

TWENTY-SECOND DAY - FEBRUARY 11, 2020

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION**

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 11, 2020

PRAYER

The prayer was offered by Pastor Tom Starkjohn, Louisville Evangelical Free Church, Plattsmouth.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senator Pansing Brooks who was excused; and Senators Bolz, M. Hansen, Morfeld, Slama, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-first day was approved.

ANNOUNCEMENT(S)

Priority designation(s) received:

Crawford - LB1061

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs
Room 1507

Wednesday, February 19, 2020 1:30 p.m.
LB758
LB848
LB1015

Thursday, February 20, 2020 1:30 p.m.

LB1167
LB878
LB935
LB936
LB1136

Friday, February 21, 2020 1:30 p.m.

LB981
LB982
LB1195

(Signed) Tom Brewer, Chairperson

AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to [LB752](#):

[AM2353](#)

1 1. Strike the original sections and insert the following new
2 section:
3 Section 1. The Department of Health and Human Services and
4 Department of Veterans' Affairs shall work jointly to encourage service
5 providers in their respective departments and in other state and local
6 agencies and departments to ask the question "Have you or a family member
7 ever served in the military?". The question should be included in intake
8 forms and interviews where appropriate, including, but not limited to, at
9 hospitals, mental health care centers, senior centers, employment
10 offices, courts, and schools and in encounters with law enforcement.

ANNOUNCEMENT

The Chair announced the birthday of Senator M. Hansen.

GENERAL FILE

LEGISLATIVE BILL 944. Title read. Considered.

Committee [AM2307](#), found on page 568, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 205. Title read. Considered.

SPEAKER SCHEER PRESIDING

Committee [AM1436](#), found on page 1289, First Session, 2019, was offered.

SENATOR HILGERS PRESIDING

SENATOR LINDSTROM PRESIDING

Senator Kolterman moved for a call of the house. The motion prevailed with 24 ayes, 5 nays, and 20 not voting.

Senator Kolterman requested a roll call vote, in reverse order, on the committee amendment.

Voting in the affirmative, 22:

Bolz	Hansen, M.	Kolterman	Scheer	Williams
Cavanaugh	Hilkemann	Lathrop	Slama	Wishart
Chambers	Howard	Lindstrom	Vargas	
Dorn	Hunt	McCollister	Walz	
Geist	Kolowski	Quick	Wayne	

Voting in the negative, 12:

Albrecht	Clements	Hansen, B.	McDonnell
Arch	Groene	La Grone	Moser
Brewer	Halloran	Lowe	Murman

Present and not voting, 11:

Blood	Briese	Erdman	Hilgers
Bostelman	Crawford	Friesen	Hughes
Brandt	DeBoer	Gragert	

Excused and not voting, 4:

Linehan	Morfeld	Pansing Brooks	Stinner
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The committee amendment lost with 22 ayes, 12 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Failed to advance to Enrollment and Review Initial with 15 ayes, 12 nays, 18 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 909. Placed on General File with amendment.
[AM2312](#) is available in the Bill Room.

(Signed) Matt Williams, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 387. Placed on Final Reading.**LEGISLATIVE BILL 518.** Placed on Final Reading.**[ST43](#)**

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Blood amendment, AM2327, on page 1, lines 6 and 11, the last underscored periods have been struck and underscored semicolons inserted.
2. On page 1, line 1, "health and human services" has been struck and "government" inserted; and in line 3 "to provide duties regarding federal immigration forms relating to victims of certain crimes;" has been inserted after the semicolon.

LEGISLATIVE BILL 540. Placed on Final Reading.**LEGISLATIVE BILL 541.** Placed on Final Reading.**LEGISLATIVE BILL 643.** Placed on Final Reading.

(Signed) Julie Slama, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Banking, Commerce and Insurance - LB909

NOTICE OF COMMITTEE HEARING(S)Education
Room 1525

Tuesday, February 18, 2020 1:30 p.m.

Timothy Daniels - Coordinating Commission for Postsecondary Education

Charles Garman - Coordinating Commission for Postsecondary Education

Cindy Gray - Technical Advisory Committee for Statewide Assessment

Chad W. Buckendahl - Technical Advisory Committee for Statewide

Assessment

LB1001

LB1039

LR306

(Signed) Mike Groene, Chairperson

AMENDMENT(S) - Print in JournalSenator M. Hansen filed the following amendment to [LB926](#):**[AM2268](#)**

- 1 1. On page 2, line 21, strike "Any", show as stricken, and insert "A
- 2 contractor who is assessed an administrative penalty for a violation of
- 3 the Employee Classification Act shall pay such administrative penalty no
- 4 later than ten days after the date the penalty becomes final and not
- 5 subject to further appeal. A"; strike beginning with "citation" in line

6 21 through "Act" in line 22, show the old matter as stricken, and insert
7 "administrative penalty in violation of this subsection"; and in line 24
8 strike "citation" and insert "administrative penalty".

