

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.