

1 AN ACT relating to health benefit coverage of chronic pain treatments.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF SUBTITLE 17A OF KRS CHAPTER 304
4 IS CREATED TO READ AS FOLLOWS:

5 *(1) Any health benefit plan in the individual, small group, or large group market*
6 *issued or renewed on or after the effective date of this Act, that provides coverage*
7 *for hospital, medical, or surgical expenses, shall include coverage for twenty (20)*
8 *visits per event of chronic pain treatments provided by a licensed professional*
9 *including acupuncture, massage therapy, physical therapy, occupational therapy,*
10 *osteopathic manipulation, a chronic pain management program, and*
11 *chiropractic services to an insured patient when ordered by a licensed health care*
12 *provider to treat conditions that cause chronic pain.*

13 *(2) A patient may seek treatment for acupuncture, massage therapy, physical*
14 *therapy, occupational therapy, osteopathic manipulation, a chronic pain*
15 *management program, and chiropractic services prior to seeking treatment from*
16 *a health care provider, and a health care provider referral shall not be required*
17 *as a condition of coverage. Any deductible, coinsurance, or copay required for*
18 *any chronic pain treatments provided by a licensed professional shall not be*
19 *greater than the deductible, coinsurance, or copay required for a primary care*
20 *visit.*

21 *(3) Nothing in this section should be construed to require:*

22 *(a) That all of the chronic pain treatments provided by a licensed professional*
23 *listed in subsection (1) of this section are required to be exhausted prior to*
24 *the patient receiving a prescription for an opioid; or*

25 *(b) Coverage under Subtitle 39 of KRS Chapter 304 for chronic pain treatments*
26 *provided by a licensed professional.*

27 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO

1 READ AS FOLLOWS:

2 (1) The Department for Medicaid Services or a managed care organization
3 contracted to provide services pursuant to this chapter shall include coverage for
4 twenty (20) visits per event of chronic pain treatments provided by a licensed
5 professional including acupuncture, massage therapy, physical therapy,
6 occupational therapy, osteopathic manipulation, a chronic pain management
7 program, and chiropractic services provided to an insured patient when ordered
8 by a licensed health care provider to treat conditions that cause chronic pain.

9 (2) A patient may seek treatment for acupuncture, massage therapy, physical
10 therapy, occupational therapy, osteopathic manipulation, a chronic pain
11 management program, and chiropractic services prior to seeking treatment from
12 a health care provider, and a health care provider referral shall not be required
13 as a condition of coverage. Any deductible, coinsurance, or copay required for
14 any chronic pain treatment provided by a licensed professional shall not be
15 greater than the deductible, coinsurance, or copay required for a primary care
16 visit.

17 (3) Nothing in this section should be construed to require:

18 (a) That all of the chronic pain treatments provided by a licensed professional
19 listed in subsection (1) of this section are required to be exhausted prior to
20 the patient receiving a prescription for an opioid; or

21 (b) Coverage under Subtitle 39 of Chapter 304 for chronic pain treatments
22 provided by a licensed professional.

23 ➔Section 3. This Act takes effect January 1, 2020.