

367.4082 Prohibited solicitation of person involved in motor vehicle accident by a healthcare provider or intermediary.

- (1) During the first thirty (30) days following a motor vehicle accident a healthcare provider or an intermediary, at the request or direction of a healthcare provider, shall not solicit or knowingly permit another individual to solicit a person involved in a motor vehicle accident for the provision of reparation benefits, as defined by KRS 304.39-020(2).
- (2) A healthcare provider shall not:
 - (a) Pay or receive compensation for the referral or solicitation of reparation benefits for a person involved in a motor vehicle accident;
 - (b) Provide monetary compensation or other consideration to any individual for the purpose of inducing, enticing, or directing the provision of reparation benefits for a person involved in a motor vehicle accident; or
 - (c) Contact, request, or direct an intermediary to contact, for the purpose of solicitation, a person involved in a motor vehicle accident during the first thirty (30) days following a motor vehicle accident.
- (3) A healthcare provider shall be responsible for the content of any contact, made at the direction or request of the healthcare provider, by an intermediary with a person involved in a motor vehicle accident within the first thirty (30) days following the motor vehicle accident involving a person.
- (4) Any healthcare provider having knowledge of facts, actual or direct, of a violation of this section by another healthcare provider, an intermediary, or on behalf of the healthcare provider within their scope of practice, shall report the suspected violation to the appropriate board listed in KRS 367.4081(1).
- (5) An individual licensed or certified as a healthcare provider, who violates this section, shall be subject to the disciplinary process of the respective licensing or regulatory authority.

Effective: June 24, 2015

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