

HOUSE BILL No. 2684

By Committee on Insurance

Requested by Representative Meyer

2-4

1 AN ACT concerning health and healthcare; relating to prescription drugs;
2 providing coverage for insulin drugs and diabetes management devices;
3 providing price limitations and requirements therefor under health
4 insurance plans.

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

7 Section 1. (a) Every individual or group health insurance policy,
8 medical service plan, contract, hospital service corporation contract,
9 hospital and medical service corporation contract, fraternal benefit society
10 or health maintenance organization that provides coverage for accident and
11 health services and is delivered, issued for delivery, amended or renewed
12 on or after January 1, 2027, shall provide coverage for prescription insulin
13 drugs in accordance with this section.

14 (b) All coverage for accident and health services described in
15 subsection (a) shall limit the total amount that a covered person is required
16 to pay for a 30-day supply for:

17 (1) All covered prescription insulin drugs, including any amount or
18 type of insulin needed to fill the covered person's prescription and any
19 number of prescriptions filled, to an amount of not to exceed \$35; and

20 (2) all devices, to an amount of not to exceed \$100.

21 (c) All coverage for accident and health services described in
22 subsection (a) shall cover:

23 (1) At least one type of prescription insulin drug in each of the
24 following categories:

25 (A) Rapid acting;

26 (B) ultra rapid acting;

27 (C) short acting;

28 (D) intermediate acting;

29 (E) long acting;

30 (F) pre-mixed insulin products;

31 (G) pre-mixed insulin/GLP-1 RA products; and

32 (H) concentrated human regular insulin; and

33 (2) diabetes self-management education to ensure that persons with
34 diabetes are educated on the proper self-management and treatment of
35 diabetes, including, but not limited to, information on proper diets

1 provided by a healthcare provider who has been appropriately trained as
2 specified in rules and regulations adopted by the board of healing arts.

3 (d) Any provider of coverage for accident and health services
4 described in subsection (a) shall provide an appeals process for covered
5 persons who are not able to take one or more of the prescription insulin
6 drugs described in subsection (c)(1). Such appeals process shall be
7 provided in writing and provide covered persons and the covered person's
8 healthcare providers a meaningful opportunity to participate in the appeals
9 process.

10 (e) (1) The commissioner of insurance shall adopt rules and
11 regulations as necessary to implement the provisions of this section.

12 (2) The board of healing arts shall adopt rules and regulations to
13 establish training requirements for healthcare providers providing diabetes
14 self-management education required to be covered under subsection (c)(2).

15 (f) (1) No contract between a provider of coverage for accident and
16 health services described in subsection (a) and a pharmacy benefits
17 manager, as defined in K.S.A. 40-3822, and amendments thereto, shall
18 contain any provision that allows any charge, collection or other required
19 payment that exceeds the limitations provided in subsection (b).

20 (2) A pharmacy benefits manager, a provider of coverage for accident
21 and health services described in subsection (a) or any other third party that
22 reimburses a pharmacy for drugs or services shall not reimburse a
23 pharmacy at a lower rate or assess any fee, charge-back or adjustment
24 upon a pharmacy on the basis that a covered person's cost-sharing
25 requirements are being affected.

26 (g) As used in this section:

27 (1) "Device" means a blood glucose test strip, glucometer, continuous
28 glucose monitor and transmitter, lancet, lancing device or insulin syringe
29 used to cure, diagnose, mitigate, prevent or treat diabetes or low blood
30 sugar. "Device" does not include an insulin pump.

31 (2) "Prescription insulin drug" means a prescription drug that
32 contains insulin and is used to treat diabetes.

33 (h) The provisions of K.S.A. 40-2248, 40-2249 and 40-2249a, and
34 amendments thereto, shall not apply to this section.

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