

FIRST EXTRAORDINARY SESSION

SENATE BILL NO. 8

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Read 1st time July 27, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5801S.01I

AN ACT

To repeal section 208.153, RSMo, and to enact in lieu thereof two new sections relating to abortion.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 208.153, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 188.207 and 208.153, to read as
3 follows:

188.207. Notwithstanding any other provision of law to the
2 **contrary, no public funds shall be expended to any clinic, physician's**
3 **office, or any other place or facility in which abortions are performed**
4 **or induced or any affiliate or associate of any such clinic, physician's**
5 **office, or place or facility in which abortions are performed or**
6 **induced. The provisions of this section shall not apply to any hospital,**
7 **as defined in section 197.020.**

208.153. 1. Pursuant to and not inconsistent with the provisions of
2 sections 208.151 and 208.152, the MO HealthNet division shall by rule and
3 regulation define the reasonable costs, manner, extent, quantity, quality, charges
4 and fees of MO HealthNet benefits herein provided. The benefits available under
5 these sections shall not replace those provided under other federal or state law
6 or under other contractual or legal entitlements of the persons receiving them,
7 and all persons shall be required to apply for and utilize all benefits available to
8 them and to pursue all causes of action to which they are entitled. Any person
9 entitled to MO HealthNet benefits may obtain it from any provider of services,
10 **excluding those providers prohibited from receiving public funds under**
11 **section 188.207, with which an agreement is in effect under this section and**
12 **which undertakes to provide the services, as authorized by the MO HealthNet**

13 division. At the discretion of the director of the MO HealthNet division and with
14 the approval of the governor, the MO HealthNet division is authorized to provide
15 medical benefits for participants receiving public assistance by expending funds
16 for the payment of federal medical insurance premiums, coinsurance and
17 deductibles pursuant to the provisions of Title XVIII B and XIX, Public Law
18 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et
19 seq.), as amended.

20 2. MO HealthNet shall include benefit payments on behalf of qualified
21 Medicare beneficiaries as defined in 42 U.S.C. Section 1396d(p). The family
22 support division shall by rule and regulation establish which qualified Medicare
23 beneficiaries are eligible. The MO HealthNet division shall define the premiums,
24 deductible and coinsurance provided for in 42 U.S.C. Section 1396d(p) to be
25 provided on behalf of the qualified Medicare beneficiaries.

26 3. MO HealthNet shall include benefit payments for Medicare Part A cost
27 sharing as defined in clause (p)(3)(A)(i) of 42 U.S.C. 1396d on behalf of qualified
28 disabled and working individuals as defined in subsection (s) of Section 42 U.S.C.
29 1396d as required by subsection (d) of Section 6408 of P.L. 101-239 (Omnibus
30 Budget Reconciliation Act of 1989). The MO HealthNet division may impose a
31 premium for such benefit payments as authorized by paragraph (d)(3) of Section
32 6408 of P.L. 101-239.

33 4. MO HealthNet shall include benefit payments for Medicare Part B cost
34 sharing described in 42 U.S.C. Section 1396(d)(p)(3)(A)(ii) for individuals
35 described in subsection 2 of this section, but for the fact that their income exceeds
36 the income level established by the state under 42 U.S.C. Section 1396(d)(p)(2)
37 but is less than one hundred and ten percent beginning January 1, 1993, and less
38 than one hundred and twenty percent beginning January 1, 1995, of the official
39 poverty line for a family of the size involved.

40 5. For an individual eligible for MO HealthNet under Title XIX of the
41 Social Security Act, MO HealthNet shall include payment of enrollee premiums
42 in a group health plan and all deductibles, coinsurance and other cost-sharing for
43 items and services otherwise covered under the state Title XIX plan under
44 Section 1906 of the federal Social Security Act and regulations established under
45 the authority of Section 1906, as may be amended. Enrollment in a group health
46 plan must be cost effective, as established by the Secretary of Health and Human
47 Services, before enrollment in the group health plan is required. If all members
48 of a family are not eligible for MO HealthNet and enrollment of the Title XIX

49 eligible members in a group health plan is not possible unless all family members
50 are enrolled, all premiums for noneligible members shall be treated as payment
51 for MO HealthNet of eligible family members. Payment for noneligible family
52 members must be cost effective, taking into account payment of all such
53 premiums. Non-Title XIX eligible family members shall pay all deductible,
54 coinsurance and other cost-sharing obligations. Each individual as a condition
55 of eligibility for MO HealthNet benefits shall apply for enrollment in the group
56 health plan.

57 6. Any Social Security cost-of-living increase at the beginning of any year
58 shall be disregarded until the federal poverty level for such year is implemented.

59 7. If a MO HealthNet participant has paid the requested spenddown in
60 cash for any month and subsequently pays an out-of-pocket valid medical expense
61 for such month, such expense shall be allowed as a deduction to future required
62 spenddown for up to three months from the date of such expense.

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Bill

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