

**ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020**  
**COMMITTEE STATEMENT**  
**LB886**

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**Hearing Date:** Tuesday February 04, 2020  
**Committee On:** Banking, Commerce and Insurance  
**Introducer:** Arch  
**One Liner:** Prohibit certain acts by health insurers and network providers and list a deceptive trade practice

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	7	Senators Gragert, Howard, La Grone, Lindstrom, McCollister, Quick, Williams
<b>Nay:</b>		
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Kolterman

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**Oral Testimony:**

**Proponents:**

Senator John Arch  
Eric Dunning

Bruce Ramge  
Jay McLaren  
Jana Danielson  
Robert Bell  
Coleen Nielsen

**Representing:**

Introducer  
Blue Cross and Blue Shield of Nebraska, Nebraska State Chamber of Commerce  
Nebraska Department of Insurance  
Medica  
Nebraska Medicine, Nebraska Hospital Association  
Nebraska Insurance Federation  
American Health Insurance Plans

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

This bill would enact a new section in the insurance statutes and would amend section 87-302 to provide that it is a violation of the Uniform Deceptive Trade Practices Act for a health care facility to (1) advertise or hold itself out as a network provider, including making any statement that it takes or accepts any health insurance, unless the facility is a network provider of the health insurer or (2) place the name or logo of a health insurer in any marketing materials if the facility is not a network provider for the plan administered by the health insurer.

The bill would provide that any contract entered into between a health care facility and a person covered by a health insurer is voidable by the covered person if the facility violates the provisions of the bill.

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**Explanation of amendments:**

The committee amendments would specify that a health care facility may advertise or hold itself out as a network provider if the facility is a network provider of the health insurer.

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The committee amendments would provide that a health care facility shall not place the name or logo of a health insurer in any signage or marketing materials if the facility is not a network provider for the "health insurer" instead of for the "plan of health insurance, health benefits, or health care services administered by the health insurer."

The committee amendments would eliminate all amendments to section 87-302 and therefore violations would not be deceptive trade practices under the Uniform Deceptive Trade Practices Act.

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Matt Williams, Chairperson