

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB1005

Hearing Date: Monday February 08, 2016
Committee On: Business and Labor
Introducer: Harr
One Liner: Provide for an evidence-based drug formulary under the Nebraska Workers' Compensation Act

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:
Aye: 6 Senators Bloomfield, Crawford, Ebke, Harr, Howard, Johnson
Nay:
Absent: 1 Senator Chambers
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Burke Harr
Robert Hallstrom

Dallas Jones

Mark Pew

Opponents:

Kim Robak
Darcy Tromanhauser
Dennis Bozarth
Rod Rehm
Tim Dowd

Neutral:

Glenn Morton

Representing:

Introducer
National Federation of Independent Business,
Nebraskans for Workers' Compensation Equity &
Fairness
Nebraskans for Workers' Compensation Equity &
Fairness, Nebraska Chamber of Commerce
PRIUM

Representing:

Nebraska Medical Association
Nebraska Appleseed
Self
Nebraska Association of Trial Attorneys
Nebraska AFL-CIO

Representing:

Nebraska Workers' Compensation Court

Summary of purpose and/or changes:

LB 1005 requires the Nebraska Workers' Compensation Court to adopt an evidence-based drug formulary for prescription drugs. The formulary will apply to those Schedule II, III, IV, and V drugs prescribed and dispensed for workers' compensation claims with a date of injury on or after January 1, 2017.

A prescription drug listed and recommended in the formulary is presumed to be reasonable and may be prescribed without obtaining prior authorization from the insurer. A prescription drug that is not included in the formulary or one that is included, but not recommended, within the formulary requires prior authorization from the insurer before it is presumed to be reasonable.

Any party may request a finding by an independent medical examiner if the insurer denies payment or denies prior

authorization for a prescription drug that is not included in the formulary or that is included but not recommended.

The compensation court may adopt and promulgate rules and regulations.

Burke Harr, Chairperson