

HOUSE BILL No. 2021

By Representative Kiegerl

1-10

1 AN ACT concerning insurance; providing coverage for hearing
2 instruments; amending K.S.A. 2016 Supp. 40-2,103 and 40-19c09 and
3 repealing the existing sections.
4

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

6 New Section 1. (a) The provisions of K.S.A. 40-2249a, and
7 amendments thereto, shall apply to the provisions of this section.

8 (b) On and after the effective date of this act, every insurer that issues
9 any individual or group policy of accident and sickness insurance
10 providing medical, surgical or hospital expense coverage and that is
11 delivered, issued for delivery, amended or renewed on or after July 1,
12 2017, shall also provide coverage for hearing instruments, including
13 necessary batteries and repairs, fitted or dispensed by a person authorized
14 by law to fit or dispense a hearing instrument.

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

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

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

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

34 Sec. 2. K.S.A. 2016 Supp. 40-2,103 is hereby amended to read as
35 follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-
36 2,102, 40-2,104, 40-2,105, 40-2,114, 40-2,160, 40-2,165 through 40-2,170,

1 inclusive, 40-2250, K.S.A. 2016 Supp. 40-2,105a, 40-2,105b, 40-2,184,
2 40-2,190 ~~and~~, 40-2,194 *and section I*, and amendments thereto, shall apply
3 to all insurance policies, subscriber contracts or certificates of insurance
4 delivered, renewed or issued for delivery within or outside of this state or
5 used within this state by or for an individual who resides or is employed in
6 this state.

7 Sec. 3. K.S.A. 2016 Supp. 40-19c09 is hereby amended to read as
8 follows: 40-19c09. (a) Corporations organized under the nonprofit medical
9 and hospital service corporation act shall be subject to the provisions of
10 the Kansas general corporation code, articles 60 to 74, inclusive, of
11 chapter 17 of the Kansas Statutes Annotated, and amendments thereto,
12 applicable to nonprofit corporations, to the provisions of K.S.A. 40-214,
13 40-215, 40-216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, 40-229,
14 40-230, 40-231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250,
15 40-251, 40-252, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-
16 2,105, 40-2,116, 40-2,117, 40-2,125, 40-2,153, 40-2,154, 40-2,160, 40-
17 2,161, 40-2,163 through 40-2,170, inclusive, 40-2a01 et seq., 40-2111 to
18 40-2116, inclusive, 40-2215 to 40-2220, inclusive, 40-2221a, 40-2221b,
19 40-2229, 40-2230, 40-2250, 40-2251, 40-2253, 40-2254, 40-2401 to 40-
20 2421, inclusive, and 40-3301 to 40-3313, inclusive, K.S.A. 2016 Supp. 40-
21 2,105a, 40-2,105b, 40-2,184, 40-2,190 ~~and~~, 40-2,194 *and section I*, and
22 amendments thereto, except as the context otherwise requires, and shall
23 not be subject to any other provisions of the insurance code except as
24 expressly provided in this act.

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

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

32 Sec. 4. K.S.A. 2016 Supp. 40-2,103 and 40-19c09 are hereby
33 repealed.

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