

# SENATE BILL NO. 1664

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

6974S.011

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to payment for health care services, with penalty provisions.

*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 191.2299, to read as  
3 follows:

191.2299. 1. This section shall be known and may be  
2 cited as the "Honest Billing Act".

3 2. As used in this section, the following terms shall  
4 mean:

5 (1) "Campus", the same meaning as in 42 CFR 413.65(a),  
6 as may be amended from time to time;

7 (2) "Enrollee", the same meaning as is ascribed to  
8 such term in section 376.1350;

9 (3) "Facility", the same meaning as is ascribed to  
10 such term in section 376.1350;

11 (4) "Health care service", the same meaning as is  
12 ascribed to such term in section 376.1350;

13 (5) "Health carrier" or "carrier", the same meaning as  
14 is ascribed to such term in section 376.1350;

15 (6) "National provider identifier" or "NPI", the  
16 standard, unique health identifier for health care providers

17 that is issued by the National Plan and Provider Enumeration  
18 System in accordance with 45 CFR 162;

19 (7) "Off-campus outpatient department of a facility",  
20 a location:

21 (a) Whose operations are directly or indirectly owned  
22 or controlled by, in whole or in part, or affiliated with, a  
23 hospital, regardless of whether the operations are under the  
24 same governing body as the hospital;

25 (b) That is located more than two hundred fifty yards  
26 from the hospital's main campus;

27 (c) That provides services that are organizationally  
28 and functionally integrated with the hospital; and

29 (d) That is an outpatient facility providing  
30 preventive, diagnostic, treatment, or emergency services.

31 3. Except as otherwise specified in this section, this  
32 section shall apply to all facilities licensed and operating  
33 in this state and to all health carriers doing business in  
34 this state. This section shall apply to claims submitted  
35 after December 31, 2026.

36 4. Irrespective of 45 CFR 162.410(a)(1), each off-  
37 campus outpatient department of a facility shall apply for,  
38 obtain, and use, on all claims filed after the date  
39 specified in subsection 3 of this section, for reimbursement  
40 or payment for health care services provided in that  
41 department, a unique NPI that is distinct from the NPI used  
42 by the main campus of the facility and any other off-campus  
43 location of the facility.

44 5. (1) No facility, or entity on behalf of a  
45 facility, shall, with respect to health care services  
46 furnished to an enrollee at an off-campus outpatient  
47 department of a facility, submit a claim for such health  
48 care services to a health carrier, or hold the enrollee

49 liable for such health care services, unless those health  
50 care services are billed using the separate unique NPI  
51 established for the off-campus outpatient department and on  
52 a CMS 1500 form or a HIPAA X12 837P electronic claims  
53 transaction or a successor form or transaction.

54 (2) No health carrier shall be responsible to  
55 reimburse claims for health care services furnished to an  
56 enrollee at an off-campus outpatient department of a  
57 facility if such claims are not billed in accordance with  
58 this subsection.

59 6. A facility, or entity on behalf of a facility, that  
60 does not bill for health care services rendered to an  
61 enrollee at an off-campus outpatient department of a  
62 facility in accordance with this section shall not hold the  
63 enrollee liable to pay for the health care services. A  
64 violation of this subsection shall constitute a violation of  
65 the Missouri merchandising practices act, sections 407.010  
66 to 407.130, subject to enforcement by the attorney general.

67 7. A facility applying for a license or license  
68 renewal by the state shall demonstrate that it has obtained  
69 one or more NPIs as required under this section as a  
70 condition of receiving licensure, and shall use its unique  
71 NPI or NPIs on every claim for payment in the manner  
72 required under this section.

73 8. The department of health and senior services may,  
74 in accordance with chapter 536, impose penalties on any  
75 licensee violating any of the provisions of this section by  
76 taking any or all of the following actions, separately or in  
77 combination:

78 (1) Imposing an administrative fine of one thousand  
79 dollars for each violation of this section;

80           (2) Recovering reasonable investigative fees and costs  
81 incurred as a consequence of the violation or violations;

82           (3) Suspending, revoking, or denying the issuance or  
83 renewal of a license;

84           (4) Placing conditions on a license;

85           (5) Placing a licensee on probation;

86           (6) Referring a licensee to the attorney general for  
87 investigation; and

88           (7) Requiring the provider to post information about  
89 these penalties on the main page of its website.

90           9. The director of the department of commerce and  
91 insurance shall have authority to refer any violation of  
92 this section to the department of health and senior  
93 services. The attorney general shall have authority to  
94 enforce the provisions of this section.

95           10. The director of the department of commerce and  
96 insurance may promulgate rules as necessary for the  
97 implementation of this section. Any rule or portion of a  
98 rule, as that term is defined in section 536.010, that is  
99 created under the authority delegated in this section shall  
100 become effective only if it complies with and is subject to  
101 all of the provisions of chapter 536 and, if applicable,  
102 section 536.028. This section and chapter 536 are  
103 nonseverable and if any of the powers vested with the  
104 general assembly pursuant to chapter 536 to review, to delay  
105 the effective date, or to disapprove and annul a rule are  
106 subsequently held unconstitutional, then the grant of  
107 rulemaking authority and any rule proposed or adopted after  
108 August 28, 2026, shall be invalid and void.

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