

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2024 REGULAR SESSION
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Amend printed copy of **HB 10/HCS 1**

Starting on page 5, line 3, and continuing to page 7, line 3, delete Section 4 in its entirety and insert the following in lieu thereof:

"→SECTION 4. A NEW SECTION OF SUBTITLE 17 OF KRS CHAPTER 304 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

(a) "Health benefit plan" has the same meaning as in KRS 304.17A-005, except for purposes of this section, the term includes student health insurance offered by a Kentucky-licensed insurer under written contract with a university or college whose students it proposes to insure; and

(b) "Individual Exchange":

1. Means a governmental agency or nonprofit entity that makes qualified health plans, as defined in 42 U.S.C. sec. 18021, as amended, available to qualified individuals;

2. Includes an exchange serving the individual market for qualified individuals; and

3. Does not include a Small Business Health Options Program serving the small group market for qualified employers.

(2) To the extent permitted by federal law:

Amendment No. HFA

Rep. Rep. Kimberly Poore Moser

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

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- (a) The following shall provide a special enrollment period to pregnant women who are eligible for coverage:
1. Any insurer offering a health benefit plan in the individual market, which shall include student health insurance coverage as defined in 45 C.F.R. sec. 147.145, as amended; and
 2. Any individual exchange operating in this state;
- (b) Except as provided in paragraph (c) of this subsection, the insurer or exchange shall allow a pregnant woman, and any individual who is eligible for coverage because of a relationship to a pregnant woman, to enroll for coverage under the plan or on the exchange at any time during the pregnancy;
- (c) If the insurer or exchange is required by federal law to limit the enrollment period to a period that is less than the period provided in paragraph (b) of this subsection:
1. The enrollment period shall not be less than the maximum period of time permitted by federal law; and
 2. The enrollment period shall begin not earlier than the date that the pregnant woman receives confirmation of the pregnancy from a medical professional;
- (d) The coverage required under this subsection shall begin not later than the first day of the first calendar month in which a medical professional determines that the pregnancy began, except that a pregnant woman may direct coverage to begin on the first day of any month occurring after that date but during the pregnancy; and
- (e) If a directive under paragraph (d) of this subsection falls outside of the pregnancy period, the coverage required under this subsection shall begin not later than the first day of the last month that occurred during the pregnancy.
- (3) (a) Nothing in this section shall be construed to imply that the insured is not responsible for the payment of premiums for each month during which coverage is

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provided.

(b) For any coverage provided under this section, the original or first premium shall become due and owing not earlier than thirty (30) days after the date of enrollment."; and

On page 7, delete lines 6 to 11 in their entirety and insert the following in lieu thereof:

"(a) "Health benefit plan" has the same meaning as in KRS 304.17A-005, except for purposes of this section, the term:

1. Includes student health insurance offered by a Kentucky-licensed insurer under written contract with a university or college whose students it proposes to insure; and

2. Does not include a group health benefit plan that provides grandfathered health plan coverage as defined in 45 C.F.R. sec. 147.140(a), as amended;"

and

Starting on page 8, line 21, and continuing to page 19, line 20, delete Section 6 in its entirety and renumber subsequent sections accordingly; and

On page 30, delete lines 1 to 4 in their entirety and insert in lieu thereof:

"(o) Section 5 of this Act; and

(p) Administrative regulations promulgated pursuant to statutes listed in this subsection.

(23) (a) Any fully insured health benefit plan or self-insured plan issued or renewed to public employees pursuant to this section shall provide a special enrollment period to pregnant women who are eligible for coverage in accordance with the requirements set forth in Section 4 of this Act.

(b) The Department of Employee Insurance shall, at or before the time a public employee is initially offered the opportunity to enroll in the plan or coverage, provide the employee a notice of the special enrollment rights under this

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subsection."; and

On page 31, delete lines 11 to 13 in their entirety and insert in lieu thereof:

"(d) KRS 304.17A-262; and

(e) Section 5 of this Act.

(6) (a) A self-insured employer group health plan provided by the governing board of a state postsecondary education institution to its employees shall provide a special enrollment period to pregnant women who are eligible for coverage in accordance with the requirements set forth in Section 4 of this Act.

(b) The governing board of a state postsecondary education institution shall, at or before the time an employee is initially offered the opportunity to enroll in the plan or coverage, provide the employee a notice of the special enrollment rights under this subsection."; and

On page 40, lines 7 and 8, delete "9, 10, 11, 12, or 13" and insert in lieu thereof "8, 9, 10, 11, or 12"; and

On page 40, line 23, delete "9" and insert in lieu thereof "8"; and

On page 40, line 25, delete "9, and 17" and insert in lieu thereof "8, and 16".