

1 AN ACT relating to network participation by medical laboratories.

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

3 ➔Section 1. KRS 304.17A-270 is amended to read as follows:

4 (1) As used in this section, "provider" has the same meaning as in KRS 304.17A-
5 005, except for purposes of this section, "provider" includes a medical laboratory
6 that is:

7 (a) Licensed under KRS Chapter 333; or

8 (b) Exempt from licensure under KRS Chapter 333 in accordance with KRS
9 333.040.

10 (2) A health insurer shall not discriminate against any provider who is:

11 (a) Located within the geographic coverage area of the health benefit plan; and
12 ~~[who is]~~

13 (b) Willing to meet the terms and conditions for participation established by the
14 health insurer~~[, including the Kentucky state Medicaid program and Medicaid~~
15 ~~partnerships].~~

16 ➔Section 2. KRS 205.522 is amended to read as follows:

17 (1) With respect to the administration and provision of Medicaid benefits pursuant to
18 this chapter, the Department for Medicaid Services~~;~~~~[and]~~ any managed care
19 organization contracted to provide Medicaid benefits pursuant to this chapter, and
20 the state's medical assistance program shall be subject to, and comply with, the
21 following, as applicable:~~[provisions of]~~

22 (a) KRS 304.17A-163;~~[;]~~

23 (b) KRS 304.17A-1631;~~[;]~~

24 (c) KRS 304.17A-167;~~[;]~~

25 (d) KRS 304.17A-235;~~[;]~~

26 (e) KRS 304.17A-257;~~[;]~~

27 (f) KRS 304.17A-259;~~[;]~~

1 ~~(g) **KRS** 304.17A-263;[;]~~

2 ~~(h) **KRS** 304.17A-515;[;]~~

3 ~~(i) **KRS** 304.17A-580;[;]~~

4 ~~(j) **KRS** 304.17A-600, 304.17A-603, **and** 304.17A-607;[; and]~~

5 ~~(k) **KRS** 304.17A-740 to 304.17A-743; **and**[; as applicable]~~

6 ~~(l) **Section 1 of this Act.**~~

7 (2) A managed care organization contracted to provide Medicaid benefits pursuant to
8 this chapter shall comply with the reporting requirements of KRS 304.17A-732.

9 ➔Section 3. If the Cabinet for Health and Family Services determines that a
10 waiver or other authorization from a federal agency is necessary to implement Section 2
11 of this Act for any reason, including the loss of federal funds, the cabinet shall, within 90
12 days of the effective date of this section, request the waiver or authorization, and may
13 only delay implementation of those provisions for which a waiver or authorization was
14 deemed necessary until the waiver or authorization is granted.