

## HOUSE BILL No. 2367

By Representatives Carter, Brown, Huy, E. Johnson, Kelley, Kiegerl,  
Kilpatrick, Kinzer, Merrick and Pilcher-Cook

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10 AN ACT concerning insurance; relating to health insurance plans for  
11 small employers.

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

14 Section 1. (a) (1) For a period commencing on the effective date of  
15 this act and ending on June 30, 2007, any small employer which has not  
16 offered any health benefit plan to such employer's employees during the  
17 six month period next preceding the date upon which a health benefit  
18 plan is offered, may offer a health benefit plan under the provisions of  
19 this section. The health benefit plan shall be offered only to eligible em-  
20 ployees, including dependents thereof, of such employer.

21 (2) Any health benefit plan by a health insurer developed for a small  
22 employer under this act in accordance with paragraph (1) of subsection  
23 (a) which is delivered, issued for delivery, amended or renewed on or  
24 after July 1, 2005, may contract for coverage within the scope of this act  
25 notwithstanding any mandated coverages otherwise required by state law.  
26 Except for preventative and health screening services, the provisions of  
27 K.S.A. 40-2,100 to 40-2,105, inclusive, 40-2114 and subsection (i) of 40-  
28 2209 and 40-2229 and 40-2230, and 40-2,163, 40-2,164, 40-2,165 and 40-  
29 2,166, and amendments thereto, shall not be mandatory with respect to  
30 any health benefit plan developed under this act.

31 (b) No health benefit plan which is delivered, issued for delivery,  
32 amended or renewed on or after July 1, 2005, shall be required to provide  
33 for or include any additional benefit or coverage in addition to the benefit  
34 or coverages required by subsection (a).

35 (c) No provision of subsection (a) shall be construed to prohibit an  
36 employer from providing a health benefit plan containing any coverage  
37 or benefit in addition to the coverage required by subsection (a).

38 (d) No provision of subsection (a) shall be construed to prohibit any  
39 health benefit plan from providing any additional benefit or coverage in  
40 addition to the benefits or coverages required by subsection (a).

41 (e) No provision of this section shall be construed to prohibit any  
42 small employer from renewing any health benefit authorized by this  
43 section.

1     Sec. 2. For the purposes of this act: (a) “Dependent” means the  
2 spouse or child of an eligible employee, subject to applicable terms of  
3 the health benefits plan covering such eligible employee and the de-  
4 pendent eligibility standards established by the board.

5     (b) “Eligible employee” means an employee who works on a full-time  
6 basis, with a normal work week of 30 or more hours, and includes a sole  
7 proprietor, a partner of a partnership or an independent contractor, pro-  
8 vided such sole proprietor, partner or independent contractor is included  
9 as an employee under a health benefit plan of a small employer but does  
10 not include an employee who works on a part-time, temporary or substi-  
11 tute basis.

12     (c) “Small employer” shall have the meaning ascribed to it in K.S.A.  
13 40-2209d and amendments thereto.

14     (d) “Health benefit plan” shall have the meaning ascribed to it in  
15 K.S.A. 40-4602 and amendments thereto.

16     Sec. 3. This act shall take effect and be in force from and after its  
17 publication in the statute book.