

# SENATE BILL NO. 1249

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLACK.

4536S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 376.1345, RSMo, and to enact in lieu thereof one new section relating to payments for health care services.

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

Section A. Section 376.1345, RSMo, is repealed and one  
2 new section enacted in lieu thereof, to be known as section  
3 376.1345, to read as follows:

376.1345. 1. As used in this section, unless the  
2 context clearly indicates otherwise, terms shall have the  
3 same meaning as ascribed to them in section 376.1350.

4 2. No health carrier, nor any entity acting on behalf  
5 of a health carrier, shall **[restrict]** **use** methods of  
6 reimbursement to health care providers for health care  
7 services **[to a reimbursement method]** requiring the provider  
8 to pay a fee, discount the amount of their claim for  
9 reimbursement, or remit any other form of remuneration in  
10 order to redeem the amount of their claim for reimbursement.

11 3. **[If a health carrier initiates or changes the**  
12 **method used to reimburse a health care provider to a method**  
13 **of reimbursement that will require the health care provider**  
14 **to pay a fee, discount the amount of its claim for**  
15 **reimbursement, or remit any other form of remuneration to**  
16 **the health carrier or any entity acting on behalf of the**  
17 **health carrier in order to redeem the amount of its claim**

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 for reimbursement, the health carrier or an entity acting on  
19 its behalf shall:

20 (1) Notify such health care provider of the fee,  
21 discount, or other remuneration required to receive  
22 reimbursement through the new or different reimbursement  
23 method; and

24 (2) In such notice, provide clear instructions to the  
25 health care provider as to how to select an alternative  
26 payment method, and upon request such alternative payment  
27 method shall be used to reimburse the provider until the  
28 provider requests otherwise.

29 4.] A health carrier shall allow the provider to  
30 select to be reimbursed by an electronic funds transfer  
31 through the Automated Clearing House Network as required  
32 pursuant to 45 C.F.R. Sections 162.925, 162.1601, and  
33 162.1602, and if the provider makes such selection, the  
34 health carrier shall use such reimbursement method to  
35 reimburse the provider until the provider requests otherwise.

36 [5.] 4. An amount a health carrier claims was overpaid  
37 to a provider may only be collected, withheld, or recouped  
38 from the provider, or third party that submitted the  
39 provider's claim under the third party's provider  
40 identification number, to whom the overpaid amount was  
41 originally paid. The notice of withholding or recoupment by  
42 a health carrier shall also inform the provider or third  
43 party of the health care service, date of service, and  
44 patient for which the recoupment is being made.

45 [6.] 5. Violation of this section shall be deemed an  
46 unfair trade practice under sections 375.930 to 375.948.

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