

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 152

FINAL READING

Introduced by Pankonin, 2

Read first time January 8, 2007

Committee: Judiciary

A BILL

1 FOR AN ACT relating to licenses; to amend section 71-1,200, Reissue
2 Revised Statutes of Nebraska; to change provisions
3 relating to reports by insurers; and to repeal the
4 original section.

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

1 Section 1. Section 71-1,200, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 71-1,200 Any insurer shall report to the department, on
4 a form and in the manner specified by the department by rule and
5 regulation, any facts known to the insurer, including, but not
6 limited to, the identity of the practitioner and patient, when the
7 insurer:

8 (1) Has reasonable grounds to believe that a practitioner
9 has committed a violation of the regulatory provisions governing
10 the profession of such practitioner;

11 (2) Has made payment due to an adverse judgment,
12 settlement, or award resulting from a professional liability
13 claim against the insurer, a health care facility or health
14 care service as defined in the Health Care Facility Licensure
15 Act, or a practitioner, including settlements made prior to suit
16 in which the patient releases any professional liability claim
17 against the insurer, health care facility or health care service,
18 or practitioner, arising out of the acts or omissions of the
19 practitioner;

20 (3) Takes an adverse action affecting the coverage
21 provided by the insurer to a practitioner due to alleged
22 incompetence, negligence, unethical or unprofessional conduct, or
23 physical, mental, or chemical impairment. For purposes of this
24 section, adverse action shall not include raising a practitioner's
25 rates for professional liability coverage unless it is based upon

1 grounds that would be reportable and no prior report has been made
2 to the department; or

3 (4) Has been requested by the department to provide
4 information.

5 The report shall be made within thirty days after the
6 date of the action, event, or request. Nothing in this section or
7 section 71-1,199 shall be construed to require an insurer to report
8 based on information gained due to the filing by a practitioner or
9 on behalf of a practitioner of a claim for payment under his or her
10 health insurance policy.

11 Sec. 2. Original section 71-1,200, Reissue Revised
12 Statutes of Nebraska, is repealed.