

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 545

Introduced by Pahls, 31.

Read first time January 19, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to correctional facilities; to amend section
2 47-702, Reissue Revised Statutes of Nebraska; to
3 establish a copay for medical services as prescribed; and
4 to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 47-702, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 47-702 Primary responsibility for payment of the costs of
4 medical services provided to individuals who are arrested, detained,
5 taken into custody, or incarcerated shall be with the recipients of
6 such services if the recipients are entitled to payment of or
7 reimbursement for the costs of such medical services under the terms
8 and provisions of a policy, subscription, or agreement with an
9 insurer, a health maintenance organization, a preferred provider
10 organization, or another similar source as provided in subdivision
11 (1) of this section. An individual who is arrested, detained, taken
12 into custody, or incarcerated shall pay a copay of XX dollars for any
13 and all medical services sought, except that individuals who are not
14 of sufficient means to afford the copay shall not be required to pay
15 such copay. Providers of such medical services shall seek
16 reimbursement from the following sources in the following order:

17 (1) From an insurer, a health maintenance organization, a
18 preferred provider organization, or other similar source, if the
19 recipient of medical services is entitled to payment of or
20 reimbursement for the costs of such medical services under the terms
21 and provisions of a policy, subscription, or agreement with an
22 insurer, a health maintenance organization, a preferred provider
23 organization, or another similar source. This section does not extend
24 or enlarge the liability of any such insurer, health maintenance
25 organization, preferred provider organization, or other similar

1 source, and no such insurer, health maintenance organization,
2 preferred provider organization, or other similar source is
3 responsible for paying or reimbursing any costs of medical services
4 for which it is not otherwise responsible under the terms of the
5 applicable policy, subscription, or agreement. Any individual who is
6 entitled to payment or reimbursement for the costs of medical
7 services under the terms of a policy, subscription, or agreement with
8 an insurer, a health maintenance organization, a preferred provider
9 organization, or other similar source shall cooperate with the
10 providers of such services by making whatever applications,
11 assignment, or other arrangements that are necessary in order to
12 secure payment for the services provided; and

13 (2) From any other available source, including, when
14 appropriate, the United States Department of Veterans Affairs, the
15 Social Security Administration, the Department of Health and Human
16 Services, or other similar source.

17 Sec. 2. Original section 47-702, Reissue Revised Statutes
18 of Nebraska, is repealed.