

HOUSE BILL No. 2125

By Representative Kiegerl

1-18

9 AN ACT concerning insurance; providing coverage for hearing aids;
10 amending K.S.A. 2006 Supp. 40-2,103 and 40-19c09 and repealing the
11 existing sections.
12

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

14 New Section 1. (a) On or after the effective date of this act, every
15 insurer which issues any individual or group policy of accident and sick-
16 ness insurance providing medical, surgical or hospital expense coverage
17 and which is delivered, issued for delivery, amended or renewed on or
18 after July 1, 2007, also, shall provide coverage for the hearing aids, in-
19 cluding necessary batteries and repairs, fitted or dispensed by a person
20 authorized by law to fit or dispense a hearing aid.

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

25 (c) For the purposes of this section, the term "hearing aid" shall have
26 the meaning ascribed to it in K.S.A. 74-5807 and amendments thereto.

27 (d) The provisions of this section shall apply to the state health care
28 benefits program and municipal self-funded pools.

29 New Sec. 2. The provisions of section 1, and amendments thereto,
30 shall not apply to any policy or certificate which provides coverage for
31 any specified disease, specified accident or accident only coverage, credit,
32 dental, disability income, hospital indemnity, long-term care insurance as
33 defined by K.S.A. 40-2227, and amendments thereto, vision care or any
34 other limited supplemental benefit nor to any medicare supplement pol-
35 icy of insurance as defined by the commissioner of insurance by rule and
36 regulation, any coverage issued as a supplement to liability insurance,
37 workers' compensation or similar insurance, automobile medical-payment
38 insurance or any insurance under which benefits are payable with or with-
39 out regard to fault, whether written on a group, blanket or individual
40 basis.

41 Sec. 3. K.S.A. 2006 Supp. 40-2,103 is hereby amended to read as
42 follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-
43 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. 2006 Supp. 40-2,105a ~~and 40-2,105b~~, 40-
2 ~~2,105b and section 1~~, and amendments thereto, shall apply to all insurance
3 policies, subscriber contracts or certificates of insurance delivered, re-
4 newed or issued for delivery within or outside of this state or used within
5 this state by or for an individual who resides or is employed in this state.

6 Sec. 4. K.S.A. 2006 Supp. 40-19c09 is hereby amended to read as
7 follows: 40-19c09. (a) Corporations organized under the nonprofit med-
8 ical and hospital service corporation act shall be subject to the provisions
9 of the Kansas general corporation code, articles 60 to 74, inclusive, of
10 chapter 17 of the Kansas Statutes Annotated, applicable to nonprofit cor-
11 porations, to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-
12 219, 40-222, 40-223, 40-224, 40-225, 40-226, 40-229, 40-230, 40-231, 40-
13 235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252,
14 40-254, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-
15 2,116, 40-2,117, 40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-2,163 through
16 40-2,170, inclusive, 40-2a01 et seq., 40-2111 to 40-2116, inclusive, 40-
17 2215 to 40-2220, inclusive, 40-2221a, 40-2221b, 40-2229, 40-2230, 40-
18 2250, 40-2251, 40-2253, 40-2254, 40-2401 to 40-2421, inclusive, and 40-
19 3301 to 40-3313, inclusive, K.S.A. 2006 Supp. 40-2,105a ~~and 40-2,105b~~,
20 ~~40-2,105b and section 1~~, and amendments thereto, except as the context
21 otherwise requires, and shall not be subject to any other provisions of the
22 insurance code except as expressly provided in this act.

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

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

30 Sec. 5. K.S.A. 2006 Supp. 40-2,103 and 40-19c09 are hereby
31 repealed.

32 Sec. 6. This act shall take effect and be in force from and after its
33 publication in the statute book.