

**CHAPTER 27**  
**( HB 184 )**

AN ACT relating to health savings account-qualified insurance plans.

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

➔SECTION 1. A NEW SECTION OF SUBTITLE 1 OF KRS CHAPTER 304 IS CREATED TO READ AS FOLLOWS:

(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.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 18A IS CREATED TO READ AS FOLLOWS:

*Notwithstanding any provision of this chapter to the contrary, the cost-sharing requirements in this chapter shall be subject to Section 1 of this Act.*

➔Section 3. Sections 1 and 2 of this Act apply to policies, certificates, plans, and contracts issued or renewed on or after the effective date of this Act.

➔Section 4. The purpose of Section 1 of this Act 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.

➔Section 5. Section 1 of this Act may be cited as the Health Savings Account State-Federal Regulatory Coordination Model Act.

**Signed by Governor April 3, 2026.**