

AMENDMENTS TO LB760

Introduced by Banking, Commerce and Insurance.

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

3           Section 1. Section 44-7,107, Revised Statutes Cumulative Supplement,  
4 2018, is amended to read:

5           44-7,107 (1) For purposes of this section:

6           (a) Asynchronous review means the acquisition and storage of medical  
7 information at one site that is then forwarded to or retrieved by a  
8 health care provider at another site for medical evaluation;

9           (b) Dermatologist means a board-certified physician who is trained  
10 to evaluate and treat individuals with benign and malignant disorders of  
11 the skin, hair, nails, and adjacent mucous membranes with a  
12 specialization in the diagnosis and treatment of skin cancers, melanomas,  
13 moles, and other tumors of the skin along with surgical techniques used  
14 in dermatology and interpretation of skin biopsies; and

15           (c) Telehealth has the same meaning as in section 44-312.

16           (2) Any insurer offering (a) (1) any individual or group sickness  
17 and accident insurance policy, certificate, or subscriber contract  
18 delivered, issued for delivery, or renewed in this state, (b) (2) any  
19 hospital, medical, or surgical expense-incurred policy, or (c) (3) any  
20 self-funded employee benefit plan to the extent not preempted by federal  
21 law, shall not exclude, in any policy, certificate, contract, or plan  
22 offered or renewed on or after August 24, 2017, a service from coverage  
23 solely because the service is delivered through telehealth as defined in  
24 section 44-312 and is not provided through in-person consultation or  
25 contact between a licensed health care provider and a patient.

26           (3)(a) Any insurer offering any policy, certificate, contract, or  
27 plan described in subsection (2) of this section for which coverage of

1 benefits begins on or after January 1, 2021, shall not exclude from  
2 coverage telehealth services provided by a dermatologist solely because  
3 the service is delivered asynchronously.

4 (b) An insurer shall reimburse a health care provider for  
5 asynchronous review by a dermatologist delivered through telehealth at a  
6 rate negotiated between the provider and the insurer.

7 (c) It is not a violation of this subsection for an insurer to  
8 include a deductible, copayment, or coinsurance requirement for a health  
9 care service provided through telehealth if such costs do not exceed  
10 those included for the same services provided through in-person contact.

11 (4) Nothing in this section shall be construed to require an insurer  
12 to provide coverage for services that are not medically necessary.

13 (5) This section does not apply to any policy, certificate,  
14 contract, or plan that provides coverage for a specified disease or other  
15 limited-benefit coverage.

16 Sec. 2. Original section 44-7,107, Revised Statutes Cumulative  
17 Supplement, 2018, is repealed.