

SENATE BILL No. 376

By Committee on Assessment and Taxation

2-6

1 AN ACT concerning insurance; relating to certain health benefit plans;
2 certain prescription drug benefits; establishing a \$100 maximum out-
3 of-pocket cost-share per month per covered person for prescription
4 insulin.

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

7 Section 1. (a) Any large group health insurance policy, individual
8 health insurance policy, health benefit plan as defined by K.S.A. 40-2209d,
9 and amendments thereto, medical service plan, contract, hospital service
10 corporation contract, hospital and medical service corporation contract,
11 fraternal benefit society or health maintenance organization that provides
12 coverage for prescription insulin drugs and that is delivered, issued for
13 delivery, amended or renewed on or after January 1, 2021, shall cap a
14 covered person's total cost-share obligation for a 30-day supply of the
15 prescription insulin drug at an amount not to exceed \$100, regardless of
16 the quantity or type of prescription insulin drug required to fill the covered
17 person's prescription or if the covered person takes multiple prescription
18 insulin drugs per month.

19 (b) (1) The provisions of this section shall not apply to:

20 (A) Any policy or certificate that provides coverage for any specified
21 disease, specified accident or accident-only coverage, credit, dental,
22 disability income, hospital indemnity, long-term care insurance as defined
23 by K.S.A. 40-2227, and amendments thereto, vision care or any other
24 limited supplemental benefit; or

25 (B)(i) a medicare supplement policy of insurance as defined by the
26 commissioner of insurance by rules and regulations;

27 (ii) coverage issued as a supplement to liability insurance;

28 (iii) workers' compensation or similar insurance;

29 (iv) automobile medical-payment insurance; or

30 (v) insurance of any type under which benefits are payable with or
31 without regard to fault, whether written on a group, blanket or individual
32 basis.

33 (2) The provisions of this section shall apply to the state employee
34 healthcare benefits plan.

35 (c) Nothing in this section shall be construed to prohibit an insurer
36 from reducing a covered person's cost-share obligation by an amount

1 greater than that amount required pursuant to subsection (a).

2 (d) As used in this section:

3 (1) "Cost-share obligation" means a deductible payment, co-payment
4 or coinsurance amount imposed on a covered person in accordance with
5 the covered person's health plan.

6 (2) "Prescription insulin drug" means a drug, as defined by K.S.A.
7 65-656, and amendments thereto, that contains insulin and has been
8 prescribed as medically necessary by the covered person's physician for
9 the treatment of diabetes.

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