



KENTUCKY PUBLIC PENSIONS AUTHORITY

David L. Eager, Executive Director

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February 29, 2024

Ms. Katie Carney
Executive Assistant, Director's Office
Legislative Research Commission
Capitol Annex, Room 186
Frankfort, KY 40601

RE: House Bill 700 (2024 RS BR 1039)
AA Statement Required by KRS 6.350
AA Statement 1 and 2 of 5

Dear Ms. Carney:

House Bill 700 (2024 RS BR 1039) creates a new section of Subtitle 17A of Kentucky Revised Statute Chapter 304 to require insurers and any exchange to provide a special enrollment period for pregnant individuals; specify requirements for coverage; requires group plan insurers to provide notice of special enrollment rights; amends KRS 304.17A-145 to require health benefit plans that provide coverage for dependents to provide coverage for maternity care; amends KRS 304.17A-220 and 194A.099 to conform with the special enrollment requirement; amends KRS 18A.225 and 164.2871 to require the state employee health plan and self-insured state postsecondary education institution group health plans to comply with the special enrollment and maternity coverage requirements; create a new section of KRS Chapter 194A to define terms and provide for the payment of coverage premiums to eligible individuals; amends KRS 205.522 to require Medicaid coverage for maternity services; amends KRS 205.592 to allow the Medicaid income limit for certain women and children to be increased under certain circumstances; amend KRS 205.6485 to require Kentucky Children's Health Insurance Program to provide maternity coverage; amends KRS 164.2847 to provide for a waiver of tuition and mandatory fees for a child conceived and born as a result of sexual assault; amends KRS 164.2849 to declare the interests of the Commonwealth in protecting the unborn and supporting a child conceived and born as a result of sexual assault within established parameters; amends KRS 199.011 to define a child conceived and delivered as a result of sexual assault; amends KRS 199.473 to waive certain fees related to adoption proceedings; amends KRS 199.502 to include a conviction for specified criminal acts for an adoption without consent of the biological living parents; create a new section of KRS 199 to establish entitlement to nonrecurring adoption expenses under specified circumstances; amends KRS 199.894 to define terms; creates a new section of KRS 199.892 to 199.8996 to establish the Child Care Assistance Program and establish eligibility requirements; creates a new section of KRS Chapter 211 to direct the Cabinet to provide informational material on benefits available to a victim of sexual assault and a child conceived as a result of the sexual assault; amends KRS 216B.400 to establish requirements for receipt of specified benefits related to sexual assault that results in pregnancy; creates a new section of KRS Chapter 49 to establish benefits available to a child born as a result of sexual assault; amends KRS 49.310 to conform; amends KRS 625.090 to add a conviction or guilty plea to any degree of rape, sexual abuse, or sexual misconduct

as a basis to terminate parental rights; requires the Cabinet for Health and Family Services to apply for a Medicaid waiver if potential cost defrayment or loss of federal funds is identified; and provides that the Act may be cited as the Love Them Both Act. This bill is effective, in part, January 1, 2025.

Kentucky Public Pensions Authority (KPPA) staff members have examined House Bill 700 (2024 RS BR 1039). We have determined that the bill will not increase or decrease benefits, nor will it increase or decrease the participation in benefits, in any of the retirement systems administered by the Kentucky Public Pensions Authority. House Bill 700 (2024 RS BR 1039) will not change the actuarial accrued liability of any of the systems administered by KPPA.

In accordance with KRS 6.350 (2)(c), Kentucky Public Pensions Authority certifies the following:

1. The estimated number of individuals potentially affected as of June 30, 2023, are 421,609 active, inactive, and retired members in the plans administered by KPPA;
2. There is no estimated change in benefit payments;
3. There may be an increase in employer costs if the change increases insurance premiums for the plans offered by the KPPA; and
4. There is no estimated change in administrative expenses.

We have not requested any further actuarial analysis of House Bill 700 (2024 RS BR 1039) by the KPPA's independent actuary.

