

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 392

Introduced by Ballard, 21.

Read first time January 12, 2023

Committee:

- 1 A BILL FOR AN ACT relating to insurance; to authorize the electronic
- 2 delivery of certain health benefit plan documents as prescribed; and
- 3 to define terms.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Health benefit plan means a policy, a contract, a certificate,
3 or an agreement entered into, offered by, or issued by an insurer to
4 provide, deliver, arrange for, pay for, or reimburse any of the costs of
5 healthcare services, including a vision or dental benefit plan; and

6 (b) Plan sponsor means:

7 (i) In the case of a health benefit plan established or maintained
8 by a single employer, the employer;

9 (ii) In the case of a health benefit plan established or maintained
10 by an employee organization, the employee organization; or

11 (iii) In the case of a health benefit plan established or maintained
12 by two or more employers or jointly by one or more employers and one or
13 more employee organizations, the association, committee, joint board of
14 trustees, or other similar group of representatives of the parties who
15 establish or maintain the benefit plan.

16 (2) The plan sponsor of a health benefit plan may, on behalf of
17 covered persons in the plan, provide the consent to the delivery of all
18 communications related to the plan by electronic means and to the
19 electronic delivery of any health insurance identification card if,
20 before consenting on behalf of a covered person, a plan sponsor:

21 (a) Confirms that the covered person routinely uses electronic
22 communications during the normal course of employment;

23 (b) Provides the covered person an opportunity to opt out of
24 delivery by electronic means; and

25 (c) Follows all federal and state laws relating to the electronic
26 delivery of such information or documents.