

304.17A-530 Prohibition against contract limiting disclosure to patient of patient medical condition or treatment options.

- (1) A managed care plan may not contract with a health care provider to limit the provider's disclosure to an enrollee, or to another person on behalf of an enrollee, of any information relating to the enrollee's medical condition or treatment options.
- (2) A health care provider shall not be penalized, or a health care provider's contract with a managed care plan terminated, because the provider discusses medically necessary or appropriate care with an enrollee or another person on behalf of an enrollee.
 - (a) The health care provider may not be prohibited by the plan from discussing all treatment options with the enrollee.
 - (b) Other information determined by the health care provider to be in the best interests of the enrollee may be disclosed by the provider to the enrollee or to another person on behalf of an enrollee.
- (3)
 - (a) A health care provider shall not be penalized for discussing financial incentives and financial arrangements between the provider and the insurer with an enrollee.
 - (b) Upon request, a managed care plan shall inform its enrollees in writing of the type of financial arrangements between the plan and participating providers if those arrangements include an incentive or bonus.

Effective: April 10, 1998

History: Created 1998 Ky. Acts ch. 496, sec. 31, effective April 10, 1998.