

304.17A-580 Education of insured about appropriate use of emergency and medical services -- Coverage of emergency medical conditions and emergency department services -- Emergency personnel to contact primary care provider or insurer -- Exclusion of limited-benefit health insurance policies.

- (1) An insurer offering health benefit plans shall educate its insureds about the availability, location, and appropriate use of emergency and other medical services, cost-sharing provisions for emergency services, and the availability of care outside an emergency department.
- (2) An insurer offering health benefit plans shall cover emergency medical conditions and shall pay for emergency department screening and stabilization services both in-network and out-of-network without prior authorization for conditions that reasonably appear to a prudent layperson to constitute an emergency medical condition based on the patient's presenting symptoms and condition. An insurer shall be prohibited from denying the emergency department services and altering the level of coverage or cost-sharing requirements for any condition or conditions that constitute an emergency medical condition as defined in KRS 304.17A-500.
- (3) Emergency department personnel shall contact a patient's primary care provider or insurer, as appropriate, to discuss follow-up and poststabilization care and promote continuity of care.
- (4) Nothing in this section shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care, disability income, or other limited-benefit health insurance policies.

Effective: January 1, 2020

History: Amended 2019 Ky. Acts ch. 190, sec. 6, effective January 1, 2020. -- Amended 2000 Ky. Acts ch. 343, sec. 16, effective July 14, 2000; and ch. 500, sec. 7, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 496, sec. 59, effective April 10, 1998.

Legislative Research Commission Note (7/14/2000). This section was amended by 2000 Ky. Acts chs. 343 and 500. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 500, which was last enacted by the General Assembly, prevails under KRS 446.250.