

FIRST REGULAR SESSION  
[P E R F E C T E D]  
SENATE SUBSTITUTE FOR

# SENATE BILL NO. 414

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR WIELAND.

Offered April 15, 2019.

Senate Substitute adopted April 15, 2019.

Taken up for Perfection April 15, 2019. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

2110S.05P

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### AN ACT

To amend chapter 376, RSMo, by adding thereto two new sections relating to innovations in health insurance, with an emergency clause.

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*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 376.1180 and 376.1182, to read as follows:

**376.1180. 1. There is hereby created the "Missouri Health Insurance Innovation Task Force" for the purpose of soliciting concepts on potential forms of innovation in the health insurance marketplace which may qualify the state for a section 1332 innovation waiver under the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended, and issuing a report of the task force's recommended course or courses of action for the state to obtain an innovation waiver. The task force shall focus on improving access to health care, decreasing premiums, and increasing the number of health carriers available in the state's health insurance market.**

**2. The task force shall consist of the following members:**

**(1) The director of the department of insurance, financial institutions, and professional registration, or his or her designee;**

**(2) Three representatives of insurance producers in the state, with one to be appointed by the president pro tempore of the senate and two to be appointed by the speaker of the house of representatives;**

**(3) Three representatives of health insurers in the state, with two to be appointed by the president pro tempore of the senate and one**

19 to be appointed by the speaker of the house of representatives;

20 (4) Three members of the senate, with two to be appointed by the  
21 president pro tempore of the senate and one to be appointed by the  
22 minority leader of the senate;

23 (5) Three members of the house of representatives, with two to  
24 be appointed by the speaker of the house of representatives and one to  
25 be appointed by the minority leader of the house of representatives;

26 (6) Two representatives of the interests of hospitals and doctors  
27 in the state, to be appointed by the governor; and

28 (7) Four representatives of the interests of consumers, with one  
29 to be appointed by the president pro tempore of the senate, one to be  
30 appointed by the minority leader of senate, one to be appointed by the  
31 speaker of the house of representatives, and one to be appointed by the  
32 minority leader of the house of representatives.

33 3. The staffs of the department, senate research, and house  
34 research shall provide technical assistance to the task force as  
35 necessary for the completion of its duties.

36 4. The members shall be appointed no later than thirty days after  
37 the effective date of this section. The task force shall hold its first  
38 meeting no later than fifteen days after such members are appointed.

39 5. The members of the task force shall serve without  
40 compensation, but the members and staff assigned to the task force  
41 shall receive reimbursement for actual and necessary expenses  
42 incurred in attending meetings of the task force or any subcommittee  
43 thereof.

44 6. The director, or his or her designee, shall serve as  
45 chair. Duties of the chair shall include calling meetings, leading  
46 discussions, posting public notice of meetings, soliciting comments from  
47 the public and from technical experts and other interested parties, and  
48 preparing a final report in accordance with the provisions of this  
49 section. The director is hereby authorized to expend the funds  
50 necessary to conduct the business of the task force, including but not  
51 limited to commissioning an actuarial review of waiver concepts under  
52 consideration by the task force.

53 7. Unless the task force extends this deadline by a majority vote,  
54 the chair shall complete a final report of the task force's activities and  
55 recommendations no later than December 31, 2019. Recommendations

56 of the task force shall be revenue neutral with regard to the general  
57 revenues of the state and shall be approved by a majority vote of the  
58 task force members. Copies of the report shall be delivered to the  
59 governor, the speaker of the house of representatives, and the  
60 president pro tempore of the senate.

376.1182. 1. Notwithstanding any provision of law to the  
2 contrary, the department is authorized to work with the Missouri  
3 health insurance innovation task force established in section 376.1180,  
4 and with the Centers for Medicare and Medicaid Services to develop  
5 innovative ways to transform the health insurance markets in this state  
6 and to submit applications for a section 1332 innovation waiver under  
7 the federal Patient Protection and Affordable Care Act, Public Law  
8 111-148, as amended.

9 2. This section shall not be interpreted to permit the department,  
10 or any other state agency, to implement, establish, create, or operate  
11 a state-based exchange or to assist or facilitate in the operation of a  
12 federally facilitated marketplace as prohibited under section  
13 376.1186. However, to the extent the department may assume certain  
14 administrative functions or activities which are ancillary to and  
15 currently performed by the federally facilitated marketplace, such  
16 functions are hereby authorized to be performed by the department if  
17 the functions or activities will further the objective of creating  
18 alternatives to the Affordable Care Act, accomplish the other objectives  
19 specified in this section, or are consistent with the objectives and final  
20 recommendations of the Missouri health insurance innovation task  
21 force established in section 376.1180. Such ancillary administrative  
22 functions include but are not limited to determining actuarial values  
23 of health benefit plans, certification of qualified health plans, or  
24 administering premium tax subsidies.

25 3. Provided the general assembly accepts the task force's  
26 recommendations by filing with the secretary of state no later than  
27 March 15, 2020, a petition to accept the recommendations signed by  
28 two-thirds of the members of the senate and two-thirds of the members  
29 of the house of representatives, the director shall, subject to approval  
30 by the governor, no later than December 31, 2020, or as soon as  
31 practicable following the enactment of any legislation necessary to  
32 qualify the state for a section 1332 innovation waiver, submit an

33 **application to the Centers for Medicare and Medicaid Services seeking**  
34 **approval of a section 1332 innovation waiver based on the**  
35 **recommendations of the task force established in section 376.1180.**

Section B. Because of the importance of access to affordable health  
2 insurance, section A of this act is deemed necessary for the immediate  
3 preservation of the public health, welfare, peace and safety, and is hereby  
4 declared to be an emergency act within the meaning of the constitution, and  
5 section A of this act shall be in full force and effect upon its passage and  
6 approval.

Unofficial ✓

Bill

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