

1 AN ACT relating to cancer prevention through insurance coverage for screening  
2 and appropriate genetic testing.

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

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

6 *(1) As used in this section, "genetic test for cancer risk" means a blood, saliva, or*  
7 *tissue typing test that reliably determines the presence or absence of an inherited*  
8 *genetic characteristic that is generally accepted in the medical or scientific*  
9 *community as being associated with a statistically significant increased risk of*  
10 *cancer development.*

11 *(2) (a) All health benefit plans issued or renewed on or after the effective date of*  
12 *this Act shall cover any genetic test for cancer risk that is recommended by*  
13 *any of the following, if the recommendation is consistent with the most*  
14 *recent version of genetic testing guidelines published by the National*  
15 *Comprehensive Cancer Network (NCCN):*

16 *1. A physician, physician assistant, or genetic counselor licensed under*  
17 *KRS Chapter 311; or*

18 *2. An advanced practice registered nurse licensed under KRS Chapter*  
19 *314.*

20 *(b) The commissioner may extend the coverage required by paragraph (a) of*  
21 *this subsection to include recommendations that are consistent with the*  
22 *most recent version of genetic testing guidelines or criteria published by*  
23 *additional national medical societies, if the guidelines or criteria are*  
24 *determined by the commissioner to be relevant and reliable.*

25 *(3) Coverage required by this section shall:*

26 *(a) Not be subject to a deductible, coinsurance, or any other cost-sharing*  
27 *requirements; and*

1 (b) Include coverage at the health benefit plan's average in-network rate for  
 2 out-of-network providers or laboratories if there are no in-network  
 3 providers or laboratories available to provide the covered test.

4 (4) This section shall not be construed to limit coverage required by Section 2 of this  
 5 Act or any other law.

6 ➔Section 2. KRS 304.17A-257 is amended to read as follows:

7 (1) A health benefit plan issued or renewed on or after January 1, 2016, shall provide  
 8 coverage for all colorectal cancer examinations and laboratory tests specified in the  
 9 most recent version of the~~current~~ American Cancer Society guidelines for  
 10 complete colorectal cancer screening of asymptomatic individuals as follows:

11 (a) Coverage or benefits shall be provided for all colorectal cancer~~screening~~  
 12 examinations and laboratory tests that are administered at a frequency  
 13 identified in the most recent version of the American Cancer Society  
 14 guidelines for complete colorectal cancer screening; and

15 (b) The covered individual shall be:

- 16 1. Forty-five (45)~~Fifty (50)~~ years of age or older; or
- 17 2. Less than forty-five (45)~~fifty (50)~~ years of age and at high risk for  
 18 colorectal cancer according to the most recent version of the~~current~~  
 19 ~~colorectal cancer screening guidelines of the~~ American Cancer Society  
 20 guidelines for complete colorectal cancer screening.

21 (2) Coverage required by~~under~~ this section shall not be subject to a deductible, ~~or~~  
 22 coinsurance, or any other cost-sharing requirements for services received from  
 23 participating providers under the health benefit plan.

24 (3) This section shall not be construed to limit coverage required by Section 1 of this  
 25 Act or any other law.

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