PERSONNEL CABINET

Office of the Secretary

(Amendment)

101 KAR 2:210. 2026 ~~[2025]~~ Plan Year Handbook for the Public Employee Health Insurance Program.

RELATES TO: KRS 18A.030, 18A.225, 18A.2254

STATUTORY AUTHORITY: KRS 18A.030(2)(b), 18A.2254(1)(a)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 18A.2254(1)(a)1 requires the secretary of the Personnel Cabinet to promulgate an administrative regulation to incorporate by reference the plan year handbook distributed by the Department of Employee Insurance to public employees covered under the self-insured plan and establishes the minimum requirements for the information included in the handbook. This administrative regulation incorporates by reference the plan year Benefits Selection Guide, which is the handbook distributed by the department to public employees for the 2026~~[2025]~~ Plan Year as required by KRS 18A.2254(1)(a)1.

Section 1. The Department of Employee Insurance shall distribute or make available to the public employees covered under the self-insured plan the 2026~~[2025]~~ Plan Year Kentucky Employees' Health Plan Benefits Selection Guide, which shall include the premiums, employee contributions, employer contributions, and a summary of benefits, copays, coinsurance, and deductibles for each plan provided to the public employees covered under the self-insured plan.

Section 2. Incorporation by Reference.

(1) "2026~~[2025]~~ Plan Year Kentucky Employees' Health Plan Benefits Selection Guide", 2026~~[2025]~~ edition, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Personnel Cabinet, 501 High Street, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m. The material incorporated by reference is also available on the Personnel Cabinet's website~~[Web site]~~ on the Kentucky Employees' Health Plan page under KEHP Documents at https://personnel.ky.gov/Pages/Kentucky-Employees'-Health-Plan.aspx.

(101 KAR 002:210. 33 Ky.R. 2800; 3333; eff. 6-1-2007; 34 Ky.R. 1779; 2089; eff. 4-4-2008; 35 Ky.R. 1243; eff. 2-6-2009; 36 Ky.R. 835; 1194; eff. 1-4-2010 37 Ky.R. 1000; eff. 1-3-2011; 38 Ky.R. 812; 1116; eff. 1-6-2012; 39 Ky.R. 813; 1-4-2013; 40 Ky.R. 884; eff. 1-3-2014; 41 Ky.R. 845; eff. 1-5-2015; 845; 42 Ky.R. 1278; eff. 1-4-2016; 43 Ky.R. 599; eff. 1-6-2017; 44 Ky.R. 769; eff. 1-5-2018; 45 Ky.R. 1055; eff. 1055; eff. 1-4-2019; 46 Ky.R. 1276; eff. 4-1-2020; 47 Ky.R. 751; eff. 4-6-2021; 48 Ky.R. 1233; eff. 4-5-2022; 49 Ky.R. 857; eff. 4-4-2023; 50 Ky.R. 857; eff. 4-2-2024; 51 Ky.R. 709; eff. 4-2-2025; 52 Ky.R. 602; eff. 4-7-2026.)

MARY ELIZABETH BAILEY, Secretary

APPROVED BY AGENCY: September 15, 2025

FILED WITH LRC: September 15, 2025 at 9:45 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 26, 2025, at 10:00 a.m. at 501 High Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Will Adams, Staff Attorney, Office of Legal Services, Personnel Cabinet, 501 High Street, 4th Floor, Frankfort, Kentucky 40601, phone (502) 782-4370, fax (502) 564-5278, email Will.Adams@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Will Adams

Subject Headings:Personnel, State Employee Health Plans, State Employees

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation incorporates by reference the 2026 plan year handbook containing information about the self-insured health insurance plans offered through the Public Employee Health Insurance Program. The handbook, commonly referred to as the Benefits Selection Guide, is distributed to plan holders participating in the self-insured program. The Benefits Selection Guide contains the premiums, employee contributions, employer contributions, and a summary of benefits, co-pays, coinsurance, and deductibles for each plan available to public employees through the self-insured program in 2026.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to comply with the statutory mandate of KRS 18A.2254. More specifically, KRS 18A.2254(1)(a) requires the Personnel Cabinet to promulgate an administrative regulation that incorporates by reference the 2026 plan year handbook that will be distributed to the public employees covered by the Public Employee Health Insurance Program. The handbook must be filed with the Legislative Research Commission on or before September 15 each year.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This administrative regulation complies with KRS 18A.2254(1), the statute that establishes the self-insured plan and mandates the promulgation of the administrative regulation.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation aids in the effectuation of the statute, KRS 18A.2254, by incorporating by reference the 2026 plan year handbook for the Public Employee Health Insurance Program in an administrative regulation. Further, this administrative regulation is the method by which the Personnel Cabinet will comply with KRS 18A.2254.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This is an amendment. The existing administrative regulation incorporates by reference the 2025 plan year handbook, which constitutes a compilation of the premium rates and contributions, benefit options, eligibility rules, and enrollment information for participants of the Public Employee Health Insurance Program for plan year 2025. The amendment adds and incorporates by reference the 2026 plan year handbook, which contains the premiums, employee contributions, employer contributions, and a summary of benefits, co-pays, coinsurance, and deductibles for each plan available to public employees for plan year 2026.

(b) The necessity of the amendment to this administrative regulation:

This amendment is necessary to give notice regarding the premiums, employee contributions, employer contributions, benefits, co-pays, coinsurance, and deductibles for each plan available to public employees under the Public Employee Health Insurance Program for plan year 2026. This amendment is also necessary to comply with the statutory mandate in KRS 18A.2254 to annually update the regulation incorporating the plan year handbook.

