

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 948

Introduced by Crawford, 45.

Read first time January 13, 2020

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to insurance; to amend section 44-785, Reissue
- 2 Revised Statutes of Nebraska; to change a provision relating to
- 3 coverage for mammography; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-785, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 44-785 (1) Notwithstanding section 44-3,131, (a) any individual or
4 group sickness and accident insurance policy or subscriber contract
5 delivered, issued for delivery, or renewed in this state and any
6 hospital, medical, or surgical expense-incurred policy, except for
7 policies that provide coverage for a specified disease or other limited-
8 benefit coverage, and (b) any self-funded employee benefit plan to the
9 extent not preempted by federal law shall include coverage ~~for screening~~
10 ~~mammography~~ as follows:

11 (i) For a woman ~~women~~ who is ~~are~~ thirty-five years of age or ~~and~~
12 older but younger than forty years of age, one base-line screening
13 mammogram between thirty-five and forty years of age;

14 (ii) For a woman ~~women~~ who is ~~are~~ forty years of age or ~~and~~ older
15 ~~but younger than fifty years of age~~, one screening mammogram every year
16 ~~two years or more frequently based on the patient's physician's~~
17 ~~recommendation; and~~

18 (iii) For a woman ~~women~~ who is ~~are~~ forty ~~are~~ ~~fifty~~ years of age or
19 older, based on the recommendation of the patient's physician because of
20 an increased risk for breast cancer due to (A) a family or personal
21 history of breast cancer or prior atypical breast biopsy, (B) positive
22 genetic testing, or (C) heterogeneous or dense breast tissue based on a
23 breast imaging and reporting data system established by a nationally
24 recognized group of radiologists, radiation oncologists, nuclear medicine
25 physicians, and medical physicists, a screening digital breast
26 tomosynthesis every year; and ~~one mammogram every year.~~

27 (iv) For a woman who is forty years of age or older, based on the
28 recommendation of the patient's physician because of an increased risk
29 for breast cancer due to (A) a family or personal history of breast
30 cancer or prior atypical breast biopsy, (B) positive genetic testing, or
31 (C) heterogeneous or dense breast tissue based on a breast imaging and

1 reporting data system established by a nationally recognized group of
2 radiologists, radiation oncologists, nuclear medicine physicians, and
3 medical physicists, a diagnostic magnetic resonance imaging.

4 (2)(a) A screening mammogram or screening digital breast
5 tomosynthesis covered under subdivision (1)(ii) or (iii) shall be covered
6 without application of a deductible, coinsurance, copayment, or other
7 cost-sharing requirement contained in the policy or health benefit plan.

8 (b) Subdivisions (1)(i) and (iv) of this (2) This section do does
9 not prevent application of deductible, coinsurance, or copayment, or
10 other cost-sharing requirement provisions contained in the policy or
11 health benefit plan. or

12 (c) This section does not require that coverage under an individual
13 or group policy or health benefit plan be extended to any other
14 procedures. The coverage provided by this section shall not be less
15 favorable than for other radiological examinations. ~~This section does not~~
16 ~~apply if the covered individuals are provided an ongoing screening~~
17 ~~mammography program which at a minimum meets the requirements of this~~
18 ~~section as a separate benefit.~~

19 (3) For purposes of this section, screening mammography shall mean
20 radiological examination of the breast of asymptomatic women for the
21 early detection of breast cancer, which examination shall include (a) a
22 cranio-caudal and a medial lateral oblique view of each breast and (b) a
23 licensed radiologist's interpretation of the results of the procedure.
24 Screening mammography shall not include diagnostic mammography,
25 additional projections required for lesion definition, breast ultrasound,
26 or any breast interventional procedure. Screening mammography shall be
27 performed by a mammogram supplier who meets the standards of the federal
28 Mammography Quality Standards Act of 1992.

29 Sec. 2. Original section 44-785, Reissue Revised Statutes of
30 Nebraska, is repealed.