

AMENDMENTS TO LB100

Introduced by Blood, 3.

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. (1) Notwithstanding section 44-3,131, any individual or
4 group sickness and accident insurance policy, certificate, or subscriber
5 contract delivered, issued for delivery, or renewed in this state and any
6 hospital, medical, or surgical expense-incurred policy, except for
7 policies that provide coverage for a specified disease or other limited
8 benefit coverage, and any self-funded employee benefit plan to the extent
9 not preempted under federal law that includes coverage for a self-
10 administered hormonal contraceptive that is approved by the federal Food
11 and Drug Administration shall reimburse an in-network health care
12 provider or dispensing entity on a per-unit basis for dispensing a supply
13 of such contraceptive to a covered individual as follows:

14 (a) For the first prescription of such contraceptive, at least up to
15 a three-month supply, if so prescribed; and

16 (b) For subsequent refills of the same contraceptive, regardless of
17 whether the covered individual was enrolled in the policy, contract, or
18 plan at the time of the first prescription for such contraceptive, up to
19 a six-month supply, if so prescribed.

20 (2) Nothing in this section shall be construed to:

21 (a) Require a health care provider to prescribe a six-month supply
22 of a self-administered hormonal contraceptive; or

23 (b) Permit a policy, contract, or plan to impose cost-sharing for an
24 alternative method of contraception if a covered individual changes
25 contraceptive methods before exhausting a previously dispensed supply of
26 a self-administered hormonal contraceptive.

27 (3) A policy, contract, or plan shall be exempt from this section

1 for a policy, contract, or plan year if, using a calculation method
2 approved by the Department of Insurance, the cost of coverage would
3 likely exceed one percent of all premiums collected under such policy,
4 contract, or plan for such policy, contract, or plan year.

5 Sec. 2. Section 68-901, Revised Statutes Cumulative Supplement,
6 2020, is amended to read:

7 68-901 Sections 68-901 to 68-9,100 and sections 3 and 4 of this act
8 shall be known and may be cited as the Medical Assistance Act.

9 Sec. 3. (1) In providing family planning services and supplies
10 under the medical assistance program, the department shall ensure that a
11 prescription for the dispensation of a covered self-administered hormonal
12 contraceptive is provided as follows:

13 (a) For the first prescription of such contraceptive, at least up to
14 a three-month supply, if so prescribed; and

15 (b) For subsequent refills of the same contraceptive, regardless of
16 whether the covered individual was enrolled in the medical assistance
17 program at the time of the first prescription for such contraceptive, up
18 to a six-month supply, if so prescribed.

19 (2) Nothing in this section shall be construed to limit a medical
20 assistance recipient's freedom to choose or change the method of family
21 planning to use, regardless of whether the recipient has exhausted a
22 previously dispensed supply of contraceptives.

23 Sec. 4. (1) For purposes of this section, multiple procedure
24 payment reduction policy means a policy used in the federal medicare
25 program under Title XVIII of the federal Social Security Act for
26 outpatient rehabilitation service codes where full payment is made for
27 the unit or procedure with the highest rate and subsequent units and
28 procedures are paid at a reduction of the published rates when more than
29 one unit procedure is provided to the same patient on the same day.

30 (2) A multiple procedure payment reduction policy shall not be
31 implemented under the Medical Assistance Act as it applies to therapy

1 services provided by physical therapy, occupational therapy, or speech-
2 language pathology.

3 Sec. 5. Original section 68-901, Revised Statutes Cumulative
4 Supplement, 2020, is repealed.