

## HOUSE BILL No. 2257

By Committee on Health and Human Services

2-2

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9 AN ACT concerning insurance; relating to inpatient coverage.

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

12 Section 1. (a) For the purposes of this section:

13 (1) "Health plan" means any insurer or corporation which issues in-  
14 dividual and group health insurance policies providing coverage on an  
15 expense-incurred basis, individual and group service or indemnity-type  
16 contracts issued by a profit or nonprofit corporation and all contracts  
17 issued by health maintenance organizations or authorized to transact busi-  
18 ness in this state;

19 (2) "attending physician" means the person licensed to practice med-  
20 icine and surgery and who is responsible for the care provided to the  
21 insured within the inpatient setting;

22 (3) "inpatient" means a setting in which services are provided to a  
23 person who has been admitted to a hospital or medical care facility;

24 (4) "medically necessary" means any goods, service, item or accom-  
25 modation that a reasonable and prudent attending physician consistent  
26 with the standards of good medical practice believes is appropriate for  
27 diagnosing or treating a patient's condition, illness or injury.

28 (b) Any health plan providing inpatient coverage shall not deny cov-  
29 erage for covered inpatient services to an insured, including, but not lim-  
30 ited to, the number of inpatient days covered, where the attending phy-  
31 sician finds the provision of such inpatient services medically necessary.

32 (c) Any decision to end the inpatient stay and provision of inpatient  
33 services shall not be made by the health plan but by the attending phy-  
34 sician upon a determination that the performance of services in the in-  
35 patient setting is no longer medically necessary.

36 (d) Coverage of inpatient services shall be subject to applicable co-  
37 payments, coinsurance and deductibles.

38 (e) The provisions of this section shall not affect a health plan's con-  
39 tractual provisions for inpatient nervous and mental conditions.

40 Sec. 2. This act shall take effect and be in force from and after its  
41 publication in the statute book.