

**205.594 Health coverage for child under medical child support order -- Duties of health insurers.**

As used in KRS 205.593 to 205.598, the term "insurer" includes a group health plan, as defined in Section 607(1) of the Employment Retirement Income Security Act of 1974, a health maintenance organization, and an entity offering a health service benefit plan.

- (1) Health insurers shall be prohibited from denying enrollment of a child under the health coverage of the child's parent on the grounds that:
  - (a) The child was born out of wedlock;
  - (b) The child is not claimed as a dependent on the parent's federal income tax return; or
  - (c) The child does not reside with the parent or in the health insurer's area.
- (2) If a parent is required by a court or administrative order to provide health coverage for a child and the parent is eligible for family health coverage through an insurer, the insurer shall be required:
  - (a) To permit the parent to enroll under the family coverage any child who is otherwise eligible for the coverage without regard to any enrollment season restrictions;
  - (b) If a parent is enrolled but fails to make application to obtain coverage for the child, to enroll the child under family coverage upon application by the child's other parent, custodial parent, or by the Cabinet for Health and Family Services; and
  - (c) Not to disenroll, or eliminate coverage of, a child unless the insurer is provided satisfactory written evidence that:
    1. A court or administrative order requiring coverage of the child is no longer in effect; or
    2. The child is or will be enrolled in comparable health coverage through another insurer which will take effect not later than the effective date of the disenrollment.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 99, sec. 243, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 201, effective July 15, 1998. -- Created 1994 Ky. Acts ch. 366, sec. 2, effective July 15, 1994.