

Nebraska Dental Association  
109th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Hearing Date	Status	Description
LB9	Hughes	Support	General Affairs	02/24/2025	Gov. Signed 05/01/2025 General Affairs Priority Bill	Change provisions relating to cigarette taxes and the Tobacco Products Tax Act and provide for regulation of products containing nicotine analogues  <i>Applies the cigarette tax to a "nicotine analog" and defines it as a substance having a chemical structure similar to nicotine or that affects the nervous system in a substantially similar way. Adjusts enforcement process if taxes are not properly paid under certain circumstances. LB 125, which applies a 20% excise tax, was also amended into LB 9.</i> <b>Amended Bills:</b> LB125
LB27	Ballard	Support	Health and Human Services	01/22/2025	Committee 01/13/2025	Change provisions of the Rural Health Systems and Professional Incentive Act  <i>Appropriates \$1.5M from the Medicaid Excess Profit Fund to fund loan repayment for dentists who see disproportionate amounts of Medicaid patients. Dentists would be eligible for \$60,000 per year for 5 years.</i>
LB77	Bostar	Monitor	Banking, Commerce and Insurance	02/10/2025	President/Speaker signed 05/30/2025 Speaker Priority Bill	Adopt the Ensuring Transparency in Prior Authorization Act and provide for insurance and medicaid coverage of biomarker testing  <i>As amended the bill establishes certain requirements for health insurance plans to follow when the plans require prior authorization for coverage of services or drugs.</i> <ul style="list-style-type: none"><li>•Plans must publicly disclose their PA requirements</li><li>•Requires Department of Insurance to put together a uniform PA form for providers</li><li>•Requires plans to provide a reason for denial and an opportunity for a physician peer-to-peer</li><li>•Establishes a 72 hour and 7 day timeline for urgent and non-urgent requests and automatically deemed approved if not met. The timeline drops to 48 hours for urgent requests in 2028.</li><li>•Plans may not require PA for emergency care, emergency transport; preventative services/immunizations/CDC recommendations</li><li>•Prevents plans from revoking prior auths and makes insurance honor continuity of care for insurance transitions</li><li>•Prohibits the use of AI as the sole basis for a denial</li></ul> <i>As introduced the bill would have had shorter timelines and prohibited requiring prior authorization for cancer care in accordance with national guidelines.</i>  <i>As amended into LB 77, LB 253 requires insurance plans and Medicaid to cover biomarker testing beginning in 2028 when used for (1) An organ or tissue transplant; (2) Pharmacogenomic testing; or (3) the diagnosis, treatment, appropriate management, or ongoing monitoring of cancer, an autoimmune or autoinflammatory disease, Parkinson's disease, amyotrophic lateral sclerosis, Alzheimer's disease and related dementias, rheumatoid arthritis, preeclampsia, sickle cell anemia, or a cardiovascular condition.</i> <b>Amended Bills:</b> LB253
LB83	Rountree	Support	Health and Human Services	01/30/2025	IPP 06/02/2025	Adopt the Dentist and Dental Hygienist Compact  <i>If adopted the interstate compact would allow a dentist or dental hygienist licensed in a different compact state to practice under a compact privilege in Nebraska subject to Nebraska law and regulations.</i>  <i>LB83 was amended into LB148.</i>
LB119	Hardin	Support	Health and Human Services	01/29/2025	IPP 06/02/2025	Provide requirements for the Rural Health Opportunity Program and provide tuition waivers  <i>Codifies RHOP program for University of Nebraska and directs intent to provide state appropriation to pay for the waived tuition.</i>  <i>LB119 was amended into LB332.</i>
LB125	Hughes	Support	General Affairs	02/24/2025	Committee 01/14/2025	Provide for regulation of products containing nicotine analogues and include alternative nicotine products under the Tobacco Products Tax Act  <i>As amended into LB 9, LB 125 establishes a 20 percent tax on the wholesale price of alternative nicotine products.</i>  <i>LB125 was amended into LB9.</i>
LB146	Ibach	Support	Appropriations	03/11/2025	Committee 01/15/2025	State intent regarding appropriations for dental services under the Medical Assistance Act  <i>12.5% Medicaid rate increase for dental services.</i>

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LB147	Hansen	Oppose	Health and Human Services	03/12/2025	Committee 01/15/2025	Change provisions relating to approval and regulation of adding fluoride to the water supply of certain political subdivisions  <i>Repeals section 71-3305, which generally requires cities over 1000 in population to add fluoride to their water supply. Would instead put into statute that cities may add fluoride to their water.</i>
LB148	Hansen	Support	Health and Human Services	01/30/2025	Gov. Signed 04/14/2025	Adopt the Dentist and Dental Hygienist Compact and change requirements for licensure and reciprocity under the Dentistry Practice Act  <i>Changes the requirement to take the CRDTS practical exam to passing a standardized national exam approved by the dental board. A standardized national exam is defined as one that is simulation based or manikin based clinical competency psychomotor exam that includes specific competencies. Such exams can be reviewed annually by the board and must be reviewed every three years. Clarifies language related to the jurisprudence examination. Changes the reciprocity practice standard from three years with one year immediately preceding the application for reciprocity to one year.</i>  <i>LB 83, which adopts the Dentist and Dental Hygienist Compact, was amended into LB 148.</i>
