

FIRST REGULAR SESSION

SENATE BILL NO. 118

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Pre-filed December 3, 2014, and ordered printed.

0323S.02I

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the implementation of copayments for Mo HealthNet participants who use the hospital emergency department for nonemergency services.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new
2 section, to be known as section 208.142, to read as follows:

208.142. 1. Beginning October 1, 2015, a MO HealthNet
2 participant who uses hospital emergency department services for the
3 treatment of a medical condition that is not an emergency medical
4 condition shall be required to pay a copayment fee of eight dollars for
5 such services. A participant shall be notified of the eight dollar
6 copayment prior to services being rendered.

7 2. For the purposes of this section, an "emergency medical
8 condition" means a medical condition manifesting itself by acute
9 symptoms of sufficient severity, including severe pain, that a prudent
10 layperson, who possesses an average knowledge of health and medicine,
11 could reasonably expect the absence of immediate medical attention to
12 result in the following:

13 (1) Placing the health of the individual, or with respect to a
14 pregnant woman, the health of the woman or her unborn child, in
15 serious jeopardy;

16 (2) Serious impairment to bodily functions;

17 (3) Serious dysfunction of any bodily organ or part.

18 3. The department of social services shall promulgate rules for

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 the implementation of this section, including setting forth rules for the
20 required documentation by the physician and the informed consent to
21 be provided to and signed by the parent or guardian of the
22 participant. Any rule or portion of a rule, as that term is defined in
23 section 536.010, that is created under the authority delegated in this
24 section shall become effective only if it complies with and is subject to
25 all of the provisions of chapter 536, and, if applicable, section
26 536.028. This section and chapter 536, are nonseverable, and if any of
27 the powers vested with the general assembly under chapter 536, to
28 review, to delay the effective date, or to disapprove and annul a rule
29 are subsequently held unconstitutional, then the grant of rulemaking
30 authority and any rule proposed or adopted after August 28, 2015, shall
31 be invalid and void.

✓

Bill

Copy