

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 498

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAEFER.

Offered February 11, 2014.

Senate Substitute adopted, February 11, 2014.

Taken up for Perfection February 11, 2014. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

4428S.03P

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:

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

**376.2013. It shall be unlawful for any navigator to release
2 personal identifying information obtained in the course of their duties
3 as a navigator to any party other than to the department of social
4 services, the department of insurance, financial institutions and
5 professional registration, or any federal agency or other entitled entity
6 as required by 42 U.S.C. 18083. Any person whose personal identifying
7 information is released in violation of this section shall be entitled to
8 bring an action for damages and for such equitable relief, including an
9 injunction, as the court deems necessary and proper. If the court finds
10 for the plaintiff, recovery shall be in the amount of actual damages or
11 fifty thousand dollars, whichever is greater. In addition, a prevailing
12 plaintiff shall be awarded court costs and reasonable attorney's fees, as
13 determined by the court. For purposes of satisfying judgments
14 awarded under this section, navigators shall be covered by a bond, in
15 force and unimpaired, in an amount no less than one hundred thousand
16 dollars from an insurer authorized to do business in this state.**

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