

HOUSE BILL No. 2384

By Representatives Findley, Barnes, Crow, Flaharty, Gilbert, Kirk, Loganbill, McClure, E. Peterson, Ruff, Showalter, Storm, Toelkes, Welshimer and Wilson

2-7

AN ACT concerning emergency medical conditions; prohibiting insurance companies and managed care programs from requiring certain prior authorizations or prohibiting access to certain emergency services.

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

Section 1. (a) For the purposes of this section:

(1) "Emergency medical condition" means a medical condition that manifests itself by symptoms of sufficient severity that the absence of immediate medical attention could reasonably be expected by a prudent layperson, who possesses an average knowledge of health and medicine, to result in:

- (A) Placing the patient's health in serious jeopardy;
- (B) serious impairment to bodily functions; or
- (C) serious dysfunction of any bodily organ or part.

(2) "Health insurers" shall have the meaning ascribed to such term under K.S.A. 40-4602 and amendments thereto.

(b) No health insurer or managed care program shall require an insured or enrollee to obtain prior authorization before accessing the 911 system or any emergency medical system for an emergency medical condition.

(c) No health insurer or managed care program shall prohibit any insured or enrollee from accessing any emergency telephone service or any emergency medical service for an emergency medical condition.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.