

304.17C-070 Prohibition of contract to limit disclosure to enrollee -- Actions for which provider may not be penalized -- Disclosure of arrangements between plan and providers.

- (1) An insurer 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 option.
- (2) A health care provider shall not be penalized, or a health care provider's contract with a limited health service benefit 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, an insurer 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: July 15, 2002

History: Created 2002 Ky. Acts ch. 105, sec. 8, effective July 15, 2002.