

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 553

Introduced by Gloor, 35.

Read first time January 21, 2015

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to insurance; to amend section 44-3805,
- 2 Reissue Revised Statutes of Nebraska, and section 44-7,105, Revised
- 3 Statutes Cumulative Supplement, 2014; to change provisions relating
- 4 to dental services; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-7,105, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 44-7,105 (1) Notwithstanding section 44-3,131, (a 1) an individual
4 or group sickness or accident policy, certificate, or subscriber contract
5 delivered, issued for delivery, or renewed in this state and a hospital,
6 medical, or surgical expense-incurred policy, (b 2) a self-funded
7 employee benefit plan to the extent not preempted by federal law, and (c
8 3) a certificate, agreement, or contract to provide limited health
9 services issued by a prepaid limited health service organization as
10 defined in section 44-4702 shall not include a provision, stipulation, or
11 agreement establishing or limiting any fees charged for dental services
12 that are not covered by the policy, certificate, contract, agreement, or
13 plan.

14 (2) For purposes of this section, dental services are considered to
15 be covered by a policy, certificate, contract, agreement, or plan if the
16 service is one for which full reimbursement is actually provided on a
17 given claim under the applicable policy, certificate, contract,
18 agreement, or plan.

19 (3) This section does not prohibit a policy, certificate, contract,
20 agreement, or plan that does not cover a specific dental service from
21 offering the insured, enrollee, or subscriber an alternate benefit, and
22 in such case the dentist may bill the insured, enrollee, or subscriber
23 for the difference between the dentist's fee for the specific dental
24 service provided and the alternate benefit.

25 Sec. 2. Section 44-3805, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 44-3805 (1) A prepaid dental service plan may be offered on an
28 individual or group basis. Each person covered under a group contract
29 shall be issued a certificate of coverage.

30 (2) No contract or certificate for dental service may be issued in
31 this state unless a copy of the form has been filed with and approved by

1 the director.

2 (3)(a) No prepaid dental service plan offered in this state shall
3 limit any fees charged for services that are not covered by the plan.

4 (b) For purposes of this subsection, dental services are considered
5 to be covered by a prepaid dental service plan if the service is one for
6 which full reimbursement is actually provided on a given claim under the
7 applicable plan.

8 (4) This section does not prohibit a prepaid dental service plan
9 that does not cover a specific dental service from offering the person
10 covered under the plan an alternate benefit, and in such case the dentist
11 may bill the person covered under the plan for the difference between the
12 dentist's fee for the specific dental service provided and the alternate
13 benefit.

14 Sec. 3. Original section 44-3805, Reissue Revised Statutes of
15 Nebraska, and section 44-7,105, Revised Statutes Cumulative Supplement,
16 2014, are repealed.