Please let me know if you have any questions regarding our analysis of House Bill 700 (2024 RS BR 1039).

Sincerely,



David L. Eager, Executive Director
Kentucky Public Pensions Authority

March 6, 2024

Ms. Katie Carney

Director's Office

Legislative Research Commission

Capitol Annex, Room 104

Frankfort, KY 40601

RE: HB 700 - AN ACT relating to the protection of mothers and their children.

AA Statement 3 and 4 of 5

Dear Ms. Carney:

HB 700 (BR 1039) would create a new section of Subtitle 17A of KRS Chapter 304 to require insurers and any exchange to provide a special enrollment period for pregnant individuals; specify requirements for coverage; require group plan insurers to provide notice of special enrollment rights; amend KRS 304.17A-145 to require health benefit plans that provide coverage for dependents to provide coverage for maternity care; amend KRS 304.17A-220 and 194A.099 to conform with the special enrollment requirement; amend KRS 18A.225 and 164.2871 to require the state employee health plan and self-insured state postsecondary education institution group health plans to comply with the special enrollment and maternity coverage requirements; create a new section of KRS Chapter 194A to define terms and provide for the payment of coverage premiums to eligible individuals; amend KRS 205.522 to require Medicaid coverage for maternity services; amend KRS 205.592 to allow the Medicaid income limit for certain women and children to be increased under certain circumstances; amend KRS 205.6485 to require Kentucky Children's Health Insurance Program to provide maternity coverage; amend KRS 164.2847 to provide for a waiver of tuition and mandatory fees for a child conceived and born as a result of sexual assault; amend KRS 164.2849 to declare the interests of the Commonwealth in protecting the unborn and supporting a child conceived and born as a result of sexual assault within established parameters; amend KRS 199.011 to define a child conceived and delivered as a result of sexual assault; amend KRS 199.473 to waive certain fees related to adoption proceedings; amend KRS 199.502 to include a conviction for specified criminal acts for an adoption without consent of the biological living parents; create a new section of KRS Chapter 199 to establish entitlement to nonrecurring adoption expenses under specified circumstances; amend KRS 199.894 to define terms; create a new section of KRS 199.892 to 199.8996 to establish the Child Care Assistance Program and establish eligibility requirements; create a new section of KRS Chapter 211 to direct the Cabinet to provide informational material on benefits available to a victim of sexual assault and a child conceived as a result of the sexual assault; amend KRS 216B.400 to establish requirements for receipt of specified benefits related to sexual

assault that results in pregnancy; create a new section of KRS Chapter 49 to establish benefits available to a child born as a result of sexual assault; amend KRS 49.310 to conform; amend KRS 625.090 to add a conviction or guilty plea to any degree of rape, sexual abuse, or sexual misconduct as a basis to terminate parental rights; require the Cabinet for Health and Family Services to apply for a Medicaid waiver if potential cost defrayment or loss of federal funds is identified; provide that the Act may be cited as the Love Them Both Act.

Staff of the Judicial Form Retirement System (JFRS) has reviewed **HB 700 (BR 1039)** and determined it would not materially increase or decrease benefits, or increase or decrease participation in benefits, or change the current actuarial liability of either plan administered by JFRS. The requirements outlined in the legislation could cause an increase to insurance premiums for the plans provided through JFRS, but that is not easily measurable at this time.

In compliance with KRS 6.350(2)(c), the Judicial Form Retirement Systems (the agency in charge with the administration of JRP and LRP) certifies the following:

1. The estimated number of participants potentially affected, as of June 30, 2023, are 1,018 individuals participating in JRP or LRP.
2. There is no estimated change in benefits.
3. There is no estimated change to current employer costs; however, however, if the requirements outlined in the legislation increased insurance premiums, there could be an increase in employer cost.
4. There is no estimated change to administrative expenses.

We have not requested any further actuarial analysis of **HB 700 (BR 1039)** by the Systems' independent actuary. Please let me know if you have any questions regarding this analysis.

Sincerely,



Bo Cracraft,

Executive Director