

304.17A-611 Prohibition against retrospective denial of coverage for health care services under certain circumstances -- Prohibition against prospective or concurrent review of prescription drug for alcohol or opioid use disorder.

- (1) A utilization review decision shall not retrospectively deny coverage for health care services provided to a covered person when prior approval has been obtained from the insurer or its designee for those services, unless the approval was based upon fraudulent, materially inaccurate, or misrepresented information submitted by the covered person, authorized person, or the provider.
- (2) For health benefit plans issued or renewed on or after January 1, 2022, an insurer shall not require or conduct a prospective or concurrent review for a prescription drug:
 - (a) That:
 1. Is used in the treatment of alcohol or opioid use disorder; and
 2. Contains Methadone, Buprenorphine, or Naltrexone; or
 - (b) That was approved before January 1, 2022, by the United States Food and Drug Administration for the mitigation of opioid withdrawal symptoms.

Effective: January 1, 2022

History: Amended 2021 Ky. Acts ch. 201, sec. 1, effective January 1, 2022. -- Created 2000 Ky. Acts ch. 262, sec. 6, effective July 14, 2000.