

AMENDMENTS TO LB1062

Introduced by Banking, Commerce and Insurance.

1 1. Insert the following new section:

2 **Sec. 2.** Section 44-1523, Revised Statutes Supplement, 2025, is
3 amended to read:

4 44-1523 For purposes of the Unfair Insurance Trade Practices Act:

5 (1) Customer means an individual who purchases, applies to purchase,
6 or is solicited to purchase an insurance product primarily for personal,
7 family, or household purposes;

8 (2) Department means the Department of Insurance;

9 (3) Director means the Director of Insurance;

10 (4) Health insurance lead generator means a person that utilizes a
11 lead generating device to (a) publicize the availability of what is, or
12 what purports to be, a health insurance product or service that the
13 person is not licensed to sell directly to a customer, (b) identify a
14 customer who may want to learn about a health insurance product, or (c)
15 sell or transmit customer information to an insurer or producer for
16 follow-up contact and sales activity;

17 (5) Insured means the party named on a policy or certificate as the
18 individual with legal rights to the benefits provided by such policy or
19 certificate;

20 (6) Insurer means any person, reciprocal exchange, interinsurer,
21 Lloyds-type insurer or other similar group which includes an incorporated
22 and individual unincorporated underwriter, a fraternal benefit society,
23 or other legal entity engaged in the business of insurance, including an
24 agent, a broker, an insurance consultant, an adjuster, a pharmacy benefit
25 manager, or a third-party administrator. Insurer also includes a health
26 maintenance organization, a prepaid limited health service organization,
27 and a dental, optometric, or other similar health service plan. For

1 purposes of the Unfair Insurance Trade Practices Act, all such insurers
2 shall be deemed to be engaged in the business of insurance;

3 (7) Lead generating device means a communication directed to the
4 public that, regardless of form, content, or stated purpose, is intended
5 to result in the compilation or qualification of a list containing names
6 and other personal information to be used to solicit residents of this
7 state for the purchase of what is, or what purports to be, a health
8 insurance product or service;

9 (8) Person means a natural or artificial entity, including, but not
10 limited to, an individual, a partnership, a limited liability company, an
11 association, a trust, or a corporation, including a health insurance lead
12 generator operating as a natural or artificial entity;

13 (9) Policy or certificate means any contract of insurance,
14 indemnity, suretyship, or annuity issued, proposed for issuance, or
15 intended for issuance by an insurer; and

16 (10) Recording means an audio reproduction of sales and verification
17 of calls, including virtual technology calls, in its entirety, used in
18 the marketing of insurance.

19 2. Renumber the remaining sections and correct the repealer
20 accordingly.