

304.17A-1631 Administrative regulations -- Requirement of annual report to commissioner.

- (1) Notwithstanding any other law to the contrary, the commissioner shall promulgate any administrative regulations necessary to enforce this section and KRS 304.17A-163.
- (2) Annually, an insurer, health plan, pharmacy benefit manager, or private review agent shall report to the commissioner, in a format prescribed by the commissioner:
 - (a) The number of step therapy exception requests received, by exception as set forth in KRS 304.17A-163(4)(a)2.;
 - (b) The type of health care providers, or the medical specialties of the health care providers, that submitted step therapy exception requests;
 - (c) The number of step therapy exceptions, by exception as set forth in KRS 304.17A-163(4)(a)2., that were:
 1. Denied, and the reason for the denial;
 2. Approved;
 3. Initially denied and then appealed; and
 4. Initially denied and then subsequently reversed by internal appeals or external reviews; and
 - (d) The medical conditions for which insureds were granted step therapy exceptions due to the likelihood that switching the prescription drug would likely cause an adverse reaction by physical or mental harm to the insured.

Effective: January 1, 2023

History: Created 2022 Ky. Acts ch. 19, sec. 2, effective January 1, 2023.

Legislative Research Commission Note (1/1/2023). 2022 Ky. Acts ch. 19, sec. 13, provides that this statute shall apply to health plans delivered, issued for delivery, or renewed on or after January 1, 2023.