Nebraska’s External Review Program
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Nebraska’s External Review History

- External Review Program administered by External Review Program Coordinator overseen by the Life and Health Administrator.
- NDOI crafted letter and denial letter templates with legal counsel.
- NDOI worked with major medical carriers on the language that they needed to have in the appeals and grievances sections in their policies and certificates.
Patients Have Notice of Their Rights

• Coverage documents carefully spell out the process for internal appeals and external appeals.

• By law, claim denials must provide:
  – The reason for the denial
  – The process to appeal
  – Expedited review as an option if conditions are met

• If the insurer continues to deny the claim after an internal appeal, notice is required. By law, that notice must include:
  – The right to request more explanation
  – The right to an independent review
  – The right to expedited review if conditions are met
  – The deadline to request an external review
  – External review request forms and where to submit them

• Public information is also available on the DOI website and in community presentations.
Best Practices

• External Review Submissions should include:
  – Information related to your claim and the denial, ex.: explanation of benefits, claim and internal appeal denial letters
  – Any additional information sent to the insurance company, ex.: a letter or medical records from your doctor
  – Peer-reviewed medical literature

• The patient’s provider’s participation is one of the most crucial parts of this process.
  – The NDOI highly recommends that the patient assign their doctor to be their authorized representative.
Best Practices

- Portal: https://ecmp.nebraska.gov/DOI-ER/Account/Login?ReturnUrl=%2fDOI-ER%2f
Efforts to Raise Consumer Awareness

- https://doi.nebraska.gov/

- https://doi.nebraska.gov/consumer/appealing-denied-health-claim
Efforts to Raise Consumer Awareness

- Annual “Roadshow” presentations
- Links to our past presentations: https://doi.nebraska.gov/consumer/affordable-care-act
- Find Us on Social Media:
  - LinkedIn: Nebraska Department of Insurance
    • https://www.linkedin.com/company/insurance-nebraska-department-of/
  - Facebook: @NDOIHealth
    • https://www.facebook.com/NDOIHealth/

[Image of Nebraska Department of Insurance Health Division event]

MGN, OCT 4, 2021
McCook - Nebraska Department of Insurance Community Discussion
McCook
17 people interested

NEBRASKA
Good Life. Great Opportunity.
Successes

• Upheld vs. Overturned Claim Denial Rates
• “Contractual” Denials and External Review Requests deemed ineligible
  – For example: tummy tucks for hernias, breast augmentation for back pain, baggy eyes surgery for vision loss, etc. Cases such as these can be overridden by the NDOI for External Review eligibility.
• Trends in denied drugs and services claims:
  – Biologics: Humira, Stelara, Repatha, Dupixent, and Otezla.
    • [https://www.wsj.com/articles/even-mark-cuban-cant-fix-this-broken-drug-system-de914adc](https://www.wsj.com/articles/even-mark-cuban-cant-fix-this-broken-drug-system-de914adc)
  – Medical Imaging, Spinal Surgery and Genetic Testing are the most denied services.
    • [https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2899326/](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2899326/)
Successes

• External Review Statistics
  – Since 2014: 786 cases have been overturned
  – In the past 5 years:
    • Number of external reviews remain consistent
      – Nebraska averages about 250 cases every year
    • (Eligible) Cases overturned: 47%
    • Ineligible Cases: 23%