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

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

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

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

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

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

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

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

SECTION 2. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO
READ AS FOLLOWS:

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

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

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

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

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

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