

STATE OF NEBRASKA

DEPARTMENT OF INSURANCE

Bruce R. Ramge

Director



Dave Heineman
Governor

N-O-T-I-C-E

The Director of the Department of Insurance has scheduled a public hearing as required by Neb. Rev. Stat. §§ 84-901 through 84-909 for the proposed adoption of Title 210, Nebraska Administrative Code, Chapter 87 – Health Carrier External Review.

Chapter 87 prescribes a series of forms which are required to be used by health carriers, covered persons, and independent review organizations under the Health Carrier External Review Act, Neb. Rev. Stat. § 44-1301, et seq. adopted by the Legislature in 2013.

The regulation implements the requirements of LB 147 (2013), codified at Neb. Rev. Stat. § 44-1301, et seq, which requires insurers to subject their decision-making on denial of health care services under their policies to Independent Review Organizations. The regulations implement those portions of the law granting the director of insurance authority to prescribe forms or standards for forms to be used by health carriers, independent review organizations, and covered persons under the new law. The regulation allows insurers and independent review organizations to deviate from those forms if the deviation is approved by the director in advance. The regulation will impact independent review organizations issuers of individual and small group health insurance products and those persons seeking an external review of health care denials.

The proposed regulation has no fiscal impact on state agencies or political subdivisions; however, it may reduce expenses for regulated entities by setting out standards for forms under Neb. Rev. Stat. § 44-1301, et seq, thereby relieving them of the costs of developing such forms. A copy of the Fiscal Impact Statement is available at the Department of Insurance.

Copies of the proposed regulation Chapter 87 are available upon request at a cost of \$6.50 each from the Department of Insurance, 941 O Street, Suite 400, Lincoln, NE 68508. Copies of Chapter 87 are available for inspection at the address of the Department of Insurance, as well as the Office of the Secretary of State, State Capitol Building, Suite 2300, Lincoln, NE 68509, and through the Department's website at www.doi.ne.gov. All persons interested in presenting oral or written views on the proposed adoption of Chapter 87 will be granted an opportunity at a hearing to be held before the Director of Insurance, State of Nebraska, beginning at 10:00 a.m., the 22nd day of August 2013, and will continue until concluded. Said hearing will be held in the 5th Floor Conference Room of the Terminal Building at 941 O Street, Lincoln, NE 68508. Additionally, interested persons may submit written comments prior to the hearing, which will be made a part of the hearing record.

Reasonable accommodations will be provided to persons with disabilities upon advanced request. The hearing will be transcribed at the request of any party with the expense of the transcription charged to the requesting party.

All persons interested in the regulation may appear at the time stated in this notice and be heard in reference to the regulation.

Dated this 15 day of July 2013.

A handwritten signature in blue ink that reads "Bruce R. Ramage". The signature is written in a cursive style with a horizontal line underneath the name.

Bruce Ramage
Director of Insurance