

SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 608

AN ACT

To amend chapter 208, RSMo, by adding thereto two new sections relating to MO HealthNet health care provider fees.

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

1           Section A. Chapter 208, RSMo, is amended by adding thereto  
2 two new sections, to be known as sections 208.142 and 208.148, to  
3 read as follows:

4           208.142. 1. Beginning October 1, 2016, a MO HealthNet  
5 participant who uses hospital emergency department services for  
6 the treatment of a medical condition that is not an emergency  
7 medical condition shall be required to pay a copayment fee of  
8 eight dollars for such services. A participant shall be notified  
9 of the eight dollar copayment prior to services being rendered.  
10 A MO HealthNet participant's failure to pay the copayment fee  
11 shall not in any way reduce or otherwise affect any MO HealthNet  
12 reimbursement to the health care provider for the services  
13 provided.

14           2. For the purposes of this section, an "emergency medical  
15 condition" means a medical condition manifesting itself by acute  
16 symptoms of sufficient severity, including severe pain, that a  
17 prudent layperson, who possesses an average knowledge of health  
18 and medicine, could reasonably expect the absence of immediate  
19 medical attention to result in the following:

1       (1) Placing the health of the individual, or with respect  
2 to a pregnant woman, the health of the woman or her unborn child,  
3 in serious jeopardy;

4       (2) Serious impairment to bodily functions;

5       (3) Serious dysfunction of any bodily organ or part.

6       3. The department of social services shall promulgate rules  
7 for the implementation of this section, including setting forth  
8 rules for the required documentation by the physician and the  
9 informed consent to be provided to and signed by the parent or  
10 guardian of the participant. Any rule or portion of a rule, as  
11 that term is defined in section 536.010, that is created under  
12 the authority delegated in this section shall become effective  
13 only if it complies with and is subject to all of the provisions  
14 of chapter 536, and, if applicable, section 536.028. This  
15 section and chapter 536, are nonseverable, and if any of the  
16 powers vested with the general assembly under chapter 536, to  
17 review, to delay the effective date, or to disapprove and annul a  
18 rule are subsequently held unconstitutional, then the grant of  
19 rulemaking authority and any rule proposed or adopted after  
20 August 28, 2016, shall be invalid and void.

21       4. The department shall submit such state plan amendments  
22 and waivers to the Centers for Medicare and Medicaid Services of  
23 the federal Department of Health and Human Services as the  
24 department determines are necessary to implement the provisions  
25 of this section.

26       208.148. 1. Except as required to satisfy laws pertaining  
27 to the termination of patient care without adequate notice or  
28 without making other arrangements for the continued care of the

1 patient, fee-for-service MO HealthNet health care providers shall  
2 be permitted to charge a MO HealthNet participant who misses an  
3 appointment or fails to provide notice of cancellation within  
4 twenty-four hours prior to the appointment from scheduling  
5 another appointment until the participant has paid a missed  
6 appointment fee to the health care provider as follows:

7 (1) For the first missed appointment, a fee of no greater  
8 than five dollars;

9 (2) For the second missed appointment, a fee of no greater  
10 than ten dollars; and

11 (3) For the third and each subsequent missed appointment, a  
12 fee of no greater than twenty dollars.

13 2. Nothing in this section shall be construed in any way to  
14 limit MO HealthNet managed care organizations from developing and  
15 implementing any incentive program to encourage adherence to  
16 scheduled appointments.

17 3. The health care provider shall not charge to nor shall  
18 the MO Healthnet participant be reimbursed by the MO HealthNet  
19 program for the missed appointment fee.

20 4. The department shall submit such state plan amendments  
21 and waivers to the Centers for Medicare and Medicaid Services of  
22 the federal Department of Health and Human Services as the  
23 department determines are necessary to implement the provisions  
24 of this section.