(c) How the amendment conforms to the content of the authorizing statutes:

This amendment conforms to the content of KRS 18A.2254, the statute authorizing the self-insured plan under the Public Employee Health Insurance Program. KRS 18A.2254 mandates that the plan year handbook be incorporated by reference in an administrative regulation on or before September 15 each year. This amendment incorporates the 2026 plan year handbook by reference in accordance with KRS 18A.2254.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment conforms to the requirements of KRS 18A.2254, the statute authorizing the self-insured plan under the Public Employee Health Insurance Program. KRS 18A.2254 mandates that the plan year handbook be incorporated by reference in an administrative regulation on or before September 15 each year. This amendment incorporates the 2026 plan year handbook by reference in accordance with KRS 18A.2254.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?No

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This administrative regulation affects employees of state and select county and local government entities, including employees of the local school boards and districts. This administrative regulation also affects certain retirees as specified by KRS 18A.225. More specifically, and as defined by KRS 18A.225(1)(a), this administrative regulation affects approximately 187,951 employees and retirees eligible to participate in the Public Employee Health Insurance Program. In total, this administrative regulation affects approximately 305,794 members in the self-insured plan and those waiving coverage, including employees, retirees, and qualifying dependents.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Affected entities will not be required to take any additional action to comply with this administrative regulation that incorporates the 2026 plan year handbook. The 2026 Benefits Selection Guide will provide information to the public employees covered under the Public Employee Health Insurance Program about the premiums, employee contributions, employer contributions, and a summary of benefits, co-pays, coinsurance, and deductibles for the 2026 plan year.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

This administrative regulation provides employer and employee premium contribution information for health plans available under the Public Employee Health Insurance Program for plan year 2026. There is no direct cost impact to employers participating in the Public Employee Health Insurance Program as a result of incorporating the 2026 plan year handbook into the administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

For plan year 2026, participating employers (entities) and participating employees and retirees and their beneficiaries and dependents covered under the Public Employee Health Insurance Program will have access to comprehensive health insurance benefits under all plans offered through the self-insured program. For plan year 2026, employer contributions to health coverage premiums will increase 18.2% across all plans combined, as compared to 2025 premiums. Employee contributions to health coverage premiums will remain unchanged across all plans, as compared to 2025 premiums.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

Costs of implementing this administrative regulation initially are believed to be minimal.

(b) On a continuing basis:

Costs of implementing this administrative regulation initially are believed to be minimal.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The source of funding to be used for the implementation of this administrative regulation will be the Public Employee Health Insurance Trust Fund.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

This is an amendment. This administrative regulation will not require an increase in funding or fees.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation does not establish fees or directly or indirectly increase any fees.

(10) TIERING: Is tiering applied?

No, tiering is not applied because this administrative regulation applies equally to all participants in the Public Employee Health Insurance Program.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 18A.030(2)(b), 18A.2254(1)(a)

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

The most recent act that expressly authorizes the Personnel Cabinet Secretary to promulgate this administrative regulation is 2024 Ky. Acts ch. 104, sec. 14. The specific authorizing statute, KRS 18A.2254, was created by 2006 Ky. Acts ch. 252, Pt. XXIX, sec. 1.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Personnel Cabinet is the promulgating agency. All state agencies and employees participating in the Public Employee Health Insurance Program are affected by the provisions of the incorporated plan year handbook.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:This administrative regulation itself is not anticipated to trigger direct expenditures.

For subsequent years:This administrative regulation itself is not anticipated to trigger direct expenditures.

2. Revenues:

For the first year:None.

For subsequent years:None.

3. Cost Savings:

For the first year:Cost savings are not anticipated.

For subsequent years:Cost savings are not anticipated.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

All county and local government employees and entities, including local school boards and districts and their employees, that participate in the Public Employee Health Insurance Program are affected by the provisions of the incorporated plan year handbook.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:This administrative regulation itself is not anticipated to trigger direct expenditures.

For subsequent years:This administrative regulation itself is not anticipated to trigger direct expenditures.

2. Revenues:

For the first year:None

For subsequent years:None

3. Cost Savings:

For the first year:Cost savings are not anticipated.

For subsequent years:Cost savings are not anticipated.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):
The plan year handbook incorporated in this administrative regulation also affects retirees under the age of 65 who are eligible to participate in the Program by virtue of their participation in one of the state-administered retirement systems.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:This administrative regulation itself is not anticipated to trigger direct expenditures.

For subsequent years:This administrative regulation itself is not anticipated to trigger direct expenditures.

2. Revenues:

For the first year:None

For subsequent years:None

3. Cost Savings:

For the first year:Cost savings are not anticipated.

For subsequent years:Cost savings are not anticipated.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:
This administrative regulation does not have a significant fiscal impact.

(b) Methodology and resources used to reach this conclusion:
The provisions of this administrative regulation were reviewed, and a significant fiscal impact was not identified.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):
An overall negative or adverse major economic impact is not anticipated. This administrative regulation only serves to incorporate the Public Employee Health Insurance Program handbook. It does not, by itself, impose requirements or fees on Program participants.

(b) The methodology and resources used to reach this conclusion:
The provisions of the administrative regulation were reviewed, and a significant fiscal impact was not identified.