

SENATE BILL NO. 1635

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREGORY (21).

7075S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 376.1190, RSMo, and to enact in lieu thereof two new sections relating to state health plans.

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

Section A. Section 376.1190, RSMo, is repealed and two
2 new sections enacted in lieu thereof, to be known as sections
3 103.180 and 376.1190, to read as follows:

103.180. 1. Beginning January 1, 2027, pursuant to
2 the provisions of section 376.1190, the board of the
3 Missouri consolidated health care plan shall implement any
4 new health care benefit mandate enacted by the general
5 assembly. Such mandates shall include requirements for the
6 provision of specific health care services, specific
7 diseases, or for certain health care providers. Coverage of
8 a new health care benefit mandate under the Missouri
9 consolidated health care plan shall be effective for a
10 period of thirty-six consecutive months.

11 2. No later than July first of the year following the
12 second full calendar year of coverage for a new health care
13 benefit mandate and quarterly thereafter, the board of the
14 Missouri consolidated health care plan shall submit to the
15 president pro tempore of the senate, the speaker of the
16 house of representatives, and the director of the department
17 of commerce and insurance a report including data outlining

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

18 the impact of the new health care benefit mandate. Such
19 data shall not include personal health information of any
20 enrollee and shall be given confidential treatment and not
21 be subject to subpoena, nor be made publicly available by
22 the director or any other person. The contents of the
23 report shall include, but not be limited to the following
24 data:

- 25 (1) Number of covered individuals utilizing the
26 benefit mandate;
- 27 (2) Overall cost to the plan to provide the services
28 required by the benefit mandate;
- 29 (3) The operational costs to the plan associated with
30 the implementation of the benefit mandate;
- 31 (4) The cost to provide the services required by the
32 benefit mandate on a per insured per month basis, and on the
33 basis of the total average cost of such coverage per insured
34 per month;
- 35 (5) A recommendation as to whether the new health care
36 benefit mandate should continue for the Missouri
37 consolidated health care plan, and whether the general
38 assembly should consider extending the applicability of the
39 new health care benefit mandate to health benefit plans
40 issued by health carriers pursuant to the provisions of
41 chapter 376. The department of commerce and insurance shall
42 provide assistance with the creation of this report.

43 3. No later than March first of the year following the
44 second full calendar year of coverage for a new health
45 benefit mandate, the director of the department of commerce
46 and insurance shall submit to the president pro tempore of
47 the senate and the speaker of the house of representatives a
48 final report outlining the impact of the new health care
49 benefit mandate on the Missouri consolidated health care

50 plan, including data on utilization and costs of such new
51 mandate, containing the same set of data elements required
52 by subsection 2 of this section.

376.1190. 1. Any new health care benefit mandate
2 [proposed] enacted after August 28, [2011] 2025, which would
3 require a health carrier to provide coverage under a health
4 benefit plan for specific health care services, specific
5 diseases, or for certain health care providers shall [be
6 subject to review by the oversight division of the joint
7 committee on legislative research. The oversight division
8 shall perform an actuarial analysis of the cost impact to
9 private and public payers of any new or revised mandated
10 health care benefit proposed by the general assembly after
11 August 28, 2011, and a recommendation shall be delivered to
12 the speaker and the president pro tem prior to mandate being
13 enacted] only apply to the Missouri consolidated health care
14 plan established in chapter 103. Such coverage under the
15 Missouri consolidated health care plan shall be effective
16 for a period of thirty-six consecutive months and shall
17 remain in effect until the general assembly takes action
18 pursuant to subsection 2 of this section or expires pursuant
19 to subsection 3 of this section.

20 2. Prior to continuing the mandate for the Missouri
21 consolidated health care plan or extending the applicability
22 of any new health care benefit mandate to health benefit
23 plans offered by health carriers in this state pursuant to
24 the provisions of this chapter, the general assembly shall
25 conduct a thorough review of the report prepared pursuant to
26 section 103.180 and take legislative action. Any such
27 legislation to extend the applicability of a new mandate
28 shall include whether to extend the new health care benefit
29 mandate to health benefit plans as defined in section

30 376.1350, the health care plan as defined in section
31 103.003, or both.

32 3. Absent regulatory legislative action taken by the
33 general assembly to extend the new mandate to health benefit
34 plans offered by health carriers in this state or
35 continuation of the mandate for the health care plan as
36 defined in section 103.003, the new health care benefit
37 mandate shall automatically expire.

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