend section 44-7,107,
- 2 Revised Statutes Cumulative Supplement, 2018; to define terms; to
- 3 require certain insurers to provide coverage for certain services
- 4 delivered through telehealth; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-7,107, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 44-7,107 (1) For purposes of this section:

4 (a) Asynchronous review means the acquisition and storage of medical
5 information at one site that is then forwarded to or retrieved by a
6 health care provider at another site for medical evaluation;

7 (b) Dermatologist means a board-certified physician who is trained
8 to evaluate and treat individuals with benign and malignant disorders of
9 the skin, hair, nails, and adjacent mucous membranes with a
10 specialization in the diagnosis and treatment of skin cancers, melanomas,
11 moles, and other tumors of the skin along with surgical techniques used
12 in dermatology and interpretation of skin biopsies; and

13 (c) Telehealth has the same meaning as in section 44-312.

14 (2) Any insurer offering (a) ~~(1)~~ any individual or group sickness
15 and accident insurance policy, certificate, or subscriber contract
16 delivered, issued for delivery, or renewed in this state, (b) ~~(2)~~ any
17 hospital, medical, or surgical expense-incurred policy, or (c) ~~(3)~~ any
18 self-funded employee benefit plan to the extent not preempted by federal
19 law, shall not exclude, in any policy, certificate, contract, or plan
20 offered or renewed on or after August 24, 2017, a service from coverage
21 solely because the service is delivered through telehealth as ~~defined in~~
22 section ~~44-312~~ and is not provided through in-person consultation or
23 contact between a licensed health care provider and a patient.

24 (3)(a) Any insurer offering any policy, certificate, contract, or
25 plan described in subsection (2) of this section for which coverage of
26 benefits begins on or after January 1, 2021, shall not exclude from
27 coverage telehealth services provided by a dermatologist solely because
28 the service is delivered asynchronously.

29 (b) An insurer shall reimburse a health care provider for
30 asynchronous review by a dermatologist delivered through telehealth at a
31 rate negotiated between the provider and the insurer.

1 (c) It is not a violation of this subsection for an insurer to
2 include a deductible, copayment, or coinsurance requirement for a health
3 care service provided through telehealth if such costs do not exceed
4 those included for the same services provided through in-person contact.

5 (4) Nothing in this section shall be construed to require an insurer
6 to provide coverage for services that are not medically necessary.

7 (5) This section does not apply to any policy, certificate,
8 contract, or plan that provides coverage for a specified disease or other
9 limited-benefit coverage.

10 Sec. 2. Original section 44-7,107, Revised Statutes Cumulative
11 Supplement, 2018, is repealed.