

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1008**

Introduced by Fulton, 29.

Read first time January 17, 2012

Committee:

A BILL

1 FOR AN ACT relating to the Nebraska Workers' Compensation Act; to  
2 amend section 48-1,110, Revised Statutes Supplement,  
3 2011; to provide for utilization and treatment guidelines  
4 for medical, surgical, and hospital services; to  
5 authorize a medical director; to harmonize provisions;  
6 and to repeal the original section.

7 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) The Nebraska Workers' Compensation Court  
2 shall establish by rule evidence-based utilization and treatment  
3 guidelines for primary and secondary medical services. Reasonable  
4 medical, surgical, and hospital services as described in subdivision  
5 (1)(a) of section 48-120 shall be consistent with the utilization and  
6 treatment guidelines adopted by the compensation court pursuant to  
7 this section, and any such services that do not fall within the  
8 utilization and treatment guidelines adopted by the compensation  
9 court shall also be included as reasonable medical, surgical, and  
10 hospital services if the provider or supplier obtains prior  
11 authorization for such services from the workers' compensation  
12 insurer, risk management pool, or self-insured employer.

13           (2) The compensation court may hire a medical director.  
14 The compensation court may establish by rule an independent medical  
15 review process for treatment or services denied by an insurer as not  
16 reasonable medical, surgical, or hospital services under the Nebraska  
17 Workers' Compensation Act.

18           (3) The compensation court, in consultation with  
19 providers with relevant experience and education, shall provide for  
20 an annual review of the evidence-based utilization and treatment  
21 guidelines to consider amendments or changes to such guidelines.

22           Sec. 2. Section 48-1,110, Revised Statutes Supplement,  
23 2011, is amended to read:

24           48-1,110 Sections 48-101 to 48-1,117 and section 1 of  
25 this act shall be known and may be cited as the Nebraska Workers'

1 Compensation Act.

2                   Sec. 3. Original section 48-1,110, Revised Statutes

3 Supplement, 2011, is repealed.