

SENATE BILL NO. 1099

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURLISON.

5390S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to payment for anatomic pathology services.

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

Section A. Chapter 191, RSMo, is amended by adding thereto
2 one new section, to be known as section 191.890, to read as
3 follows:

191.890. 1. For purposes of this section, the term
2 "anatomic pathology services" means:

3 (1) "Histopathology" or "surgical pathology", the
4 gross and microscopic examination and histologic processing
5 of organ tissue performed by a physician or under the
6 supervision of a physician;

7 (2) "Cytopathology", the examination of cells, from
8 fluids, aspirates, washings, brushings, or smears, including
9 a pap smear performed by a physician or under the
10 supervision of a physician;

11 (3) "Hematology", the microscopic evaluation of bone
12 marrow aspirates and biopsies performed by a physician or
13 under the supervision of a licensed physician, and
14 peripheral blood smears when the attending or treating
15 physician or technologist requests that a blood smear be
16 reviewed by a pathologist;

17 (4) Subcellular pathology and molecular pathology; and

18 (5) Blood-banking services performed by pathologists.

19 2. Except as provided under subsection 5 of this
20 section, no licensed health care professional in the state
21 shall, directly or indirectly, charge, bill, or otherwise
22 solicit payment from a patient for anatomic pathology
23 services unless such services were rendered personally by
24 the licensed health care professional or under the licensed
25 health care professional's direct supervision.

26 3. No patient, insurer, third-party payor, hospital,
27 public health clinic, or nonprofit health clinic shall be
28 required to reimburse any licensed health care professional
29 for charges or claims submitted in violation of this section.

30 4. Nothing in this section shall be construed to
31 mandate the assignment of benefits for anatomic pathology
32 services as defined in this section.

33 5. The provisions of this section shall not prohibit
34 billing by a referring laboratory for anatomic pathology
35 services in instances where a sample or samples must be sent
36 to another specialist, provided that the referring
37 laboratory performs a technical or professional component of
38 the anatomic pathology service involved.

39 6. The respective state licensing boards having
40 jurisdiction over any health care professional who may
41 request or provide anatomic pathology services may revoke,
42 suspend, or deny renewal of the license of any health care
43 professional who violates the provisions of this section.

44 7. Nothing in this section shall be construed to
45 prohibit a referring physician from sending a patient's
46 specimen to any laboratory providing anatomic pathology
47 services.

48 8. A clinical laboratory or physician located in this
49 state or in another state providing anatomic pathology
50 services for patients in this state shall present or cause

51 to be presented a claim, bill, or demand for payment for
52 these services only to the following:

- 53 (1) The patient directly;
- 54 (2) The responsible insurer or other third-party payor;
- 55 (3) The hospital, public health clinic, or nonprofit
56 health clinic ordering such services;
- 57 (4) The referring laboratory, other than a laboratory
58 of a physician's office or group practice that does not
59 perform the professional component of the anatomic pathology
60 service;
- 61 (5) Governmental agencies or their specified public or
62 private agent, agency, or organization on behalf of the
63 recipient of the services.

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