

1 AN ACT relating to the Medicaid program.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) The Department for Medicaid Services shall administer the state's Medicaid*  
6 *program under a fee-for-service model, Medicaid managed care model, or other*  
7 *Medicaid delivery system model as permitted under federal law.*

8 *(2) If at any time on or after January 1, 2024, the Department for Medicaid Services*  
9 *chooses to utilize a Medicaid managed care model for the administration of any*  
10 *part of the state's Medicaid program, the Department for Medicaid Services shall*  
11 *not:*

12 *(a) Enter into a contract with a Medicaid managed care organization or other*  
13 *entity seeking to provide Medicaid benefits under this chapter unless the*  
14 *managed care organization or entity offers, or agrees to offer, a qualifying*  
15 *health plan in the same geographic areas in which the managed care*  
16 *organization or entity would be contracted by the department to delivery*  
17 *Medicaid services. As used in this paragraph, "qualifying health plan"*  
18 *means a health plan that is offered on the state-based exchange operated by*  
19 *the state, or a federally facilitated exchange operated by the federal*  
20 *government, that serves the individual health insurance market in Kentucky*  
21 *in accordance with state and federal law; or*

22 *(b) Award a contract for the delivery of Medicaid services to more than three*

23 *(3) Medicaid managed care organizations or other entities seeking to*  
24 *provide Medicaid benefits under this chapter.*

25 *(3) Nothing in this section prohibits the administration of the Medicaid program*  
26 *under more than one (1) delivery system model.*

27 ➔Section 2. This Act takes effect January 1, 2024.