

304.17A-098 Rewards or incentives to participate in voluntary wellness or health improvement program.

- (1) An insurer issuing a group or individual health benefit plan may offer a voluntary wellness or health improvement program that allows for rewards or incentives to encourage participation or to reward members for participation, including but not limited to:
 - (a) Merchandise;
 - (b) Gift cards;
 - (c) Debit cards;
 - (d) Premium discounts or rebates;
 - (e) Contributions toward a member's health savings account;
 - (f) Modification to copayment, deductible, or coinsurance amounts; or
 - (g) Any combination of the incentives authorized by paragraphs (a) to (f) of this subsection.
- (2) Any reward or incentive established under this section shall not be deemed an inappropriate inducement to obtain or retain insurance, in violation of KRS 304.12-090 and 304.12-110, or a violation of KRS 304.12-092, if disclosed in the policy or certificate of coverage.
- (3) The health plan member may be required to provide verification, such as a statement from his or her physician, that a medical condition makes it unreasonably difficult or medically inadvisable for the member to participate in the wellness or health improvement program.
- (4) Nothing in this section shall prohibit an insurer from offering incentives or rewards to members for adherence to a voluntary wellness or health improvement program, if otherwise allowed by state or federal law.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 64, sec. 5, effective July 14, 2022. -- Created 2011 Ky. Acts ch. 93, sec. 1, effective June 8, 2011.