<b>Amended Bills: LB83</b>						
LB170	Brandt	Support	Revenue	03/13/2025	General 04/08/2025 Brandt Priority Bill	Eliminate the sales tax exemptions for candy and soft drinks  <i>Eliminate the sales tax exemptions for candy and soft drinks.</i>
LB210	Riepe	Oppose	Health and Human Services	03/06/2025	Committee 01/16/2025	Provide for fees and assessments for participation and use of the prescription drug monitoring program and the designated health information exchange  <i>Allows for charging of access fees to any prescriber or dispenser to access the prescription drug monitoring system. Allow assessment on any use or prescription drug monitoring system. Would impose a XX fee on PBMs for nontreatment use of the prescription drug monitoring system. Allows health care facilities and health insurance plans to be charged a fee as a user of the designated health information exchange. Intent is to provide a funding stream to support these two programs outside of general fund dollars.</i>
LB285	Lonowski	Support	General Affairs	02/24/2025	Committee 01/17/2025	Prohibit the sale of flavored vape products  <i>Prohibits the sale of flavored vapor products.</i>
LB331	Hardin	Oppose	Revenue		Withdrawn 02/13/2025	Adopt the Nebraska EPIC Option Consumption Tax Act and terminate tax provisions  <i>Imposes a 7.5% consumption tax and eliminates property taxes, the inheritance tax, sales and use tax, income tax, TEEOSA, community college aid, TIF, and the Motor vehicle tax and motor vehicle fee. Cities and counties may impose an additional 1% tax. Land is not subject to the consumption tax but construction of new buildings is and realtor fees are subject to the tax. Retains the motor fuels tax and various other excise taxes, which would not have the consumption tax imposed on top of them.</i>
LB369	Hunt	Monitor	Judiciary	02/07/2025	Committee 01/21/2025	Allow persons eighteen years of age to make health care decisions and persons under nineteen years of age in correctional facilities to consent to medical and mental health care  <i>Provides that persons 18 years and older may make health care decisions for himself or herself, other than persons in custody of DHHS pursuant to a juvenile court order. Also provides that persons under 19 years of age who are committed to the Department of Correctional Services for secure care may consent to, and make decisions regarding, such person's medical care, mental health services, and related services during the period of the person's commitment to the department without the consent, except in the case of abortion (section 71-6902).</i>
LB380	Fredrickson	Monitor	Health and Human Services	02/26/2025	Gov. Signed 06/02/2025 Fredrickson Priority Bill	Change provisions regarding program integrity, ground emergency medical transport, and mental health and substance use disorder services under the Medical Assistance Act and provide duties for the Division of Medicaid and Long-Term Care  <i>Prohibits Managed Care Organizations from reducing department posted Medicaid rates. Also prohibits imposing quantitative treatment limitations, or financial restrictions, limitations, or requirements, on the provision of mental health or substance use disorder services that are more restrictive than the predominant restrictions, limitations, or requirements imposed on substantially all benefit coverage for other conditions; and imposing quantitative of financial limitations on the provision of services. Also requires them to maintain an adequate provider network for mental health and substance abuse disorders. Requires the application of criteria in accordance with recognized standards of care. Not rescind or modify an authorization for mental health or substance abuse disorder after the provider renders service pursuant to a determination of medical necessity. Requires DHHS to (1) establish a monthly electronic communication system with all health care providers in the medical assistance program relating to any amendment or other change in the contracts with Medicaid managed care organizations; (2) Define network adequacy; and (3) annually post criteria used by the Division of Medicaid and Long-Term Care to assess network adequacy and each managed care organization's compliance on the DHHS website.</i>

The bill was amended to include the following other bills:

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						<p>LB 381 changes provisions relating to program integrity contractors. LB 381 provides the following requirements for contractors when conducting a program integrity audit, investigation, or review: provide clear written justification to the provider for commencing an audit; review claims within 3 years from the date of the payment; furnish information sufficient to identify the location in any records request to a provider, records request shall be limited to relevant documents proportional to the services being audited; allow 90 days after the notice of overpayment to adjust a claim if a service was provided and denied; schedule onsite audits with advance notice of not less than 10 business days and establish a mutually agreed-upon time and date for the onsite audit; and provide written notification and explanation of an adverse determination that would result in partial or full recoupment of payment, including name of beneficiary, dates of service, overpayment amount, claim numbers, explanation of overpayment determination, payment method, appropriate procedure to submit claim, appeal statement, recovery method, and statement that an overpayment shall not be recouped at least 60 days from the adverse findings.