

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 314**

Introduced by Pahls, 31.

Read first time January 13, 2021

Committee: Banking, Commerce and Insurance

1 A BILL FOR AN ACT relating to insurance; to amend section 44-312, Revised  
2 Statutes Cumulative Supplement, 2020; to change provisions related  
3 to telehealth insurance coverage; and to repeal the original  
4 section.

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

1 Section 1. Section 44-312, Revised Statutes Cumulative Supplement,  
2 2020, is amended to read:

3 44-312 (1) For purposes of this section:

4 (a) Telehealth means the use of medical information electronically  
5 exchanged from one site to another, whether synchronously or  
6 asynchronously, to aid a health care provider in the diagnosis or  
7 treatment of a patient. Telehealth includes services originating from a  
8 patient's home or any other location where such patient is located,  
9 asynchronous services involving the acquisition and storage of medical  
10 information at one site that is then forwarded to or retrieved by a  
11 health care provider at another site for medical evaluation, and  
12 telemonitoring; and

13 (b) Telemonitoring means the remote monitoring of a patient's vital  
14 signs, biometric data, or subjective data by a monitoring device which  
15 transmits such data electronically to a health care provider for analysis  
16 and storage.

17 (2) Any insurer offering (a) any individual or group sickness and  
18 accident insurance policy, certificate, or subscriber contract delivered,  
19 issued for delivery, or renewed in this state, (b) any hospital, medical,  
20 or surgical expense-incurred policy, except for policies that provide  
21 coverage for a specified disease or other limited-benefit coverage, or  
22 (c) any self-funded employee benefit plan to the extent not preempted by  
23 federal law, shall provide upon request to a policyholder, certificate  
24 holder, or health care provider a description of the telehealth and  
25 telemonitoring services covered under the relevant policy, certificate,  
26 contract, or plan.

27 (3) The description shall include:

28 (a) A description of services included in telehealth and  
29 telemonitoring coverage, including, but not limited to, any coverage for  
30 transmission costs;

31 (b) Exclusions or limitations for telehealth and telemonitoring

1 coverage, including, but not limited to, any limitation on coverage for  
2 transmission costs;

3 (c) Requirements for the licensing status of health care providers  
4 providing telehealth and telemonitoring services; and

5 (d) Requirements for demonstrating compliance with the signed  
6 written statement requirement in section 71-8505.

7 (4) The reimbursement rate for a telehealth consultation shall, at a  
8 minimum, be the same as for a comparable in-person consultation.

9 Sec. 2. Original section 44-312, Revised Statutes Cumulative  
10 Supplement, 2020, is repealed.