

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 770**

FINAL READING

Introduced by Groene, 42; Gloor, 35.

Read first time January 06, 2016

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to the Nebraska Exchange Transparency Act; to
- 2 amend sections 44-8703 and 44-8706, Revised Statutes Cumulative
- 3 Supplement, 2014; to change the termination date of the act and the
- 4 terms of certain commission members; to repeal the original
- 5 sections; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-8703, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

3 44-8703 (1) The Nebraska Exchange Stakeholder Commission is created.  
4 For administrative and budgetary purposes only, the commission shall be  
5 housed within the Department of Insurance. The commission shall be  
6 composed of eleven members as follows:

7 (a) Nine members shall be appointed by the Governor in the following  
8 manner:

9 (i) Four members to represent the interests of consumers who will  
10 access health insurance in the exchange with at least one of such members  
11 to represent the interests of rural consumers who will access health  
12 insurance in the exchange;

13 (ii) One member to represent the interests of small businesses who  
14 are qualified to purchase health insurance in the exchange;

15 (iii) Two members to represent the interests of health care  
16 providers in the state;

17 (iv) One member to represent the interests of health insurance  
18 carriers who are eligible to offer health plans in the exchange; and

19 (v) One member to represent the interests of health insurance  
20 agents. This member shall not be a captive agent of any health insurance  
21 carrier;

22 (b) The Director of Insurance or his or her designee is a nonvoting,  
23 ex officio member of the commission; and

24 (c) The director of the Division of Medicaid and Long-Term Care of  
25 the Department of Health and Human Services or his or her designee is a  
26 nonvoting, ex officio member of the commission.

27 (2) The terms of appointed members of the commission shall commence  
28 on July 1, 2013.

29 (3) The appointed members of the commission shall serve for terms of  
30 three ~~four~~ years, except that of the members first appointed, the  
31 Governor shall designate:

1 (a) One of the members representing the interests of health care  
2 providers in the state to serve a term of three years and the other to  
3 serve a term of two years;

4 (b) The member representing the interests of health insurance  
5 carriers to serve a term of two years;

6 (c) The member representing the interests of health insurance agents  
7 to serve a term of three years; and

8 (d) All other members to serve for terms of three ~~four~~ years.

9 (4) A member may be reappointed at the expiration of his or her  
10 term. All succeeding appointments to the commission shall be made in the  
11 same manner as the original appointments are made, and succeeding  
12 appointees shall have the same qualifications as their predecessors.

13 (5) An individual appointed to fill a vacancy occurring other than  
14 by the expiration of a term of office shall be appointed for the  
15 unexpired term of the member such individual succeeds and shall be  
16 eligible for appointment to subsequent full terms thereafter.

17 (6) All appointments whether initial or subsequent shall be subject  
18 to the approval of a majority of the members of the Legislature, if the  
19 Legislature is in session, and, if the Legislature is not in session, any  
20 appointment shall be temporary until the next session of the Legislature,  
21 at which time a majority of the members of the Legislature may approve or  
22 disapprove such appointment.

23 (7) A member shall have his or her membership terminated if he or  
24 she ceases to meet the qualification for his or her appointment. A member  
25 may be removed from the commission for good cause upon written notice and  
26 upon an opportunity to be heard before the Governor. After the hearing,  
27 the Governor shall file in the office of the Secretary of State a  
28 complete statement of the charges and the findings and disposition  
29 together with a complete record of the proceedings.

30 Sec. 2. Section 44-8706, Revised Statutes Cumulative Supplement,  
31 2014, is amended to read:

1           44-8706 The Nebraska Exchange Transparency Act terminates on July 1,  
2    2016 ~~2017~~.

3           Sec. 3.   Original sections 44-8703 and 44-8706, Revised Statutes  
4   Cumulative Supplement, 2014, are repealed.

5           Sec. 4.   Since an emergency exists, this act takes effect when  
6   passed and approved according to law.