

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 858

Introduced by Howard, 9.

Read first time January 13, 2014

Committee: Banking, Commerce and Insurance

A BILL

- 1 FOR AN ACT relating to insurance; to amend section 44-513, Reissue
- 2 Revised Statutes of Nebraska; to provide requirements
- 3 relating to pharmacists and the provision of health care
- 4 services; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Notwithstanding section 44-3,131, (a) any
2 individual or group sickness and accident insurance policy,
3 certificate, or subscriber contract delivered, issued for delivery,
4 or renewed in this state and any hospital, medical, or surgical
5 expense-incurred policy, except for short-term major medical policies
6 of six months or less duration and policies that provide coverage for
7 a specified disease or other limited-benefit coverage, and (b) any
8 self-funded employee benefit plan to the extent not preempted by
9 federal law shall recognize pharmacists as health care providers who
10 have the authority to provide health care services that include, but
11 are not limited to, medication therapy management services, chronic
12 disease management services, comprehensive medication review, and
13 other such professional services provided to patients by pharmacists.

14 (2) Insurers may contract with pharmacists for the
15 provision of services listed in subsection (1) of this section.
16 Payment for such services shall be separate and distinct from
17 dispensing and counseling services provided by pharmacists or as a
18 part of a pharmacy's ordinary course of business.

19 Sec. 2. Section 44-513, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 44-513 Whenever any insurer provides by contract, policy,
22 certificate, or any other means whatsoever for a service, or for the
23 partial or total reimbursement, payment, or cost of a service, to or
24 on behalf of any of its policyholders, group policyholders,
25 subscribers, or group subscribers or any person or group of persons,

1 which service may be legally performed by a person licensed in this
2 state for the practice of osteopathic medicine and surgery,
3 chiropractic, optometry, psychology, dentistry, pharmacy, podiatry,
4 or mental health practice, the person rendering such service or such
5 policyholder, subscriber, or other person shall be entitled to such
6 partial or total reimbursement, payment, or cost of such service,
7 whether the service is performed by a duly licensed medical doctor or
8 by a duly licensed osteopathic physician, chiropractor, optometrist,
9 psychologist, dentist, pharmacist, podiatrist, or mental health
10 practitioner. This section shall not limit the negotiation of
11 preferred provider policies and contracts under sections 44-4101 to
12 44-4113.

13 Sec. 3. Original section 44-513, Reissue Revised Statutes
14 of Nebraska, is repealed.