

205.5621 Definitions for KRS 205.5621 to 205.5625.

As used in KRS 205.5621 to 205.5625:

- (1) "Asset test" means the asset limits as defined by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, Pub. L. No. 108-173;
- (2) "Commissioner" means the commissioner of the Department for Medicaid Services;
- (3) "Contractor" means the person, partnership, or corporate entity that has an approved contract with the department to administer the Kentucky Pharmaceutical Assistance Program;
- (4) "Department" means the Department for Medicaid Services;
- (5) "Enrollee" means a resident of this state who meets the conditions relating to eligibility for the Kentucky Pharmaceutical Assistance Program and whose application for enrollment has been approved by the department;
- (6) "Federal poverty guidelines" means the federal poverty guidelines updated annually in the Federal Register by the United States Department of Health and Human Services under the authority of 42 U.S.C. sec. 9902(2);
- (7) "Liquid assets" means assets used in the eligibility determination process and defined by the MMA;
- (8) "Medicaid dual eligible" or "dual eligible" means a person who is eligible for Medicare and Medicaid as defined by the MMA;
- (9) "Medicare Modernization Act" or "MMA" means the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, Pub. L. No. 108-173;
- (10) "Medicare Part D prescription drug benefit" means the prescription benefit provided under the MMA, as it may vary from one (1) PDP to another;
- (11) "Participating pharmacy" means a pharmacy that elects to participate as a pharmaceutical provider and enters into a participating network agreement with the department;
- (12) "Prescription drug plan" or "PDP" means a nongovernmental drug plan under contract with the Centers for Medicare and Medicaid Services to provide prescription benefits under the MMA;
- (13) "Program" means the Kentucky Pharmaceutical Assistance Program established in KRS 205.5621 to 205.5625; and
- (14) "Resident" means a person who has lived within this state for a period of at least ninety (90) consecutive days and who meets the conditions as set forth in KRS 205.5625. A person shall be considered a resident until the person establishes a permanent residence outside of the state.

Effective: June 20, 2005

History: Created 2005 Ky. Acts ch. 136, sec. 6, effective June 20, 2005.

Legislative Research Commission Note (6/20/2005). Although 2005 Ky. Acts ch. 136, sec. 6 had a citation to "Sections 6 to 11 of this Act" in the introductory clause and subsection (13) of this statute, it is clear that "Sections 6 [this statute] to 10 [codified as KRS 205.5625] of this Act" was intended, since there was no Section 11 in the

enacted version. This manifest clerical or typographical error has been corrected in codification pursuant to KRS 7.136(1)(h).