

SENATE BILL NO. 1147

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREGORY (21).

5475S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for mental health services.

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

Section A. Chapter 376, RSMo, is amended by adding thereto
2 one new section, to be known as section 376.1553, to read as
3 follows:

376.1553. 1. As used in this section, terms shall
2 have the same meanings as ascribed to them in section
3 376.1350; and the term "cost-sharing" shall include any co-
4 payment, coinsurance, deductible, amount paid by an enrollee
5 for health care services in excess of a coverage limitation,
6 or similar charge required by or on behalf of an enrollee in
7 order to receive a specific health care service covered by a
8 health benefit plan.

9 2. If an enrollee is admitted to a hospital emergency
10 room with a behavioral or mental health condition and the
11 hospital is not a participating provider for that condition
12 under the enrollee's health benefit plan, or if the enrollee
13 is transferred to another hospital that is not a
14 participating provider for that condition under the
15 patient's health benefit plan:

16 (1) The health carrier shall not impose cost-sharing
17 requirements for treatment of the behavioral or mental

18 health condition that are greater than the cost-sharing
19 requirements would be for treatment of the behavioral or
20 mental health condition by a participating provider; and

21 (2) The health carrier shall reimburse the hospital
22 for treatment of the behavioral or mental health condition
23 at the same rate the hospital would be reimbursed by MO
24 HealthNet or Medicare, whichever is greater.

25 3. It shall constitute an unlawful practice within the
26 meaning of section 407.020, and any action authorized in
27 sections 407.010 to 407.130 may be taken, if a health
28 benefit plan's provider network for treatment of behavioral
29 or mental health conditions is so inadequate that it
30 threatens the life of its enrollees. It shall be a
31 rebuttable presumption that the health benefit plan's
32 provider network is so inadequate that it threatens the life
33 of its enrollees if more than fifteen percent of its
34 enrollees treated for a behavioral or mental health
35 condition are treated for the condition outside of the
36 health benefit plan's provider network.

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