

1 Public Protection Cabinet

2 Department of Insurance

3 (New Administrative Regulation)

4 806 KAR 17:585 Annual Report Mental Health Parity Nonquantitative Treatment Limitation
5 Compliance

6 RELATES TO: KRS 304.1-050(1), 304.17A-660, 304.17A-669

7 STATUTORY AUTHORITY: KRS 304.2-110, 304.17A-661

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110 authorizes the Commissioner of
9 Insurance to promulgate administrative regulations necessary for or as an aid to the effectuation of any
10 provision of the Kentucky Insurance Code as defined in KRS 304.1-010. KRS 304.17A-661 requires an
11 insurer that issues or renews a health benefit plan to annually report to the commissioner the self-
12 compliance with the federal Mental Health Parity and Addiction Equity Act related to nonquantitative
13 treatment limitations between medical and surgical benefits and mental health substance use disorder
14 benefits to demonstrate that such treatment limitations are applied comparably. This administrative
15 regulation sets forth the format and submission time frame for the data reporting requirements in KRS
16 304.17A-661.

17 Section 1. Definitions.

18 (1) "Commissioner" is defined by KRS 304.1-050(1).

(2) "Insurer" is defined by KRS 304.17A-005(29).

(3) "Nonquantitative treatment limitations" as defined by KRS 304.17A-660(3).

Section 2. Data Reporting Requirements.

(1) An insurer that issues or renews a health benefit plan and is authorized to write health insurance in this state shall submit an annual report containing the information described in KRS 304.17A-661 on the Nonquantitative Treatment Limitation (NQTL) Reporting Submission Form to the commissioner by April 1st of each year for the previous plan year.

(2) Be submitted in an electronic format prescribed by the Commissioner.

Section 3. Material Incorporated by Reference.

(1) "Nonquantitative Treatment Limitation (NQTL) Reporting Submission Form", 5/2022 is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Insurance, Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 pm. This material is also available on the Department's Web site at <https://insurance.ky.gov/ppc/CHAPTER.aspx>.

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READ AND APPROVED:



Sharon P. Clark
Commissioner, Department of Insurance

5/3/2022

Date

Ray A. Perry
Secretary, Public Protection Cabinet

Date