

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 287

AN ACT

To amend chapter 376, RSMo, by adding thereto two new sections relating to health insurance, with an emergency clause for a certain section.

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

Section A. Chapter 376, RSMo, is amended by adding thereto two new sections, to be known as sections 376.1212 and 376.1260, to read as follows:

376.1212. 1. This section shall apply to any health benefit plan, as defined in section 376.1350, which is delivered, issued for delivery, continued, or renewed on or after January 1, 2020, which is written inside the state of Missouri or written outside the state of Missouri but covering Missouri residents, and in which a person may only enroll in such plan during an initial, open, or special enrollment period.

2. Notwithstanding any other provision of law to the contrary, such health benefit plan shall permit enrollment of a pregnant person at any time after the commencement of her pregnancy, if such person would be otherwise eligible to enroll in such plan during such initial, open, or special enrollment period.

3. Such health benefit plan may require that such pregnancy be certified by a health care practitioner licensed in this state and acting within the scope of his or her practice.

4. Coverage shall be effective as of the first day of the month such pregnancy was certified, or if no certification is required, as of the first day of the month self-attestation of pregnancy was made by the person.

376.1260. 1. (1) As used in this section, unless the context clearly requires otherwise, terms shall have the same meaning as ascribed to them in section 376.1350.

(2) As used in this section, the term "off-label usage" shall mean when a Food and Drug Administration-approved drug is used for the practice of medicine in a manner that differs from the approved drug label, including but not limited to:

- (a) Used for a different disease or medical condition;
- (b) Administered in a different manner; or
- (c) Administered in a different dose.

2. Each health benefit plan delivered, issued for delivery, continued, or renewed in the state shall provide coverage for an enrollee's off-label usage of drugs for purposes of cancer treatment when the drug has been prescribed or recommended to the enrollee by at least two licensed physicians who attest the drug may extend the enrollee's life.

Section B. Because of the need for timely and affordable access to medical treatments, the enactment of section 376.1260 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 376.1260 of this act shall be in full force and effect upon its passage and approval.