

304.53-030 Required contents of policies and contracts.

A paid family leave insurance policy or contract shall set forth:

- (1) The details and requirements for each of the covered family leave reasons specified in the policy or contract;
- (2)
 - (a) The length of family leave benefits that are available for each covered family leave reason specified in the policy or contract, which shall not be less than two (2) weeks during a period of fifty-two (52) consecutive calendar weeks.
 - (b) For purposes of paragraph (a) of this subsection, fifty-two (52) consecutive calendar weeks may be calculated by:
 1. A calendar year;
 2. Any fixed period starting on a particular date, including an:
 - a. Effective date; or
 - b. Anniversary date;
 3. The period measured forward from the employee's first day of family leave;
 4. A rolling period measured by looking back from the employee's first day of family leave; or
 5. Any other method that is specified in the policy or contract;
- (3) Whether there is an unpaid waiting period;
- (4) If there is an unpaid waiting period, the terms and conditions of the unpaid waiting period, including but not limited to whether:
 - (a) The waiting period runs over a consecutive calendar day period;
 - (b) The waiting period is:
 1. Counted toward the annual allotment of family leave benefits; or
 2. In addition to the annual allotment of family leave benefits;
 - (c) The waiting period must be met:
 1. Only once per benefit year; or
 2. For each separate claim for benefits; and
 - (d) The employee may work or receive paid time off or other compensation by the employer during the waiting period;
- (5) The amount of benefits that will be paid for each covered family leave reason specified in the policy or contract;
- (6) The definition of, and method of calculating, the wages or other income upon which the amount of benefits for each covered family leave reason specified in the policy or contract will be based;
- (7) If the benefits available under the policy or contract are subject to offsets for wages or other income received by the employee or to which the employee may be eligible:
 - (a) All wages or other income that may be offset; and
 - (b) The circumstances under which the wages or other income may be offset; and

- (8) Any limitation, exclusion, or reduction of eligibility for benefits available under the policy or contract.

Effective: April 5, 2024

History: Created 2024 Ky. Acts ch. 99, sec. 7, effective April 5, 2024.