

**SENATE BILL No. 109**

By Committee on Financial Institutions and Insurance

2-6

1 AN ACT repealing the Kansas uninsurable health insurance plan act;  
2 amending K.S.A. 40-3232 and repealing the existing section; also  
3 repealing K.S.A. 40-2117, 40-2119, 40-2121, 40-2125, 40-2126, 40-  
4 2128, 40-2129, 40-2130 and 40-2131 and K.S.A. 2018 Supp. 40-2118,  
5 40-2120, 40-2122, 40-2123, 40-2124 and 40-2127.

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

8 Section 1. K.S.A. 40-3232 is hereby amended to read as follows: 40-  
9 3232. (a)—In the event of an insolvency of a health maintenance  
10 organization, the commissioner may order that all other carriers that  
11 participated in the enrollment process with the insolvent health  
12 maintenance organization at a group's last regular enrollment period shall  
13 offer the group's enrollees of the insolvent health maintenance  
14 organization a 30-day enrollment period commencing upon the date of  
15 insolvency. Under such order each carrier shall offer to each enrollee of  
16 the insolvent health maintenance organization the same coverages that  
17 such insolvent health maintenance organization had offered to each  
18 enrollee of the group at such group's last regular enrollment period at rates  
19 determined in accordance with the successor health maintenance  
20 organization's existing rating methodology.

21 ~~(b) Any individual or enrollee who has health insurance coverage~~  
22 ~~involuntarily terminated because of the insolvency of such individual's or~~  
23 ~~enrollee's health maintenance organization shall be treated as the~~  
24 ~~equivalent of a federally defined eligible individual for the purposes of the~~  
25 ~~Kansas uninsurable health insurance plan act, K.S.A. 40-2117 et seq. and~~  
26 ~~amendments thereto.~~

27 Sec. 2. K.S.A. 40-2117, 40-2119, 40-2121, 40-2125, 40-2126, 40-  
28 2128, 40-2129, 40-2130, 40-2131 and 40-3232 and K.S.A. 2018 Supp. 40-  
29 2118, 40-2120, 40-2122, 40-2123, 40-2124 and 40-2127 are hereby  
30 repealed.

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