

SECOND REGULAR SESSION

# SENATE BILL NO. 508

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PARSON.

Pre-filed December 1, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

4357S.011

## AN ACT

To repeal section 376.2004, RSMo, and to enact in lieu thereof one new section relating to health exchange navigator licensing, with a penalty provision.

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

Section A. Section 376.2004, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 376.2004, to read as follows:

376.2004. 1. An individual applying for a navigator license shall make application to the department on a form developed by the director and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the director shall find that the individual:

(1) Is eighteen years of age or older;

(2) Resides in this state or maintains his or her principal place of business in the state;

(3) Is not disqualified for having committed any act that would be grounds for refusal to issue, renew, suspend, or revoke an insurance producer license under section 375.141;

(4) Has successfully passed the written examination [prescribed] **created and administered** by the director. **The department may contract with an independent testing service to administer the examination. An individual shall not satisfy the examination requirement by demonstrating achievement of a passing score on any approved certification examination that allows the individual to perform the duties identified in Title 42, U.S.C. Section 18031(i) or related duties,**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 **irrespective of whether the examination is for purposes of serving as**  
21 **a navigator, certified application counselor, in-person assister, or**  
22 **health center outreach and enrollment assistance worker in lieu of an**  
23 **examination administered by the department;**

24 (5) When applicable, has the written consent of the director under 18  
25 U.S.C. 1033 or any successor statute regulating crimes by or affecting persons  
26 engaged in the business of insurance whose activities affect interstate commerce;

27 (6) Has identified the entity with which he or she is affiliated and  
28 supervised; and

29 (7) Has paid the fees prescribed by the director.

30 2. An entity that acts as a navigator, supervises the activities of  
31 individual navigators, or receives funding to perform such activities shall obtain  
32 a navigator entity license. An entity applying for an entity navigator license  
33 shall make application on a form containing the information prescribed by the  
34 director.

35 3. The director may require any documents deemed necessary to verify the  
36 information contained in an application submitted in accordance with subsections  
37 1 and 2 of this section.

38 4. Entities licensed as navigators shall, in a manner prescribed by the  
39 director, provide a list of all individual navigators that are employed by or in any  
40 manner affiliated with the navigator entity and shall report any changes in  
41 employment or affiliation within twenty days of such change.

42 5. Prior to any exchange becoming operational in this state, the director  
43 shall prescribe initial training, continuing education, and written examination  
44 standards and requirements for navigators.

45 **6. Each applicant for licensure as an individual navigator shall**  
46 **provide two sets of fingerprints to the department for the purpose of**  
47 **completing a criminal background check as a condition of being**  
48 **granted a license to act as a navigator. The department shall use the**  
49 **fingerprints to conduct a Missouri criminal record review of the**  
50 **applicant and a national criminal record review of the applicant with**  
51 **the Federal Bureau of Investigation as defined in section 43.540.**

52 7. Any criminal history information received by the department  
53 pursuant to the provisions of this section shall be used solely for the  
54 internal purposes of the department in determining eligibility for the  
55 individual navigator license. The dissemination of criminal history

56 information from the Federal Bureau of Investigation beyond the  
57 authorized or related governmental entity is prohibited. All criminal  
58 record check information shall be confidential and any person who  
59 discloses the information beyond the scope allowed is guilty of a class  
60 A misdemeanor.

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