

1 AN ACT relating to solicitation activities by health care providers.

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

3 ➔SECTION 1. A NEW SECTION OF SUBTITLE 39 OF KRS CHAPTER 304  
4 IS CREATED TO READ AS FOLLOWS:

5 *(1) As used in this section, "health care services" means health care services for*  
6 *which payment may be made from basic or added reparations benefits provided*  
7 *under this subtitle.*

8 *(2) Except as provided in KRS 304.39-215, a health care provider may:*

9 *(a) Directly, or indirectly through an intermediary, solicit a person involved in*  
10 *a motor vehicle accident for health care services; and*

11 *(b) Pay or receive compensation for the referral or solicitation of health care*  
12 *services.*

13 *(3) A licensing or regulatory agency, board, or authority that licenses, certifies,*  
14 *permits, or otherwise regulates health care providers in this state shall not*  
15 *designate any conduct or activity authorized under this section as unethical,*  
16 *unprofessional, or otherwise prohibited.*

17 ➔Section 2. The following KRS sections are repealed:

18 367.4081 Definitions for KRS 367.4081 to 367.4083.

19 367.4082 Prohibited solicitation of person involved in motor vehicle accident by a  
20 healthcare provider or intermediary.

21 367.4083 Voiding of charges billed for health services rendered by healthcare provider  
22 in violation of KRS 367.4082.

23 ➔Section 3. Any provision of 201 KAR 21:015, 201 KAR 21:065, 201 KAR  
24 22:053, or any other administrative regulation that is inconsistent with this Act shall be  
25 void and unenforceable.