

## SENATE BILL No. 41

By Committee on Federal and State Affairs

1-21

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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, 2022, 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.