

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 152

Introduced By: Pankonin, 2;
Read first time: January 8, 2007
Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to licenses; to amend section 71-1,200,
2 Reissue Revised Statutes of Nebraska; to change provisions
3 relating to reports by insurers; and to repeal the original
4 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 a
4 form and in the manner specified by the department by rule and
5 regulation, any facts known to the insurer, including, but not limited
6 to, the identity of the practitioner and patient, when the insurer:

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

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

18 (3) Takes an adverse action affecting the coverage provided
19 by the insurer to a practitioner due to alleged incompetence,
20 negligence, unethical or unprofessional conduct, or physical, mental,
21 or chemical impairment. For purposes of this section, adverse action
22 shall not include raising a practitioner's rates for professional
23 liability coverage unless it is based upon grounds that would be
24 reportable and no prior report has been made to the department; or

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

27 The report shall be made within thirty days after the date

1 of the action, event, or request. Nothing in this section or section
2 71-1,199 shall be construed to require an insurer to report based on
3 information gained due to the filing by a practitioner or on behalf of
4 a practitioner of a claim for payment under his or her health
5 insurance policy.

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7 of Nebraska, is repealed.