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Yi, Rui - Stem Cell Research Advisory Committee - Health and Human Services

(Signed) Mike Hilgers, Chairperson
Executive Board

GENERAL FILE

LEGISLATIVE BILL 329. Title read. Considered.

Committee [AM1183](#), found on page 1295, First Session, 2019, was offered.

Senator Howard offered her amendment, [AM2186](#), found on page 478, to the committee amendment.

The Howard amendment was adopted with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 28 ayes, 4 nays, 12 present and not voting, and 5 excused and not voting.

Senator Bolz moved for a call of the house. The motion prevailed with 30 ayes, 4 nays, and 15 not voting.

Advanced to Enrollment and Review Initial with 25 ayes, 7 nays, 14 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 607. Title read. Considered.

Committee [AM1462](#), found on page 1297, First Session, 2019, was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 25 ayes, 1 nay, 14 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 607A. Title read. Considered.

Senator Kolterman offered his amendment, [AM2165](#), found on page 480.

The Kolterman amendment was adopted with 29 ayes, 1 nay, 9 present and not voting, and 10 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 1 nay, 10 present and not voting, and 10 excused and not voting.

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 929. Placed on General File.

LEGISLATIVE BILL 1014. Placed on General File.

LEGISLATIVE BILL 1123. Placed on General File.

LEGISLATIVE BILL 760. Placed on General File with amendment.

[AM2232](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 44-7,107, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:
5 44-7,107 (1) For purposes of this section:
6 (a) Asynchronous review means the acquisition and storage of medical
7 information at one site that is then forwarded to or retrieved by a
8 health care provider at another site for medical evaluation;
9 (b) Dermatologist means a board-certified physician who is trained
10 to evaluate and treat individuals with benign and malignant disorders of
11 the skin, hair, nails, and adjacent mucous membranes with a
12 specialization in the diagnosis and treatment of skin cancers, melanomas,
13 moles, and other tumors of the skin along with surgical techniques used
14 in dermatology and interpretation of skin biopsies; and
15 (c) Telehealth has the same meaning as in section 44-312.
16 (2) Any insurer offering (a) ~~(1)~~ any individual or group sickness
17 and accident insurance policy, certificate, or subscriber contract
18 delivered, issued for delivery, or renewed in this state, (b) ~~(2)~~ any
19 hospital, medical, or surgical expense-incurred policy, or (c) ~~(3)~~ any
20 self-funded employee benefit plan to the extent not preempted by federal
21 law, shall not exclude, in any policy, certificate, contract, or plan
22 offered or renewed on or after August 24, 2017, a service from coverage
23 solely because the service is delivered through telehealth ~~as defined in~~
24 ~~section 44-312~~ and is not provided through in-person consultation or
25 contact between a licensed health care provider and a patient.
26 (3)(a) Any insurer offering any policy, certificate, contract, or
27 plan described in subsection (2) of this section for which coverage of
1 benefits begins on or after January 1, 2021, shall not exclude from
2 coverage telehealth services provided by a dermatologist solely because
3 the service is delivered asynchronously.
4 (b) An insurer shall reimburse a health care provider for
5 asynchronous review by a dermatologist delivered through telehealth at a
6 rate negotiated between the provider and the insurer.
7 (c) It is not a violation of this subsection for an insurer to
8 include a deductible, copayment, or coinsurance requirement for a health
9 care service provided through telehealth if such costs do not exceed
10 those included for the same services provided through in-person contact.
11 (4) Nothing in this section shall be construed to require an insurer
12 to provide coverage for services that are not medically necessary.
13 (5) This section does not apply to any policy, certificate,
14 contract, or plan that provides coverage for a specified disease or other

15 limited-benefit coverage.
16 Sec. 2. Original section 44-7,107, Revised Statutes Cumulative
17 Supplement, 2018, is repealed.

(Signed) Matt Williams, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Blood name added to LB770.
Senator Gragert name added to LB911.

VISITOR(S)

Visitors to the Chamber were students from the Wayne Leadership Class, Wayne State College, and Wayne High School; Ruthie Ostergard from Gothenburg; and members of Leadership Sarpy County.

The Doctor of the Day was Dr. Joe Miller from Omaha.

ADJOURNMENT

At 11:47 a.m., on a motion by Senator Blood, the Legislature adjourned until 9:00 a.m., Wednesday, February 12, 2020.

Patrick J. O'Donnell
Clerk of the Legislature

