

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 145

98TH GENERAL ASSEMBLY

2015

0796S.04T

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

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

Section A. Chapter 376, RSMo, is amended by adding thereto one new
2 section, to be known as section 376.845, to read as follows:

**376.845. 1. For the purposes of this section the following terms
2 shall mean:**

3 (1) "Eating disorder", Pica, Rumination Disorder,
4 Avoidant/Restrictive Food Intake Disorder, Anorexia Nervosa, Bulimia
5 Nervosa, Binge Eating Disorder, Other Specified Feeding or Eating
6 Disorder, and any other eating disorder contained in the most recent
7 version of the Diagnostic and Statistical Manual of Mental Disorders
8 published by the American Psychiatric Association where diagnosed by
9 a licensed physician, psychiatrist, psychologist, clinical social worker,
10 licensed marital and family therapist, or professional counselor duly
11 licensed in the state where he or she practices and acting within their
12 applicable scope of practice in the state where he or she practices;

13 (2) "Health benefit plan", shall have the same meaning as such
14 term is defined in section 376.1350; however, for purposes of this
15 section "health benefit plan" does not include a supplemental insurance
16 policy, including a life care contract, accident-only policy, specified
17 disease policy, hospital policy providing a fixed daily benefit only,
18 Medicare supplement policy, long-term care policy, short-term major
19 medical policy of six months or less duration, or any other
20 supplemental policy;

21 **(3) "Health carrier", shall have the same meaning as such term is**
22 **defined in section 376.1350;**

23 **(4) "Medical care", health care services needed to diagnose,**
24 **prevent, treat, cure, or relieve physical manifestations of an eating**
25 **disorder, and shall include inpatient hospitalization, partial**
26 **hospitalization, residential care, intensive outpatient treatment, follow**
27 **up outpatient care, and counseling;**

28 **(5) "Pharmacy care", medications prescribed by a licensed**
29 **physician for an eating disorder and includes any health-related**
30 **services deemed medically necessary to determine the need or**
31 **effectiveness of the medications, but only to the extent that such**
32 **medications are included in the insured's health benefit plan;**

33 **(6) "Psychiatric care" and "psychological care", direct or**
34 **consultative services provided during inpatient hospitalization, partial**
35 **hospitalization, residential care, intensive outpatient treatment, follow-**
36 **up outpatient care, and counseling provided by a psychiatrist or**
37 **psychologist licensed in the state of practice;**

38 **(7) "Therapy", medical care and behavioral interventions**
39 **provided by a duly licensed physician, psychiatrist, psychologist,**
40 **professional counselor, licensed clinical social worker, or family**
41 **marriage therapist where said person is licensed or registered in the**
42 **states where he or she practices;**

43 **(8) "Treatment of eating disorders", therapy provided by a**
44 **licensed treating physician, psychiatrist, psychologist, professional**
45 **counselor, clinical social worker, or licensed marital and family**
46 **therapist pursuant to the powers granted under such licensed**
47 **physician's, psychiatrist's, psychologist's, professional counselor's,**
48 **clinical social worker's, or licensed marital and family therapist's**
49 **license in the state where he or she practices for an individual**
50 **diagnosed with an eating disorder.**

51 **2. In accordance with the provisions of section 376.1550, all**
52 **health benefit plans that are delivered, issued for delivery, continued**
53 **or renewed on or after January 1, 2017, if written inside the state of**
54 **Missouri, or written outside the state of Missouri but covering Missouri**
55 **residents, shall provide coverage for the diagnosis and treatment of**
56 **eating disorders as required in section 376.1550.**

57 **3. Coverage provided under this section is limited to medically**

58 necessary treatment that is provided by a licensed treating physician,
59 psychiatrist, psychologist, professional counselor, clinical social
60 worker, or licensed marital and family therapist pursuant to the
61 powers granted under such licensed physician's, psychiatrist's,
62 psychologist's, professional counselor's, clinical social worker's, or
63 licensed marital and family therapist's license and acting within their
64 applicable scope of coverage, in accordance with a treatment plan.

65 4. The treatment plan, upon request by the health benefit plan
66 or health carrier, shall include all elements necessary for the health
67 benefit plan or health carrier to pay claims. Such elements include, but
68 are not limited to, a diagnosis, proposed treatment by type, frequency
69 and duration of treatment, and goals.

70 5. Coverage of the treatment of eating disorders may be subject
71 to other general exclusions and limitations of the contract or benefit
72 plan not in conflict with the provisions of this section, such as
73 coordination of benefits, and utilization review of health care services,
74 which includes reviews of medical necessity and care
75 management. Medical necessity determinations and care management
76 for the treatment of eating disorders shall consider the overall medical
77 and mental health needs of the individual with an eating disorder, shall
78 not be based solely on weight, and shall take into consideration the
79 most recent Practice Guideline for the Treatment of Patients with
80 Eating Disorders adopted by the American Psychiatric Association in
81 addition to current standards based upon the medical literature
82 generally recognized as authoritative in the medical community.

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