

304.53-040 Limitations, exclusions, and reductions.

- (1) An insurer shall not limit, exclude, or reduce an employee's eligibility for benefits provided under a paid family leave insurance policy or contract unless the limitation, exclusion, or reduction is set forth in the policy or contract as required under KRS 304.53-030.
- (2) A paid family leave insurance policy or contract may include but shall not be limited to limitations on, or exclusions or reductions of, an employee's eligibility for benefits for any or all of the following reasons:
 - (a) For any period of family leave during which:
 1. The notice and medical certification required under the policy or contract has not been provided;
 2. The employee performed work for remuneration or profit;
 3. The employee is eligible to receive remuneration or maintenance from:
 - a. His or her employer; or
 - b. A fund to which his or her employer has contributed;
 4. The employee is eligible to receive benefits from any other statutory program or employer-sponsored program, including but not limited to:
 - a. Unemployment insurance benefits;
 - b. Workers' compensation benefits;
 - c. Statutory disability benefits;
 - d. Statutory paid leave benefits; and
 - e. Paid time off or leave from the employer; or
 5. More than one (1) person seeks leave for the same family member;
 - (b) For any leave related to a serious health condition or other harm to a family member brought about by the willful intention of the employee; or
 - (c) For any leave commencing before the employee becomes eligible for benefits under the policy.

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