

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

March 29, 2006 LB 489

taking care of. Anyway, the amendment, as Senator Cunningham said, does do several things, two of which are balanced billing, the others a prohibition on payers reducing or denying a charge based on usual and customary. So we are taking out the UCR language, and if you're familiar with insurance, UCR is usual, customary, and reasonable. That's what most people in your insurance market are paying for same or similar services by same or similar providers. The reason that we're tying the two together is providers don't, of course, have a standing in the court, and I think he explained a little bit about that, but the one concern I want to echo once more, and it's something that we will need to work on because we do not want a disparate impact on employers and self-insureds, is that cost to the employer may increase because all the services, they do not have a specific allowable charge. They're rather based on the bill charge minus a discount. So we still are working on that part of it and at this point the court doesn't really want to give the providers standing, due to the potential cost. So we've got some real specific things that we need to hash out over the interim and hopefully we're going to keep working on the system so that it is as fair as it can possibly be to everybody involved. And I really thank Doug and Grace for all their hard work on this. Senator Cunningham and our legal counsel Grace has worked very hard on this. I know it's late in the night, but I got to take 30 more seconds and just say that because everyone has worked extremely hard, including the court, including the physicians, Dr. Noble, all the people that worked on the committee over the summer, and the task force that we met with in interim hearings, and that Doug and Grace just continually kept morphing everything to try to keep everybody on board and try to keep it fair. We're going to continue with that process, probably focus in on some very specific things as we progress on with the work comp package, and I'm glad that we at least are getting this done before session ends, because employees do not need to be balance billed. Thank you.

SENATOR CUDABACK: Senator Wehrbein.

SENATOR WEHRBEIN: Mr. President, members of the Legislature, I'd like to ask Senator Cunningham a question, if I might.