

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 145

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

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 376.845, to read as
3 follows:

4 376.845. 1. For the purposes of this section the following
5 terms shall mean:

6 (1) "Eating disorder", Pica, Rumination Disorder,
7 Avoidant/Restrictive Food Intake Disorder, Anorexia Nervosa,
8 Bulimia Nervosa, Binge Eating Disorder, Other Specified Feeding
9 or Eating Disorder, and any other eating disorder contained in
10 the most recent version of the Diagnostic and Statistical Manual
11 of Mental Disorders published by the American Psychiatric
12 Association where diagnosed by a licensed physician,
13 psychiatrist, psychologist, clinical social worker, licensed
14 marital and family therapist, or professional counselor duly
15 licensed in the state where he or she practices and acting within
16 their applicable scope of practice in the state where he or she
17 practices;

1 (2) "Health benefit plan", shall have the same meaning as
2 such term is defined in section 376.1350; however, for purposes
3 of this section "health benefit plan" does not include a
4 supplemental insurance policy, including a life care contract,
5 accident-only policy, specified disease policy, hospital policy
6 providing a fixed daily benefit only, Medicare supplement policy,
7 long-term care policy, short-term major medical policy of six
8 months or less duration, or any other supplemental policy;

9 (3) "Health carrier", shall have the same meaning as such
10 term is defined in section 376.1350;

11 (4) "Medical care", health care services needed to
12 diagnose, prevent, treat, cure, or relieve physical
13 manifestations of an eating disorder, and shall include inpatient
14 hospitalization, partial hospitalization, residential care,
15 intensive outpatient treatment, follow up outpatient care, and
16 counseling;

17 (5) "Pharmacy care", medications prescribed by a licensed
18 physician for an eating disorder and includes any health-related
19 services deemed medically necessary to determine the need or
20 effectiveness of the medications, but only to the extent that
21 such medications are included in the insured's health benefit
22 plan;

23 (6) "Psychiatric care" and "psychological care", direct or
24 consultative services provided during inpatient hospitalization,
25 partial hospitalization, residential care, intensive outpatient
26 treatment, follow-up outpatient care, and counseling provided by
27 a psychiatrist or psychologist licensed in the state of practice;

28 (7) "Therapy", medical care and behavioral interventions

1 provided by a duly licensed physician, psychiatrist,
2 psychologist, professional counselor, licensed clinical social
3 worker, or family marriage therapist where said person is
4 licensed or registered in the states where he or she practices;

5 (8) "Treatment of eating disorders", therapy provided by a
6 licensed treating physician, psychiatrist, psychologist,
7 professional counselor, clinical social worker, or licensed
8 marital and family therapist pursuant to the powers granted under
9 such licensed physician's, psychiatrist's, psychologist's,
10 professional counselor's, clinical social worker's, or licensed
11 marital and family therapist's license in the state where he or
12 she practices for an individual diagnosed with an eating
13 disorder.

14 2. In accordance with the provisions of section 376.1550,
15 all health benefit plans that are delivered, issued for delivery,
16 continued or renewed on or after January 1, 2017, if written
17 inside the state of Missouri, or written outside the state of
18 Missouri but covering Missouri residents, shall provide coverage
19 for the diagnosis and treatment of eating disorders as required
20 in section 376.1550.

21 3. Coverage provided under this section is limited to
22 medically necessary treatment that is provided by a licensed
23 treating physician, psychiatrist, psychologist, professional
24 counselor, clinical social worker, or licensed marital and family
25 therapist pursuant to the powers granted under such licensed
26 physician's, psychiatrist's, psychologist's, professional
27 counselor's, clinical social worker's, or licensed marital and
28 family therapist's license and acting within their applicable

1 scope of coverage, in accordance with a treatment plan.

2 4. The treatment plan, upon request by the health benefit
3 plan or health carrier, shall include all elements necessary for
4 the health benefit plan or health carrier to pay claims. Such
5 elements include, but are not limited to, a diagnosis, proposed
6 treatment by type, frequency and duration of treatment, and
7 goals.

8 5. Coverage of the treatment of eating disorders may be
9 subject to other general exclusions and limitations of the
10 contract or benefit plan not in conflict with the provisions of
11 this section, such as coordination of benefits, and utilization
12 review of health care services, which includes reviews of medical
13 necessity and care management. Medical necessity determinations
14 and care management for the treatment of eating disorders shall
15 consider the overall medical and mental health needs of the
16 individual with an eating disorder, shall not be based solely on
17 weight, and shall take into consideration the most recent
18 Practice Guideline for the Treatment of Patients with Eating
19 Disorders adopted by the American Psychiatric Association in
20 addition to current standards based upon the medical literature
21 generally recognized as authoritative in the medical community.