

FIRST REGULAR SESSION

# SENATE BILL NO. 431

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Read 1st time February 12, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1885S.011

## AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the Missouri Medicaid audit and compliance unit.

*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 section, to be known as section 208.193, to read as follows:

**208.193. 1. If the Missouri Medicaid audit and compliance unit changes any interpretation or application of the requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously in any audit of a MO HealthNet provider, then such change in interpretation or application constitutes a new rule as defined in chapter 536 and may be applied only after compliance with procedure for rulemaking set forth in section 536.021 and any application of the changed requirements without following such procedure shall be null and void.**

**2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.**

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