

304.1-200 Definitions for section -- Applicability of cost-sharing requirements to health savings account-qualified insurance plans.

- (1) As used in this section:
 - (a) "Cost-sharing requirement" means a:
 1. Prohibition outright on the imposition of any deductible, copayment, coinsurance, or other out-of-pocket expense, other than premiums, under a health insurance policy, certificate, plan, or contract; or
 2. Limitation on the amount of any deductible, copayment, coinsurance, or other out-of-pocket expense, other than premiums, that is imposed under a health insurance policy, certificate, plan, or contract;
 - (b) "Enrollee":
 1. Means an individual who is enrolled in health insurance, whether on an individual or a group basis; and
 2. Includes any covered dependent of an individual referenced in subparagraph 1. of this paragraph; and
 - (c) "Health savings account-qualified insurance plan" means a high deductible health plan that covers individuals who may be entitled to receive certain tax benefits under 26 U.S.C. sec. 223, as amended, with respect to contributions made to a health savings account.
- (2) If, under federal law, the application of any cost-sharing requirement in this chapter or any other state law would cause an enrollee's health savings account-qualified insurance plan to no longer qualify as a high deductible health plan under 26 U.S.C. sec. 223, as amended, then the cost-sharing requirement shall only apply to the enrollee's plan once the minimum deductible under 26 U.S.C. sec. 223, as amended, has been satisfied.
- (3) In the event of a conflict between this section and any other state law, this section shall control.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 27, sec. 1, effective July 15, 2026.

Legislative Research Commission Note (7/15/2026). 2026 Ky. Acts ch. 27, sec. 3, provides that this statute applies to policies, certificates, plans, and contracts issued or renewed on or after July 15, 2026.

Legislative Research Commission Note (7/15/2026). 2026 Ky. Acts ch. 27, sec. 4, provides that "the purpose of Section 1 of this Act [this statute] is to protect the efficacy of Health Savings Account-qualified insurance plans in this state by establishing a safe harbor from state benefit mandates that would result in a health insurance policy, certificate, plan, or contract losing its health savings account-qualified status under federal law."