

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION
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Amend printed copy of **HB 776/SCS 1**

On page 35, by deleting lines 4 to 7 in their entirety and inserting the following in lieu thereof:

"➔Section 18. KRS 304.17C-085 is amended to read as follows:

(1) As used in this section:

(a) "Contractual discount" means a percentage reduction from a provider's usual and customary rate for covered services ~~[and material]~~ required under a participating provider agreement; and

(b) "Covered services":

1. Means services and materials for which:

a.~~[1.]~~ Reimbursement from a plan is provided by the enrollee's plan contract; or

b.~~[2.]~~ Reimbursement would be available but for the application of the enrollee's contractual limitations of deductibles, copayments, coinsurance, or frequency limitations; and

2. Does not include services and materials for which reimbursement would be available but for the application of the enrollee's contractual limitation of an annual maximum benefit.

(2) A participating provider agreement shall not require a participating provider to provide services to an enrollee at a fee set by or subject to the approval of the limited health service

Amendment No. SFA

Rep. Sen. Amanda Mays Bledsoe

Committee Amendment

Signed:

Floor Amendment

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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benefit plan unless the services are covered services under the *participating* provider agreement.

- (3) A provider shall not charge more for services and materials that are noncovered services under a limited health service benefit plan than the provider's rate for the services and materials.
- (4) The amount of a contractual discount shall not result in a fee that is less than the limited health service benefit plan would pay for covered services but for the application an enrollee's contractual limitations of deductibles, copayments, coinsurance, or frequency limitations.
- (5) Reimbursement paid by the limited health service benefit plan for covered services:
 - (a) Shall be reasonable; and
 - (b) Shall not provide nominal reimbursement in order to claim that services and materials are covered services.

(6) The provisions of this section shall not be waived by contract. Any contractual arrangement in conflict with this section or that purports to waive any requirement of this section shall be void.

➔Section 19. Section 18 of this Act applies to contracts issued or renewed on or after the effective date of Section 18 of this Act.

➔Section 20. Whereas it is critical to ensure that the practice of dentistry is professional, safe, and protected for the well-being of the citizens of the Commonwealth, an emergency is declared to exist, and Sections 1 to 17 of this Act take effect upon its passage and approval by the Governor or upon its otherwise becoming a law."