AN ACT concerning insurance; health insurance coverage; hearing instruments; amending K.S.A. 2019 Supp. 40-2,103 and 40-19c09 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization that provides coverage for accident and health services and that is delivered, issued for delivery, amended or renewed on or after July 1, 2021, except as provided in subsection (d), shall provide coverage for hearing instruments, including necessary batteries and repairs, fitted or dispensed by a person authorized by law to fit or dispense a hearing instrument. Such policy, provision, contract, plan or agreement may apply to such services the same deductibles, coinsurance and other limitations as applied to other covered services.

(b) As used in this section, "hearing instrument" means the same as defined in K.S.A. 74-5807, and amendments thereto.

(c) This section shall not apply to any policy or certificate that provides coverage for any specified disease, specified accident or accident only coverage, credit, dental, disability income, hospital indemnity, long-term care insurance as defined by K.S.A. 40-2227, and amendments thereto, vision care or any other limited supplemental benefit nor to any medicare supplement policy of insurance as defined by the commissioner of insurance by rules and regulations, any coverage issued as a supplement to liability insurance, workers compensation or similar insurance, automobile medical-payment insurance or any insurance under which benefits are payable with or without regard to fault, whether written on a group, blanket or individual basis.

(d) (1) From and after July 1, 2020, the provisions of this section shall apply to the state healthcare benefits program.

(2) Pursuant to the provisions of K.S.A. 40-2249a, and amendments thereto, on or before March 1, 2021, the state employees healthcare commission shall submit to the president of the senate and to the speaker of the house of representatives a report indicating the impact that provisions of this section have had on the state healthcare benefits program.
program, including data on the utilization and costs of such coverage. Such
report shall also include a recommendation whether such coverage should
continue for the state healthcare benefits program or additional utilization
and cost data is required.

Sec. 2. K.S.A. 2019 Supp. 40-2,103 is hereby amended to read as
follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-
2,102, 40-2,104, 40-2,105, 40-2,114, 40-2,160, 40-2,165 through 40-2,170,
40-2250, and amendments thereto, and K.S.A. 2019 Supp. 40-2,105a, 40-
2,105b, 40-2,184, 40-2,190, 40-2,194 and, 40-2,210 through 40-2,216 and
section 1, and amendments thereto, shall apply to all insurance policies,
subscriber contracts or certificates of insurance delivered, renewed or
issued for delivery within or outside of this state or used within this state
by or for an individual who resides or is employed in this state.

Sec. 3. K.S.A. 2019 Supp. 40-19c09 is hereby amended to read as
follows: 40-19c09. (a) Corporations organized under the nonprofit medical
and hospital service corporation act shall be subject to the provisions of
the Kansas general corporation code, articles 60 through 74 of chapter 17
of the Kansas Statutes Annotated, and amendments thereto, applicable to
nonprofit corporations, to the provisions of K.S.A. 40-214, 40-215, 40-
216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, 40-229, 40-230, 40-
231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-
252, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-
2,116, 40-2,117, 40-2,125, 40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-
2,163 through 40-2,170, 40-2a01 et seq., 40-2111 through 40-2116, 40-
2215 through 40-2220, 40-2221a, 40-2221b, 40-2229, 40-2230, 40-2250,
40-2251, 40-2253, 40-2254, 40-2401 through 40-2421, and 40-3301
through 40-3313, and amendments thereto, and K.S.A. 2019 Supp. 40-
2,105a, 40-2,105b, 40-2,184, 40-2,190, 40-2,194 and, 40-2,210 through
40-2,216 and section 1, and amendments thereto, except as the context
otherwise requires, and shall not be subject to any other provisions of the
insurance code except as expressly provided in this act.

(b) No policy, agreement, contract or certificate issued by a
corporation to which this section applies shall contain a provision which
excludes, limits or otherwise restricts coverage because medicaid benefits
as permitted by title XIX of the social security act of 1965 are or may be
available for the same accident or illness.

(c) Violation of subsection (b) shall be subject to the penalties
prescribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

Sec. 4. K.S.A. 2019 Supp. 40-2,103 and 40-19c09 are hereby
repealed.

Sec. 5. This act shall take effect and be in force from and after its
publication in the statute book.