

FIRST REGULAR SESSION

SENATE BILL NO. 264

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAEFER.

Read 1st time January 15, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1325S.011

AN ACT

To repeal section 208.437, RSMo, and to enact in lieu thereof one new section relating to medicaid managed care organization reimbursement allowance taxes.

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

Section A. Section 208.437, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 208.437, to read as follows:

208.437. 1. A Medicaid managed care organization reimbursement
2 allowance period as provided in sections 208.431 to 208.437 shall be from the first
3 day of July to the thirtieth day of June. The department shall notify each
4 Medicaid managed care organization with a balance due on the thirtieth day of
5 June of each year the amount of such balance due. If any managed care
6 organization fails to pay its managed care organization reimbursement allowance
7 within thirty days of such notice, the reimbursement allowance shall be
8 delinquent. The reimbursement allowance may remain unpaid during an appeal.

9 2. Except as otherwise provided in this section, if any reimbursement
10 allowance imposed under the provisions of sections 208.431 to 208.437 is unpaid
11 and delinquent, the department of social services may compel the payment of
12 such reimbursement allowance in the circuit court having jurisdiction in the
13 county where the main offices of the Medicaid managed care organization are
14 located. In addition, the director of the department of social services or the
15 director's designee may cancel or refuse to issue, extend or reinstate a Medicaid
16 contract agreement to any Medicaid managed care organization which fails to pay
17 such delinquent reimbursement allowance required by sections 208.431 to 208.437
18 unless under appeal.

19 3. Except as otherwise provided in this section, failure to pay a delinquent

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

20 reimbursement allowance imposed under sections 208.431 to 208.437 shall be
21 grounds for denial, suspension or revocation of a license granted by the
22 department of insurance, financial institutions and professional registration. The
23 director of the department of insurance, financial institutions and professional
24 registration may deny, suspend or revoke the license of a Medicaid managed care
25 organization with a contract under 42 U.S.C. Section 1396b(m) which fails to pay
26 a managed care organization's delinquent reimbursement allowance unless under
27 appeal.

28 4. Nothing in sections 208.431 to 208.437 shall be deemed to effect or in
29 any way limit the tax-exempt or nonprofit status of any Medicaid managed care
30 organization with a contract under 42 U.S.C. Section 1396b(m) granted by state
31 law.

32 5. Sections 208.431 to 208.437 shall expire on September 30, [2015] **2016**.

✓

Bill

Copy