

AMENDMENTS TO LB 1078

1 1. Strike original section 1 and insert the following
2 new sections:

3 "Section 1. Section 44-6829, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 44-6829. (1) A health carrier which provides a covered
6 benefit for emergency services is, subject to the terms and
7 conditions of the health benefit plan, responsible for charges for
8 medically necessary emergency services provided to a covered
9 person, including services furnished outside the network and
10 services deemed approved under subsection (2) of this section.

11 (2) If a treating physician or other emergency department
12 personnel who have provided emergency services to a covered person
13 determine that additional medically necessary services are promptly
14 needed by the covered person and they have requested health carrier
15 approval for such services, the health carrier is deemed to have
16 approved the request if the treating physician or other emergency
17 department personnel involved:

18 (a) Has made a reasonable effort to contact the
19 individual at the health carrier authorized to approve such
20 requests and the health carrier has not provided access to that
21 individual; or

22 (b) Has requested authorization from the individual at
23 the health carrier authorized to approve such requests and the
24 individual has not denied authorization within thirty minutes after

1 the time the request was made, unless the health carrier can
2 document that it had made a good faith effort but was unable to
3 reach the emergency physician within thirty minutes after receiving
4 a request for authorization.

5 A request which is deemed approved under this subsection
6 shall be treated as approval for any medically necessary covered
7 benefits that are required to treat the medical condition
8 identified by the treating physician or other emergency department
9 personnel.

10 (3) A health carrier may impose a reasonable copayment
11 for emergency services to deter inappropriate use of services of
12 hospital emergency departments if the copayment is the same without
13 regard to whether the health care provider has a contractual or
14 other arrangement with the health carrier.

15 (4) A health carrier shall not require a covered person
16 to obtain prior authorization before accessing the 911 system for
17 emergency services.

18 Sec. 2. Original section 44-6829, Reissue Revised
19 Statutes of Nebraska, is repealed.".