

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1094

Introduced by Bostar, 29.

Read first time January 09, 2024

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to insurance; to limit the out-of-pocket cost
- 2 of medically necessary epinephrine injectors to a covered individual
- 3 as prescribed; and to require coverage for certain generic and
- 4 authorized generic inhaled prescription corticosteroid medication as
- 5 prescribed.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Beginning January 1, 2025, and notwithstanding
2 section 44-3,131, (a) any individual or group sickness and accident
3 insurance policy or subscriber contract delivered, issued for delivery,
4 or renewed in this state and any hospital, medical, or surgical expense-
5 incurred policy, except for policies that provide coverage for a
6 specified disease or other limited-benefit coverage, and (b) any self-
7 funded employee benefit plan to the extent not preempted by federal law,
8 which provides coverage for medically necessary epinephrine injectors
9 shall limit the total amount that a covered individual is required to pay
10 for a two-pack of medically necessary epinephrine injectors at an amount
11 not to exceed sixty dollars, regardless of the type of epinephrine
12 injector.

13 (2) Nothing in this section prevents a policy, contract, or plan
14 from reducing the total amount that a covered individual is required to
15 pay for each covered medically necessary epinephrine injector to an
16 amount less than the maximum specified in subsection (1) of this section.

17 Sec. 2. Beginning January 1, 2025, and notwithstanding section
18 44-3,131, (a) any individual or group sickness and accident insurance
19 policy or subscriber contract delivered, issued for delivery, or renewed
20 in this state and any hospital, medical, or surgical expense-incurred
21 policy, except for policies that provide coverage for a specified disease
22 or other limited-benefit coverage, and (b) any self-funded employee
23 benefit plan to the extent not preempted by federal law, that provides
24 coverage for an inhaled prescription corticosteroid medication used for
25 the treatment of asthma shall provide coverage for generic and authorized
26 generic versions of such inhaled prescription corticosteroid medication.