## Local Government Mandate Statement Kentucky Legislative Research Commission Session

## **Part I: Measure Information**

Bill Request #: 199
Bill #: SB 111 HCS
<b>Document ID #:</b> 8412
Bill Title:         AN ACT relating to coverage for the treatment of stuttering.
Sponsor: Senator Whitney Westerfield
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment
Office(s) Impacted: All offices that provide a health insurance benefit for employees that covers habilitative and/or rehabilitative services.
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

SB 111 HCS **Section 1** would require "any health insurance policy, certificate, plan or contract, including but not limited to a health benefit plan" that covers habilitative services, rehabilitative services or both also cover such services for stuttering. There would be no maximum annual benefit limit, no utilization review nor prior authorization required. Coverage would not be limited based on the disease, injury, disorder, or other medical condition that resulted in the stuttering. Speech therapy services may be provided in person or by telehealth. If application of any of these requirements to a qualified health plan would result in a determination that the state must make payments to defray the cost of the requirement under federal law, the requirement would not apply to the qualified health plan until cost defrayal is no longer applicable.

**Section 2** of the bill would apply the requirements in Section 1 to limited health service benefit plans, defined in KRS 304.38A-010 as any policy or certificate that provides services for dental, vision, mental health, substance abuse, chiropractic, pharmaceutical,

podiatric, or other such services as may be determined by the commissioner of the Department of Insurance to be offered under a limited health service benefit plan.

**Section 9** would require the Department of Insurance within 90 days of SB 111 HCS becoming law identify whether application of any requirement in Section 1 to a qualified health plan constitutes an addition to essential health benefits required by federal law. If it does constitute an addition, then the Department would be required to apply for a waiver under applicable federal law. If a waiver/authorization is necessary for any reason, it must be requested and implementation of those provisions for which a waiver or authorization is necessary would be waived until the waiver/authorization is granted.

**SB 111 HCS would cause an increase in premiums which would have a negative but indeterminable fiscal impact on local governments.** Currently there is a limit on the number of rehabilitative services an insured person may receive in a year, including for speech therapy. The bill would require coverage of an unlimited number of service visits which would cause an increase in premiums. The amount or percentage increase is unknown since it is unknown how many insureds will require services beyond the current annual limit, or would continue utilizing stuttering services once the limit was reached.

Data Source(s): Kentucky League of Cities; Kentucky Association of Counties; LRC staff

Preparer:Mary Stephens (BL)Reviewer:KHCDate:3/18/24