

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR

SENATE BILL NO. 414

100TH GENERAL ASSEMBLY
2019

2110S.05T

AN ACT

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

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 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.

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