

## HOUSE BILL No. 2184

By Committee on Insurance

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AN ACT concerning insurance; providing coverage for wigs and scalp prosthesis under certain circumstances; amending K.S.A. 2002 Supp. 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) On or after the effective date of this act, every insurer which issues any individual or group policy of accident and sickness insurance providing medical, surgical or hospital expense coverage with respect to the treatment of cancer and other conditions treated by chemotherapy or radiation therapy shall also provide coverage for any wig or other scalp prosthesis necessary for the comfort and dignity of any person covered by such policy.

(b) The coverage provided for by this section shall not exceed \$150 annually. The coverage required by this section shall be subject to the same annual deductibles, copayments or coinsurance limits as established for all other covered benefits under the individual or group policy of accident and sickness insurance referred to in subsection (a).

(c) A health benefit plan shall provide notice to each insured or enrollee under such plan regarding the coverage required by this section in the plan's evidence of coverage and shall provide additional written notice of the coverage to the insured or enrollee as follows:

(1) In the next mailing made by the plan to the insured or enrolled employee;

(2) as part of any yearly informational packet sent to the enrollee; or

(3) not later than December 1, 2003, whichever is earlier.

New Sec. 2. The provisions of section 1 and amendments thereto shall not apply to any policy or certificate which provides coverage for any specified disease, specified accident or accident only coverage, credit, dental, disability income, hospital indemnity, long-term care insurance as defined by K.S.A. 40-2227 and amendments thereto, vision care or any other limited supplemental benefit nor to any medicare supplement policy of insurance as defined by the commissioner of insurance by rule and regulation, any coverage issued as a supplement to liability insurance, workers' compensation or similar insurance, automobile medical-payment insurance or any insurance under which benefits are payable with or with-

1 out regard to fault, whether written on a group, blanket or individual  
2 basis.

3 Sec. 3. K.S.A. 2002 Supp. 40-2,103 is hereby amended to read as  
4 follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-  
5 2,102, 40-2,104, 40-2,105, 40-2,114, 40-2,160, 40-2,165 through 40-2,170,  
6 inclusive, 40-2250, K.S.A. 2002 Supp. 40-2,105a and 40-2,105b *and sec-*  
7 *tion 1*, and amendments thereto, shall apply to all insurance policies,  
8 subscriber contracts or certificates of insurance delivered, renewed or  
9 issued for delivery within or outside of this state or used within this state  
10 by or for an individual who resides or is employed in this state.

11 Sec. 4. K.S.A. 2002 Supp. 40-19c09 is hereby amended to read as  
12 follows: 40-19c09. (a) Corporations organized under the nonprofit med-  
13 ical and hospital service corporation act shall be subject to the provisions  
14 of the Kansas general corporation code, articles 60 to 74, inclusive, of  
15 chapter 17 of the Kansas Statutes Annotated, applicable to nonprofit cor-  
16 porations, to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-  
17 219, 40-222, 40-223, 40-224, 40-225, 40-226, 40-229, 40-230, 40-231, 40-  
18 235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252,  
19 40-254, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-  
20 2,116, 40-2,117, 40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-2,163 through  
21 40-2,170, inclusive, 40-2a01 *et seq.*, 40-2111 to 40-2116, inclusive, 40-  
22 2215 to 40-2220, inclusive, 40-2221a, 40-2221b, 40-2229, 40-2230, 40-  
23 2250, 40-2251, 40-2253, 40-2254, 40-2401 to 40-2421, inclusive, and 40-  
24 3301 to 40-3313, inclusive, K.S.A. 2002 Supp. 40-2,105a and 40-2,105b  
25 *and section 1*, and amendments thereto, except as the context otherwise  
26 requires, and shall not be subject to any other provisions of the insurance  
27 code except as expressly provided in this act.

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

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

35 New Sec. 5. The provisions of K.S.A. 40-2249a, and amendments  
36 thereto, shall not apply to this act.

37 Sec. 6. K.S.A. 2002 Supp. 40-2,103 and 40-19c09 are hereby  
38 repealed.

39 Sec. 7. This act shall take effect and be in force from and after its  
40 publication in the statute book.

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