</p> <p>LB 381 provides that any provision of a contract between a third-party payer and a provider or beneficiary that violates this bill is unenforceable. The term, "start", is replaced with "commencement" as it relates to when the program integrity contractor begins work with DHHS. Language is clarified about DHHS excluding primary insurance claims from the scope of review. AM 728 to LB 381 provides that a contract may be on a contingent fee basis if it is in compliance with federal law; no greater than 12.5% of the amounts recovered; and based on amounts recovered, not amounts identified. Current language relating these contingent fees is stricken. AM728 to LB 381 requires the payment or fee for identification of overpayments to be the same as that for identification of underpayments in any contract between DHHS and a program integrity contractor. The contractor shall not recover an overpayment until all appeals have been exhausted unless there is a credible allegation of provider fraud and the contractor provides a statement for the reasons for the decision, the claim is referred to DHHS for investigation, and an investigation has commenced. The contractor shall provide appeal procedures and timelines at the commencement of any audit and contact information (i.e. telephone number, email address, physical address) and shall respond to a question submitted by a provider no later than 10 business days after the date of submission.</p> <p>LB 381 also provides the following definitions. Credible allegation of fraud is defined as an allegation which hasbeen verified by DHHS, from any source including, but not limited to a fraud hotline tip or a pattern identified through audits, false claims cases and law enforcement investigation. Allegations are credible when they have indicia of reliability and DHHS has reviewed all allegation, facts, and evidence. Fraud is defined as an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in an unauthorized benefit to any person. It includes an act that constitutes fraud under federal or state law. Fraud hotline tip is defined as a complaint or other communication submitted through a fraud reporting telephone number or website, including a fraud hotline administered by a health plan or the federal Department of Health and Human Services Office of Inspector General.</p> <p>LB610 would allow DHHS to seek federal approval for implementation of the Ground Emergency Medical Transport Act. Under the bill the department is allowed to distribute the supplemental reimbursement to eligible providers under a payment method based on ground emergency medical transport services provided to Medicaid beneficiaries. The supplemental reimbursement may not exceed the amount of financial participation received as a result of the claims submitted.</p>
						<p><b>Amended Bills:</b> LB381</p>
LB381	Fredrickson	Support	Health and Human Services	02/26/2025	Committee 01/21/2025	<p>Change requirements relating to program integrity audits under the Medical Assistance Act</p> <p><i>Directs DHHS to establish clear written justification to providers for commencing an audit. Must review claims within 1 year (current law is 4) and states claims cannot be adjusted one year from the date of payment unless in the case of fraud. Must not schedule onsite audits without 10 days advance notice and try to obtain mutually agreed upon time and date. Allow 90 days for requested documentation. Expands details that will be included in written notification and explanation of an adverse determination. Would exclude from scope of review a claim that is not a primary insurance claim. States contracts for auditing services based on contingent fees cannot be greater than 12.5% of amounts recovered not amounts identified. States the contractor shall not recoup an overpayment until all appeals have been exhausted.</i></p> <p>LB381 was amended into LB380 by AM728.</p>
LB436		Monitor	Health and Human Services	02/20/2025	Committee 01/23/2025	<p>Change provisions of the Nebraska Regulation of Health Professions Act</p> <p><i>For proposed scope of practice changes the bill replaces the citizen technical review committee with review by the profession's regulatory board. The bill also rewrites the statutory criteria to be used to review the changes and offer recommendations.</i></p>
