

SECOND REGULAR SESSION

SENATE BILL NO. 1469

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURGER.

6161S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet reimbursement for clinical pathology services.

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

Section A. Chapter 208, RSMo, is amended by adding thereto
2 one new section, to be known as section 208.149, to read as
3 follows:

208.149. 1. As used in this section, the following

2 **terms mean:**

3 (1) "Clinical pathology services", professional
4 medical services provided by a pathologist for the
5 examination, diagnosis, and interpretation of laboratory
6 tests performed on patient specimens to aid in the diagnosis
7 and treatment of disease. Clinical pathology services
8 include, but are not limited to, hematology, microbiology,
9 immunology, clinical chemistry, molecular pathology, and
10 other laboratory-based diagnostic procedures;

11 (2) "Hospital-based pathologist", a licensed physician
12 specializing in pathology who provides clinical pathology
13 services within a hospital setting;

14 (3) "Professional component of clinical pathology
15 services", the portion of clinical pathology services that
16 involves the pathologist's professional expertise in

17 interpreting and supervising laboratory tests, excluding the
18 technical component of performing the laboratory tests.

19 2. The fee for the professional component of clinical
20 pathology services shall be paid by MO HealthNet for
21 professional services provided by a hospital-based
22 pathologist for inpatient clinical pathology services
23 rendered to patients covered by the MO HealthNet program.

24 3. The reimbursement amount for the professional
25 component of clinical pathology services shall be set at
26 thirty percent of the approved outpatient simplified fee
27 schedule based on Medicare's clinical laboratory fee
28 schedule for the corresponding clinical pathology services
29 payable by MO HealthNet.

30 4. (1) If the fee for the professional component of
31 clinical pathology services is paid for professional
32 services provided by a pathologist employed by the hospital
33 where the clinical pathology services are rendered to
34 covered MO HealthNet patients, the professional fee shall be
35 paid directly to the hospital.

36 (2) If the fee for the professional component of
37 clinical pathology services is paid for professional
38 services provided by a pathologist who is not employed by
39 the hospital where clinical pathology services are rendered
40 to covered MO HealthNet patients, the professional fee shall
41 be paid directly to the third party providing the services.

42 5. The department of social services shall promulgate
43 all necessary rules and regulations for the administration
44 of this section. Any rule or portion of a rule, as that
45 term is defined in section 536.010, that is created under
46 the authority delegated in this section shall become
47 effective only if it complies with and is subject to all of
48 the provisions of chapter 536 and, if applicable, section

49 536.028. This section and chapter 536 are nonseverable and
50 if any of the powers vested with the general assembly
51 pursuant to chapter 536 to review, to delay the effective
52 date, or to disapprove and annul a rule are subsequently
53 held unconstitutional, then the grant of rulemaking
54 authority and any rule proposed or adopted after August 28,
55 2026, shall be invalid and void.

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