

FIRST REGULAR SESSION

HOUSE BILL NO. 121

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PORTWOOD, STEFANICK, AVERY, BAKER, MOORE,
DEEKEN (Co-sponsors), REINHART, CUNNINGHAM (86), WALKER, WILDBERGER, SPRENG,
SMITH (14), HUNTER, WALTON, MAY AND TAYLOR.

Pre-filed December 26, 2002, and copies ordered printed.

TED WEDEL, Chief Clerk

0311L.011

AN ACT

To amend chapter 376, RSMo, by adding thereto two new sections relating to health insurance coverage for chiropractic care.

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

Section A. Chapter 376, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 376.1230 and 376.1231, to read as follows:

**376.1230. 1. Every policy issued by a health carrier, as defined in section 376.1350,
2 that includes coverage for physician services in the physician's office and every policy that
3 provides major medical or similar comprehensive coverage, including managed care
4 organizations, shall provide chiropractic care, as defined in chapter 331, RSMo, as part of
5 basic health care services for covered conditions.**

6 **(1) For plans offered by all health carriers, as defined in section 376.1350, including
7 managed care organizations, a covered enrollee shall be provided chiropractic care by a
8 chiropractic physician of his or her choice from within the provider network when
9 requested without a referral or prior authorization. A referral or prior authorization
10 clause, if applicable, shall apply equally to every provider in the network.**

11 **(2) A covered enrollee shall be provided clinically necessary and appropriate initial
12 and follow-up chiropractic care and referrals for diagnostic testing related to chiropractic
13 care. The chiropractic care given shall be within the scope of practice of the selected
14 chiropractic physician and shall be subject to the terms and conditions of the policy.**

15 **2. No health carrier utilizing a gatekeeper shall permit such gatekeeper to
16 misinform or fail to inform a covered enrollee of the availability of chiropractic care
17 benefits under the enrollee's plan.**

18 **3. Nothing in this section shall be construed to limit the health carrier's ability to**
19 **credential providers or be deemed as an any willing provider provision.**

20 **4. The provisions of this section shall not apply to benefits provided under the**
21 **Medicaid program.**

22 **5. The provisions of this section shall be subject to the terms and conditions of the**
23 **policy.**

376.1231. 1. For purposes of this section, "health care provider" or "provider"
2 **means a chiropractic physician licensed pursuant to chapter 331, RSMo, or a medical**
3 **physician or surgeon licensed pursuant to chapter 334, RSMo. Any health carrier, as**
4 **defined in section 376.1350, including managed care organizations, shall apply equally to**
5 **every in-network health care provider acting within his or her scope of practice the same**
6 **deductibles, copayment, and coinsurance amounts, fees, benefit limits, practice parameters**
7 **and utilization review.**

8 **2. Any health carrier, as defined in section 376.1350, including managed care**
9 **organizations, shall not discriminate against any health care provider or group of**
10 **providers based on licensure, or unfairly limit or restrict the diagnosis, treatment,**
11 **management of, or reimbursement for, the same or similar condition, injury, complaint,**
12 **disorder, or ailment, even if differing nomenclature is used to describe the condition,**
13 **injury, complaint, disorder, or ailment.**

14 **3. The provisions of this section shall be subject to the terms and conditions of the**
15 **policy.**