
Meeting Minutes

Call to order

A meeting of **HIAC** was held at **teleconference via ZOOM** on **April 27th, 2021**. Attendees included Members:

- Jennifer Willis, Humana, “insurers offering health” rep.
- Lawrence Ford, Anthem, “insurers offering health” rep.
- John Wernert, Norton Health Care, health care practice rep.
- Joseph Prather, Baptist Health, health care practice rep.
- Paul Nesbitt, NEI KY, health benefit purchaser rep.
- Clay Ford, EM Ford, insurance agents rep.
- Mark Kleiner, Preferred Ins. Group, insurance agents rep.
- Carrie Banahan, CHFS, exchange rep.
- Richard Seckel, KY Equal Justice, health benefit purchaser rep.
- Commissioner Clark, KY DOI
- DJ Wasson, Deputy Commissioner

Approval of minutes

No previous minutes to approve.

Reports

- **HB 48:** Create a new section of Subtitle 12 of KRS Chapter 304 to establish certain insurance practices relating to the reimbursement of pharmacists; amend KRS 304.14-135 to establish a clean claim form for the reimbursement of certain pharmacist services or procedures; amend KRS 304.17A-844 and 304.17B-011 to conform; amend KRS 18A.225 to require the state employee health plan to comply with pharmacist reimbursement requirements; amend KRS 342.020 to require workers' compensation employers, insurers, and payment obligors to comply with pharmacist reimbursement requirements.
- **HB 50:** Amend KRS 304.17A-660 to define "classification of benefits" and "nonquantitative treatment limitation"; amend KRS 304.17A-661 to modify mental health parity requirements; require parity coverage for nonquantitative treatment limitations and medical necessity criteria; require compliance with nonquantitative treatment limitations set forth in federal law; require insurers to submit annual reports relating to the insurer's compliance with mental health parity requirements; amend KRS 304.17A-669 to remove exemptions; **EFFECTIVE January 1, 2022.**
- **HB 95:** Amend KRS 304-17A.148 to cap the cost-sharing requirements for prescription insulin at \$30 per 30 day supply; amend KRS 18A.225 to require the Kentucky Employee Health Plan to comply; **EFFECTIVE January 1, 2022.**
- **HB 140:** Create various new sections of KRS Chapter 211 to define terms; require the Cabinet for Health and Family Services to establish minimum standards to telehealth; reestablish the requirement for the Cabinet for Health and Family Services and managed care organizations to study the impact of telehealth on the state's health care delivery system; prohibit certain practices in telehealth; authorize health practitioner licensure boards to promulgate

administrative regulations related to telehealth; amend KRS 205.510 to revise definitions; amend KRS 205.559 to require reimbursement rates for telehealth to be equivalent to reimbursement rates for the same service provided in person, permit the Department for Medicaid services to approve additional telecommunication technologies for telehealth, and to delete the requirement for the Cabinet for Health and Family Services and managed care organizations to study the impact of telehealth on the state's health care delivery system; amend KRS 205.5591 to require telehealth coverage and reimbursement rates to be equivalent to coverage requirements and reimbursement rates for the same service provided in person; amend KRS 304.17A-005 to delete the definition of "telehealth"; amend KRS 304.17A-138 to define "telehealth" and to require that telehealth coverage and reimbursement rates be equivalent to coverage and reimbursement for the same service provided in person; require the Cabinet for Health and Family Services or the Department for Medicaid Services to seek federal approval if they determine that such approval is necessary; and certain sections EFFECTIVE January 1, 2022.

- SB 44: Create a new section of Subtitle 17A, KRS Chapter 304 to require health benefit plans to accept, and count towards the insured's contributions, premium and cost-sharing payments made on behalf of an insured from state or federal government programs, Indian or tribal organizations, and certain tax-exempt organizations; permit insurers to accept, and count towards the insured's contributions, premium and cost-sharing payments made on behalf of an insured from other persons; provide exception for Health Savings Account-qualified High Deductible Health Plans; EFFECTIVE January 1, 2022.
- SB 45: Amend KRS 304.17A-164 to redefine "cost sharing" and define "generic alternative," "health plan," "insured," and "person"; prohibit an insurer or pharmacy benefit manager from excluding any cost-sharing amount paid by or on behalf of an insured when calculating the insured's contribution to any applicable cost-sharing requirement; exempt fully insured or self-insured health benefit plans provided to state employees under KRS 18A.225; EFFECTIVE January 1, 2022.
- SB 51: Amend KRS 304.17A-611 to prohibit insurers from requiring or using certain utilization reviews for certain prescription drugs used to treat alcohol or opioid use disorder; amend KRS 205.536 to prohibit the Department for Medicaid Services or a Medicaid managed care organization from requiring or using certain utilization reviews for certain prescription drugs used to treat alcohol or opioid use disorder; create a new section of Subtitle 17A of KRS Chapter 304 to require insurers to report the number and type of providers prescribing medication for addiction treatment; require the Department of Insurance to report to the General Assembly and State Board of Medical Licensure; EFFECTIVE in part January 1, 2022.

Unfinished business

No previous business

New Business

- KY Exchange Update-Carrie Banahan, Deputy Secretary CHFS, HIAC member

- Federal Legislation Updates- DJ Wasson, Deputy Commissioner
 - American Rescue Plan
 - No Surprises Act

Announcements

- DOI to conduct a survey for future initiatives and goal of the Board.

Adjournment

. The membership agrees to meeting twice a year, and the Commissioner proposes the 4th Tuesday of the month. The original tentative date was for October 26, 2021, but Mr. Kleiner objected to this date and requested the meeting be held in September due to enrollment. The next meeting will be held on September 27, 2021 at 9:30 a.m. (EST). The Commissioner notes this will grant the DOI more time to receive guidance on legislation, both federal and state, as well as getting closer to the Exchange roll-out. The meeting concluded at approximately 11:22 a.m. (EST).

Secretary

Date of approval