LB532	Kauth	Oppose	Business and Labor	03/03/2025	General 03/19/2025 Business and Labor Priority Bill	<p>Require employers to use E-Verify, prohibit knowingly hiring an unauthorized alien, and provide for discipline against employers' licenses</p> <p><i>Requires employers to verify the employment authorization of each new employee using the E-Verify system within the timeframe stipulated by federal law. If the Commissioner of Labor determines non-compliance, the employer will be notified and has fifteen working days to contest the citation or penalty. Upon a final determination of violation, the commissioner will notify relevant licensing agencies to: First Violation: Place the employer's license on probation for one year, requiring compliance reports. Repeat Violation: Suspend the employer's license for ten to thirty days, as determined by the commissioner. The bill states employers are prohibited from knowingly employing unauthorized aliens. Violations may result in penalties, including probation or suspension of licenses. Employers found in violation may be subject to civil penalties, including fines, as determined by the Department of Labor. Employee is defined as An individual performing labor or services in Nebraska under an employment relationship. Employer is defined as A person engaged in an industry with twenty-five or more employees for each working day in twenty or more calendar weeks in the current or preceding year. This excludes governmental agencies and entities hiring bona fide independent contractors.</i></p>

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<p>AM 692 amends LB 532 and incorporates LB 397 and LB 544 as amended into LB 532. The language of employer is changed from excluding those who hire a bona fide independent contractor to excluding all independent contractors of employers. Note: This intent language is mentioned in the committee statement and is being verified with committee legal counsel as the amendment language does not appear to reflect this intent currently. A definition of employment is added. If a employer fails to use E-Verify, civil penalties of fines and suspensions of business licenses will be issued. Similar penalties have been added for knowingly hiring unauthorized aliens. The annual auditing requirements shall now be one to five percent of employers in Nebraska. The Department of Labor is required to submit an annual report to the Legislature regarding enforcement of the Bill. The sections removing the requirement of the state government to use E-Verify have been removed.</p> <p>LB 397 amends the Nebraska Workers' Compensation Act ("Act") to remove the requirement of employers subject to the Act to have a safety committee.</p> <p>LB 544 requires that individuals who are receiving unemployment benefits to respond to job offers and to show up to job interviews. If they fail to respond to job offers or interviews within one week or fail to show up to an interview without notifying the possible employer of their need to cancel or reschedule, the individuals will lose unemployment benefits for the week.</p> <p><b>Amended Bills:</b> LB397, LB544</p>						
LB553	Riepe	Monitor	Health and Human Services	02/28/2025	Committee 01/24/2025	Change provisions of the Rural Health Systems and Professional Incentive Act
<p>Allows dietitian nutritionists to receive loan repayments from the program. Does not add any new funding to the program.</p>						
LB554	Riepe	Monitor	Health and Human Services	02/20/2025	Committee 01/24/2025	Create the Nebraska Health Professions Commission
<p>Tasks commission to serve as a factfinding body to investigate proposals for credentialing health professions or changing scope of practice regulations. Sets review standards based on current statutory criteria. Recommendations shall be sent to the HHS committee of the legislature. Commission consists of members representing colleges of medicine, the chief medical officer, the chairperson of the Board of Health, and up to seven additional members, no more than two of which may be from the same regulated profession. Appropriates \$300,000 annually to support this effort.</p>						
LB639	Clouse	Support	Banking, Commerce and Insurance	03/10/2025	Committee 01/24/2025	Require dental plan carriers to meet a minimum dental loss ratio and provide a report
<p>Requires dental plans to spend 85% of their premiums on dental care.</p>						
LB688	Lonowski	Support	General Affairs	02/24/2025	Committee 01/24/2025	Prohibit advertising of electronic nicotine delivery systems
<p>Would make it unlawful for any person to advertise any electronic nicotine delivery system in the State of Nebraska.</p>						
LB712	Hughes	Support	Revenue	02/28/2025	General 03/26/2025 Dorn Priority Bill	Change the tax on sales of electronic nicotine delivery systems
<p>Removes the distinction based on what the system contains and imposes a uniform tax on any electronic nicotine delivery system of 40% (instead of 10%) of the purchase price paid by the first owner or the price at which the first owner who made, manufactured or fabricated the system sells the item to others.</p>						
LR10CA	Hardin	Oppose	Revenue		Withdrawn 02/13/2025	Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items
<p>Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items.</p>						
LR11CA	Hardin	Oppose	Revenue		Withdrawn 02/13/2025	Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes
<p>Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes.</p>						
LR188	Dorn		Appropriations		Committee 05/19/2025	Interim study to examine the significance of the state financial partnership with the federal government in delivering health services to Nebraskans through the medicaid program
LR221	Fredrickson		Health and Human Services		Committee 05/19/2025	Interim study to examine the barriers to access to dental services for Nebraskans
LR231	Riepe		Health and Human Services		Committee 05/19/2025	Interim study to examine access to dental care and explore strategies to improve oral health in rural and other underserved areas of Nebraska