

**806 KAR 17:050. Inclusion of Medicaid as first payor prohibited.**

RELATES TO: KRS 304.12-080, 304.17-220, 304.17-230, 304.18-020, 304.18-070, 304.32-150, 304.32-160, 304.38-050, 304.38-180

STATUTORY AUTHORITY: KRS 304.2-110

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and administrative regulations for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This administrative regulation prohibits the inclusion in insurance contracts and health care provider agreements of provisions making Medicaid first payor.

Section 1. No insurer or health care provider shall write or issue any policy or certificate of coverage provision which has the effect of limiting or excluding its obligation to pay on a claim because the insured is eligible for or is provided medical assistance under the provisions of title XIX of the Social Security Act (Medicaid).

Section 2. No insurer or health care provider shall deny or cancel a policy of insurance or certificate of coverage on the basis that the insured or enrollee is a recipient of medical assistance benefits under title XIX of the Social Security Act (Medicaid).

(5 Ky.R. 635; eff. 5-2-79; TAm eff. 8-9-2007; Crt eff. 2-26-2020; TAm eff. 3-10-2020.)