SENATE BILL NO. 1192

94TH GENERAL ASSEMBLY

AN ACT

To repeal sections 376.818 and 376.819, RSMo, and to enact in lieu thereof two new sections relating to individual accident and sickness insurance.

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

Section A. Sections 376.818 and 376.819, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 376.818 and 376.819, to
3 read as follows:

376.818. No individual or group insurance policy providing coverage on
2 an expense-incurred basis, no individual or group service or indemnity contract
3 issued by a not-for-profit health services corporation, no health maintenance
4 organization nor any self-insured group health benefit plan of any type or
5 description shall be offered, issued or renewed in this state by any insurer on or
6 after July 1, 1994, if any insurer, including a group health plan, as defined in
7 section 607(1) of the federal Employee Retirement Income Security Act of 1974,
8 takes into account that an individual is eligible for or is provided medical
9 assistance under **[**Medicaid**] MO HealthNet** (Title XIX) when enrolling an
10 individual or in making payment for benefits to the individual or on the
11 individual's behalf.

376.819. To the extent that payment has been made by the **MO**
2 **HealthNet** division **[**of medical services**]** for health care items or services
3 furnished to a **[**Medicaid-eligible**] MO HealthNet-eligible** individual, the **MO**
4 **HealthNet** division **[**of medical services**]** is considered to have acquired the
5 rights of the **[**Medicaid-eligible**] MO HealthNet-eligible** individual to payment
6 by any insurer or other party obligated to cover such health care items or
7 services.

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