

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 383**

Introduced by Bostar, 29.

Read first time January 12, 2023

Committee:

- 1 A BILL FOR AN ACT relating to insurance; to amend section 44-7,102,
- 2 Revised Statutes Cumulative Supplement, 2022; to change provisions
- 3 relating to coverage for screenings for colorectal cancer; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-7,102, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 44-7,102 (1) Notwithstanding section 44-3,131, (a) any individual or  
4 group sickness and accident insurance policy, certificate, or subscriber  
5 contract delivered, issued for delivery, or renewed in this state and any  
6 hospital, medical, or surgical expense-incurred policy, except for short-  
7 term major medical policies of six months or less duration and policies  
8 that provide coverage for a specified disease or other limited-benefit  
9 coverage, and (b) any self-funded employee benefit plan to the extent not  
10 preempted by federal law shall include screening coverage for a  
11 colorectal cancer examination and laboratory tests for cancer for any  
12 nonsymptomatic person forty-five years of age or older covered under such  
13 policy, certificate, contract, or plan. Such screening coverage shall  
14 include a maximum of one screening stool-based preventative screening  
15 test as approved by the United States Preventative Services Task Force  
16 ~~fecal occult blood test~~ annually and a flexible sigmoidoscopy every five  
17 years, a colonoscopy every ten years, or a barium enema every five to ten  
18 years, or any combination, or the most reliable, medically recognized  
19 screening test available. The screenings selected shall be as deemed  
20 appropriate by a health care provider and the patient.

21 (2) On or after December 31, 2023, no policy, certificate, or  
22 contract, delivered, issued for delivery, or renewed in this state, or  
23 any self-funded employee benefit plan, to the extent not preempted by  
24 federal law, shall impose a deductible, coinsurance, or any other cost  
25 sharing requirements for screening colonoscopies, including those  
26 performed as a result of a positive noncolonoscopy stool-based preventive  
27 screen test as approved by the United States Preventive Services Task  
28 Force. ~~This section does not prevent application of deductible or~~  
29 ~~copayment provisions contained in the policy, certificate, contract, or~~  
30 ~~employee benefit plan or require that such coverage be extended to any~~  
31 ~~other procedures.~~

1           Sec. 2.   Original section 44-7,102, Revised Statutes Cumulative  
2 Supplement, 2022, is repealed.