AN ACT concerning insurance; providing coverage for hearing instruments; amending K.S.A. 2016 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) The provisions of K.S.A. 40-2249a, and amendments thereto, shall apply to the provisions of this section.

(b) On and after the effective date of this act, every insurer that issues any individual or group policy of accident and sickness insurance providing medical, surgical or hospital expense coverage and that is delivered, issued for delivery, amended or renewed on or after July 1, 2017, shall also 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.

(c) The coverage required by this section shall be subject to the same annual deductibles, copayments or coinsurance limits as established for all other covered benefits under the individual or group policy of accident and sickness insurance referred to in subsection (b).

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

(e) This section shall apply to the state health care benefits program and municipal self-funded pools.

(f) 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.

Sec. 2. K.S.A. 2016 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,
inclusive, 40-2250, K.S.A. 2016 Supp. 40-2,105a, 40-2,105b, 40-2,184, 40-2,190 and 40-2,194 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.


(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. 2016 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.