

SECOND REGULAR SESSION

# SENATE BILL NO. 744

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PEARCE.

Read 1st time January 12, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

3474S.011

## AN ACT

To amend chapters 376 and 630, RSMo, by adding thereto four new sections relating to the treatment of eating disorders.

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

Section A. Chapters 376 and 630, RSMo, is amended by adding thereto  
2 four new sections, to be known as sections 376.845, 630.570, 630.575, and  
3 630.580, to read as follows:

**376.845. 1. Each health carrier or health benefit plan that offers  
2 or issues health benefit plans which are delivered, issued for delivery,  
3 continued, or renewed in this state on or after January 1, 2011, shall  
4 provide coverage for the diagnosis and treatment of eating disorders.**

**5 2. A health carrier or health benefit plan offering group health  
6 insurance coverage shall not:**

**7 (1) Deny eligibility or continued eligibility to an individual to  
8 enroll or renew coverage under the terms of the plan solely for the  
9 purpose of avoiding the requirements of this section;**

**10 (2) Deny coverage for treatment of eating disorders, including  
11 coverage for residential treatment of eating disorders, if such  
12 treatment is medically necessary in accordance with the Practice  
13 Guidelines for the Treatment of Patients with Eating Disorders, as most  
14 recently published by the American Psychiatric Association;**

**15 (3) Provide monetary payments, rebates, or other benefits to  
16 individuals to encourage such individuals to accept less than the  
17 minimum protections available under this section;**

**18 (4) Penalize or otherwise reduce or limit the reimbursement of  
19 a provider because such provider provided care to an individual  
20 participant or beneficiary in accordance with this section;**

21           (5) Provide monetary or other incentives to a provider to induce  
22 such provider to provide care to an individual participant or  
23 beneficiary in a manner inconsistent with this section; or

24           (6) Deny continued eligibility to enroll or renew coverage under  
25 the terms of the plan to an individual participant or beneficiary solely  
26 because the individual was previously found to have an eating disorder  
27 or received treatment for an eating disorder.

28           3. The coverage required under this section shall provide access  
29 to psychiatric and medical treatment under the plan and shall provide  
30 coverage for integrated care and treatments as prescribed by medical  
31 and psychiatric health care professionals, including but not limited to  
32 nutrition counseling, physical therapy, dietician services, medical  
33 monitoring, and psychiatric monitoring.

34           4. For the purposes of this section, the following terms shall  
35 mean:

36           (1) "Eating disorders", anorexia nervosa, bulimia, binge eating,  
37 eating disorders nonspecified, and any other severe eating disorders  
38 contained in the most recent version of the Diagnostic and Statistical  
39 Manual of Mental Disorders published by the American Psychiatric  
40 Association;

41           (2) "Health benefit plan", shall have the same meaning ascribed  
42 to it in section 376.1350;

43           (3) "Health carrier", shall have the same meaning ascribed to it  
44 in section 376.1350.

45           5. Nothing in this section shall be construed as requiring a  
46 health carrier or health benefit plan to provide coverage of mental  
47 illness. No health carrier or health benefit plan shall require that such  
48 health benefits be provided in accordance with the requirements for  
49 coverage of mental illness under the health benefit plan.

50           6. The health care service required by this section shall not be  
51 subject to any greater deductible or co-payment than other health care  
52 services provided by the health benefit plan.

53           7. The provisions of this section shall not apply to a  
54 supplemental insurance policy, including a life care contract,  
55 accident-only policy, specified disease policy, hospital policy providing  
56 a fixed daily benefit only, Medicare supplement policy, long-term care  
57 policy, short-term major medical policies of six months' or less

58 duration, or any other supplemental policy.

630.570. The department of mental health, in collaboration with  
2 the departments of health and senior services and social services, shall  
3 provide diagnosis and treatment services for any resident of this state  
4 who does not have insurance coverage for the diagnosis and treatment  
5 of eating disorders or is in need of financial assistance to pay for the  
6 diagnosis and treatment of an eating disorder. Such eating disorder  
7 care shall be provided at eating disorder specialty units, private  
8 facilities, and state-operated facilities that have licensed eating  
9 disorder specialists on staff.

630.575. 1. There is hereby established within the department of  
2 mental health the "Missouri Eating Disorder Council" which shall  
3 consist of the following persons to be selected by and the number of  
4 members to be determined by the director of the department of mental  
5 health:

- 6 (1) Director's designees from the department of mental health;
- 7 (2) Eating disorder researchers, clinicians, and patient advocacy  
8 groups; and
- 9 (3) The general public.

10 2. The council shall:

- 11 (1) Oversee the eating disorder education and awareness  
12 programs established in section 630.580.
- 13 (2) Identify whether adequate treatment and diagnostic services  
14 are available in the state; and
- 15 (3) Assist the department of mental health in identifying eating  
16 disorder research projects.

17 3. Members of the council shall serve four-year terms, with the  
18 initial terms of the members staggered as two-year, three-year, and  
19 four-year terms. The members of the council may be reappointed. The  
20 members of the council shall not receive compensation for their service  
21 on the council, but may, subject to appropriation, be reimbursed for  
22 their actual and necessary expenses incurred as members of the  
23 council.

24 4. The council shall conduct an organizational meeting at the call  
25 of the director of the department of mental health. At such meeting,  
26 the council shall select a chair and vice chair of the  
27 council. Subsequent meetings of the council shall be called as

28 necessary by the chair of the council or the director of the department  
29 of mental health.

630.580. 1. The department of mental health, in collaboration  
2 with the departments of health and senior services, elementary and  
3 secondary education, and higher education and in consultation with the  
4 Missouri eating disorder council established in section 630.575, shall  
5 develop and implement the following education and awareness  
6 programs:

7 (1) Health care professional education and training programs  
8 designed to prevent and treat eating disorders. Such programs shall  
9 include:

10 (a) Discussion of various strategies with patients from at-risk  
11 and diverse populations to promote positive behavior change and  
12 healthy lifestyles to prevent eating disorders;

13 (b) Identification of individuals with eating disorders and those  
14 who are at risk for developing an eating disorder;

15 (c) Conducting a comprehensive assessment of individual and  
16 familial health risk factors;

17 (2) Education and training programs for elementary and  
18 secondary and higher education professionals. Such programs shall  
19 include:

20 (a) Distribution of educational materials to middle and high  
21 school students in both public and private schools, including but not  
22 limited to utilization of the National Women's Health Information  
23 Center's Body Wise materials;

24 (b) Development of a curriculum which focuses on a healthy  
25 body image, identifying the warning signs and behaviors associated  
26 with an eating disorder, and ways to assist the individual, friends, or  
27 family members who may have an eating disorder; and

28 (3) General eating disorder awareness and education programs.

29 2. The department of mental health may seek the cooperation  
30 and assistance of any state department or agency, as the department  
31 deems necessary, in the development and implementation of the  
32 awareness and education programs implemented under this section.