

N-O-T-I-C-E

**TO:** All Insurance Holding Company Systems and Affiliated Entities  
**FROM:** Nebraska Department of Insurance  
**DATE:** December 4, 2013  
**RE:** Adoption 210 NEB. ADMIN. R. & REGS. 87 of the Insurance Department Rules

Amendments to Chapter 87 of the Insurance Department Rules and Regulations were filed with the Secretary of State for adoption on December 2, 2013, with an effective date of December 7, 2013.

Chapter 87 entitled, "Health Carrier External Review" 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.

The Health Carrier External Review Act applies to any claim submitted on and after January 1, 2014.

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.

Copies of Chapter 87 may be obtained by forwarding a check in the amount of \$6.50 for each copy requested, made payable to the Nebraska Department of Insurance, 941 O Street, Suite 400, Lincoln, Nebraska 68508. Copies can also be obtained through the Department's website at [www.doi.ne.gov](http://www.doi.ne.gov). Any questions concerning Chapter 87 should be directed to the Legal Division.