

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 829

FINAL READING

Introduced by Blood, 3; Hughes, 24; Ibach, 44; DeBoer, 10; Bostar, 29;
Jacobson, 42.

Read first time January 03, 2024

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to insurance; to amend section 44-7,102,
- 2 Revised Statutes Supplement, 2023; to change provisions relating to
- 3 coverage for screening for colorectal cancer; to provide an
- 4 operative date; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-7,102, Revised Statutes Supplement, 2023, is
2 amended to read:

3 44-7,102 (1) Notwithstanding section 44-3,131, (a) any individual or
4 group sickness and accident insurance policy, certificate, or subscriber
5 contract delivered, issued for delivery, or renewed in this state and any
6 hospital, medical, or surgical expense-incurred policy, except for short-
7 term major medical policies of six months or less duration and policies
8 that provide coverage for a specified disease or other limited-benefit
9 coverage, and (b) any self-funded employee benefit plan to the extent not
10 preempted by federal law shall include screening coverage for a
11 colorectal cancer examination, ~~and~~ laboratory tests for cancer, and a
12 concurrent removal of polyps or biopsy, or both, for any nonsymptomatic
13 person forty-five years of age or older covered under such policy,
14 certificate, contract, or plan. Such screening coverage shall include a
15 maximum of one stool-based preventive screening test as approved by the
16 United States Preventive Services Task Force annually and a flexible
17 sigmoidoscopy every five years, a colonoscopy every ten years, or a
18 barium enema every five to ten years, or any combination, or the most
19 reliable, medically recognized screening test available. The screenings
20 selected shall be as deemed appropriate by a health care provider and the
21 patient.

22 ~~(2)(a) (2)~~ On or after December 31, 2023, no policy, certificate, or
23 contract, delivered, issued for delivery, or renewed in this state, or
24 any self-funded employee benefit plan, to the extent not preempted by
25 federal law, shall impose a deductible, coinsurance, or any other cost-
26 sharing requirements for screening colonoscopies as recommended by the
27 United States Preventive Services Task Force, including those performed
28 as a result of a positive noncolonoscopy stool-based preventive screening
29 test.

30 (b) No policy, certificate, or contract, delivered, issued for
31 delivery, or renewed in this state, or any self-funded employee benefit

1 plan, to the extent not preempted by federal law, shall impose a
2 deductible, coinsurance, or any other cost-sharing requirements for any
3 service or item that is an integral part of performing a colorectal
4 cancer screening, including:

5 (i) Polyp removal performed during the screening procedure;

6 (ii) Any pathology examination on a polyp biopsy performed as part
7 of the screening procedure;

8 (iii) Required specialist consultation prior to the screening
9 procedure;

10 (iv) Bowel preparation medications prescribed for the screening
11 procedure; and

12 (v) Anesthesia services performed in connection with a preventive
13 colonoscopy.

14 Sec. 2. This act becomes operative on January 1, 2025.

15 Sec. 3. Original section 44-7,102, Revised Statutes Supplement,
16 2023, is repealed.