

## HOUSE BILL No. 2322

By Representative Swenson

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AN ACT relating to accident and health insurance; providing coverage for autism; amending K.S.A. 40-2,103 and 40-19c09 and repealing the existing sections.

*Be it enacted by the Legislature of the State of Kansas:*

New Section 1. (a) Any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization which provides coverage for accident and health services which is delivered, issued for delivery, amended or renewed on or after July 1, 2001, shall provide coverage for autism. Such coverage for autism shall include speech therapy by a speech language pathologist licensed pursuant to K.S.A. 65-6501 et seq., and amendments thereto.

(b) The benefits provided in this act shall be subject to the same annual deductible or co-insurance established for all other covered benefits within a given policy.

Sec. 2. K.S.A. 40-2,103 is hereby amended to read as follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-2,102, 40-2,104, 40-2,105, 40-2,114 and ~~40-2250, and amendments thereto and K.S.A. 40-2,160 and~~ 40-2,165 through 40-2,170, *inclusive, 40-2250 and section 1*, and amendments thereto, shall apply to all insurance policies, subscriber contracts or certificates of insurance delivered, renewed or issued for delivery within or outside of this state or used within this state by or for an individual who resides or is employed in this state.

Sec. 3. K.S.A. 40-19c09 is hereby amended to read as follows: 40-19c09. (a) Corporations organized under the nonprofit medical and hospital service corporation act shall be subject to the provisions of the Kansas general corporation code, articles 60 to 74, inclusive, of chapter 17 of the Kansas Statutes Annotated, applicable to nonprofit corporations, to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, 40-229, 40-231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252, 40-254, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-2,116, 40-2,117, ~~40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-2,163 through~~ 40-2,170, *inclusive*, 40-2a01

1 *et seq.*, 40-2111 to 40-2116, inclusive, 40-2215 to 40-2220, inclusive, 40-  
2 2221a, 40-2221b, 40-2229, 40-2230, 40-2250, 40-2251, 40-2253, 40-2254,  
3 40-2401 to 40-2421, inclusive, and 40-3301 to 40-3315, inclusive, ~~K.S.A.~~  
4 ~~40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-2,163, 40-2,164 and 40-2,165~~  
5 ~~through 40-2,170 and section 1~~, and amendments thereto, except as the  
6 context otherwise requires, and shall not be subject to any other provi-  
7 sions of the insurance code except as expressly provided in this act.

8 (b) No policy, agreement, contract or certificate issued by a corpo-  
9 ration to which this section applies shall contain a provision which ex-  
10 cludes, limits or otherwise restricts coverage because medicaid benefits  
11 as permitted by title XIX of the social security act of 1965 are or may be  
12 available for the same accident or illness.

13 (c) Violation of subsection (b) shall be subject to the penalties pre-  
14 scribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

15 New Sec. 4. The provisions of K.S.A. 40-2249a, and amendments  
16 thereto, shall not apply to the provisions of this act.

17 Sec. 5. K.S.A. 40-2,103 and 40-19c09 are hereby repealed.

18 Sec. 6. This act shall take effect and be in force from and after its  
19 publication in the statute book.

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