

SENATE BILL No. 195

By Senator Wagle

2-4

9 AN ACT relating to insurance; providing reimbursement for orally ad-
10 ministered anticancer medications; amending K.S.A. 2008 Supp. 40-
11 2,103 and 40-19c09 and repealing the existing sections.
12

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

14 New Section 1. (a) Any individual or group health insurance policy,
15 medical service plan, contract, hospital service corporation contract, hos-
16 pital and medical service corporation contract, fraternal benefit society
17 or health maintenance organization, municipal group-funded pool and the
18 state employee health care benefits plan which provides coverage for
19 prescription drugs and which is delivered, issued for delivery, amended
20 or renewed on and after July 1, 2009, shall provide coverage for a pre-
21 scribed, orally administered anticancer medication used to kill or slow the
22 growth of cancerous cells on a basis no less favorable than intravenously
23 administered or injected cancer medications that are covered as medical
24 benefits.

25 (b) Any policy, provision, contract, plan or agreement under this sec-
26 tion may apply the same deductibles, coinsurance and other limitations
27 as apply to other covered services.

28 (c) The provisions of K.S.A. 40-2249a, and amendments thereto, shall
29 not apply to the provisions of this section.

30 Sec. 2. K.S.A. 2008 Supp. 40-2,103 is hereby amended to read as
31 follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-
32 2,102, 40-2,104, 40-2,105, 40-2,114, 40-2,160, 40-2,165 through 40-2,170,
33 inclusive, 40-2250, K.S.A. 2008 Supp. 40-2,105a ~~and~~, 40-2,105b *and sec-*
34 *tion 1*, and amendments thereto, shall apply to all insurance policies,
35 subscriber contracts or certificates of insurance delivered, renewed or
36 issued for delivery within or outside of this state or used within this state
37 by or for an individual who resides or is employed in this state.

38 Sec. 3. K.S.A. 2008 Supp. 40-19c09 is hereby amended to read as
39 follows: 40-19c09. (a) Corporations organized under the nonprofit med-
40 ical and hospital service corporation act shall be subject to the provisions
41 of the Kansas general corporation code, articles 60 to 74, inclusive, of
42 chapter 17 of the Kansas Statutes Annotated, applicable to nonprofit cor-
43 porations, to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-

1 219, 40-222, 40-223, 40-224, 40-225, 40-226, 40-229, 40-230, 40-231, 40-
2 235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252,
3 40-254, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-
4 2,116, 40-2,117, 40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-2,163 through
5 40-2,170, inclusive, 40-2a01 et seq., 40-2111 to 40-2116, inclusive, 40-
6 2215 to 40-2220, inclusive, 40-2221a, 40-2221b, 40-2229, 40-2230, 40-
7 2250, 40-2251, 40-2253, 40-2254, 40-2401 to 40-2421, inclusive, and 40-
8 3301 to 40-3313, inclusive, K.S.A. 2008 Supp. 40-2,105a ~~and~~ 40-2,105b
9 *and section 1*, and amendments thereto, except as the context otherwise
10 requires, and shall not be subject to any other provisions of the insurance
11 code except as expressly provided in this act.

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

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

19 Sec. 4. K.S.A. 2008 Supp. 40-2,103 and 40-19c09 are hereby
20 repealed.

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