1       AN ACT relating to coverage for diabetes treatment.

2   *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3       ➔Section 1.   KRS 304.17A-148 is amended to read as follows:

4   (1)   *As used in this section:*

5       *(a)   "Cost sharing" has the same meaning as in KRS 304.17A-164; and*

6       *(b)   "Utilization review":*

7           *1.   Has the same meaning as in KRS 304.17A-600; and*

8           *2.   Shall include prior authorization, step therapy protocol, drug*

9               *formulary restrictions, and any other utilization management*

10              *requirements.*

11  *(2)*   All health benefit plans[ issued or renewed on or after January 1, 2022,] shall

12      provide coverage for equipment, supplies, outpatient self-management training and

13      education, including medical nutrition therapy, and all medications *prescribed by a*

14      *health care provider*[necessary] for the treatment of insulin-dependent diabetes,

15      insulin-using diabetes, gestational diabetes, and noninsulin-using diabetes if

16      *the*[prescribed by a] health care provider *is* legally authorized to prescribe the items.

17  *(3)*[(2)]   Diabetes outpatient self-management training and education shall be provided

18      by a certified, registered, or licensed health care professional with expertise in

19      diabetes, as deemed necessary by a health care provider.

20  *(4)*[(3)]   (a)   Except as provided in *paragraphs*[paragraph] (b) *and (c)* of this

21          subsection, the benefits provided in this section shall be subject to the same

22          annual deductibles or coinsurance established for all other covered benefits

23          within a given health benefit plan.

24      (b)   Cost sharing for a covered prescription insulin drug shall not exceed thirty

25          dollars ($30) per thirty (30) day supply of each prescription insulin drug,

26          regardless of the amount or type of insulin needed to meet the

27          *insured's*[covered person's] insulin needs.

1     *(c)*   *1.*   *Except as provided in subparagraph 2. of this paragraph, cost sharing*

2                  *for the following equipment and supplies shall not exceed eighty*

3                  *dollars ($80) for each piece of equipment or, if applicable, per thirty*

4                  *(30) day supply:*

5            *a.     Blood glucose monitors, including continuous glucose monitors;*

6            *b.     Monitor supplies;*

7            *c.     Medication injection aids;*

8            *d.     Syringes;*

9            *e.     Medication infusion devices;*

10           *f.     Pharmacological agents for controlling blood sugar; and*

11           *g.     Orthotics.*

12     *2.   The cost-sharing limit for equipment and supplies established in*

13           *subparagraph 1. of this paragraph may be adjusted annually by the*

14           *percent increase in the nonseasonally adjusted annual average*

15           *Consumer Price Index for All Urban Consumers (CPI-U), U.S. City*

16           *Average, Medical Care, between the two (2) most recent calendar*

17           *years available, as published by the United States Bureau of Labor*

18           *Statistics.*

19     *(d)*[(c)]   Private third-party payors may not reduce or eliminate coverage due to

20           the requirements of this section.

21     *(e)*[(d)]   Except as provided in KRS 18A.225, *paragraphs*[paragraph] (b) *and (c)*

22           of this subsection shall not apply to governmental plans[, as defined in KRS

23           304.17A-005,] that are self-insured.

24     *(f)*[(e)]   Nothing in this subsection shall prevent an insurer from establishing *cost*

25           *sharing*[cost-sharing requirements] for *any benefit provided in this section*

26           *that is*[covered prescription insulin drugs] below the amount specified in[

27           paragraph (b) of] this subsection.

1    *(5)    Notwithstanding any other provision of this subtitle, an insurer shall not conduct*

2        *or impose utilization review for any equipment, supplies, outpatient self-*

3        *management training and education, including medical nutrition therapy, or*

4        *medications prescribed in accordance with this section.*

5    [(4)    As used in this section, "cost sharing" has the same meaning as in KRS 304.17A-

6        164.]

7        ➔Section 2.   This Act applies to health benefit plans issued or renewed on or after

8    January 1, 2024.

9        ➔Section 3.   This Act takes effect on January 1, 2024.