

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 780

Introduced by Dungan, 26.

Read first time January 07, 2026

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to insurance; to require coverage of eating
- 2 disorders as prescribed.
- 3 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) No later than January 1, 2027, and notwithstanding
2 sections 44-794 and 44-3,131, any health benefit plan delivered, issued
3 for delivery, renewed, or continued in this state shall provide coverage
4 for the diagnosis and treatment of an eating disorder. Such coverage
5 shall include: (a) Medical, psychological, and pharmaceutical care; (b)
6 nutritional counseling provided by a licensed dietitian or nutritionist;
7 and (c) services provided at all levels of care, including, but not
8 limited to, inpatient, residential, partial hospitalization, and
9 intensive outpatient treatment.

10 (2) Coverage under this section shall not be limited or denied based
11 on (a) the covered individual's body weight, body mass index, or physical
12 appearance or (b) the fact that the covered individual has not previously
13 completed or failed a lower level of care.

14 (3) For purposes of sections 1 to 3 of this act:

15 (a) Eating disorder means a condition as defined in the most recent
16 edition of the Diagnostic and Statistical Manual of Mental Disorders;

17 (b) Health benefit plan means any hospital or medical policy or
18 certificate, major medical expense insurance policy or certificate, or
19 health maintenance organization subscriber contract delivered, issued for
20 delivery, renewed, or continued in this state. Health benefit plan does
21 not include an accident-only, a specified disease, a hospital indemnity,
22 a Medicare supplement, a long-term care, or other limited benefit
23 insurance policy; and

24 (c) Medically necessary means a health care service or supply that
25 is consistent with generally accepted standards of care and the clinical
26 practice guidelines for the treatment of an eating disorder published by
27 the American Psychiatric Association or another nationally recognized
28 clinical organization.

29 **Sec. 2.** (1) The limitations on construction found in section 44-794
30 shall not apply to the benefits mandated by section 1 of this act. An
31 insurer shall not utilize the provisions of section 44-794 relating to

1 mechanisms designed to limit coverage to impose non-quantitative
2 treatment limitations on eating disorder benefits that are more stringent
3 than those applied to medical and surgical benefits.

4 (2) A utilization review or medical necessity determination relating
5 to an eating disorder shall be conducted by a provider with specific
6 expertise in the treatment of eating disorders.

7 **Sec. 3.** The Department of Insurance may adopt and promulgate rules
8 and regulations to carry out sections 1 to 3 of this act.