

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 498

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to health benefit exchange navigators.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Chapter 376, RSMo, is amended by adding thereto
2 one new section, to be known as section 376.2013, to read as
3 follows:

4 376.2013. It shall be unlawful for any navigator to release
5 personal identifying information obtained in the course of their
6 duties as a navigator to any party other than to the department
7 of social services, the department of insurance, financial
8 institutions and professional registration, or any federal agency
9 or other entitled entity as required by 42 U.S.C. 18083. Any
10 person whose personal identifying information is released in
11 violation of this section shall be entitled to bring an action
12 for damages and for such equitable relief, including an
13 injunction, as the court deems necessary and proper. If the
14 court finds for the plaintiff, recovery shall be in the amount of
15 actual damages or fifty thousand dollars, whichever is greater.
16 In addition, a prevailing plaintiff shall be awarded court costs
17 and reasonable attorney's fees, as determined by the court. For
18 purposes of satisfying judgments awarded under this section,
19 navigators shall be covered by a bond, in force and unimpaired,

1 in an amount no less than one hundred thousand dollars from an
2 insurer authorized to do business in this state.

3