

LEGISLATIVE BILL 619

Approved by the Governor April 17, 2019

Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to insurance; to prohibit denial of coverage for mental health services delivered in a school; to define terms; and to provide for applicability.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) For purposes of this section:

(a) Health insurance policy means (i) any individual or group sickness and accident insurance policy or subscriber contract delivered, issued for delivery, or renewed in this state and any hospital, medical, or surgical expense-incurred policy, except for a policy that provides coverage for a specified disease or other limited-benefit coverage, and (ii) any self-funded employee benefit plan to the extent not preempted by federal law; and

(b) School means a public, private, denominational, or parochial school which meets the requirements for accreditation or approval prescribed in Chapter 79.

(2) Notwithstanding section 44-3,131, an insurer offering a health insurance policy shall not deny coverage or payment for a mental health service solely because the service is delivered in a school.

(3) Nothing in this section shall:

(a) Require an insurer offering a health insurance policy to pay for mental health services that are otherwise excluded from such health insurance policy;

(b) Require an insurer offering a health insurance policy to pay for mental health services that are provided by an individual employed by or under contract with a school district or an educational service unit in a regular full-time or part-time position; or

(c) Prevent application of any other provision of such health insurance policy.

(4) This section applies to health insurance policies issued or renewed on or after January 1, 2020, and to claims for reimbursement based on such policies for costs incurred on or after January 1, 2020.