

FIRST REGULAR SESSION

HOUSE BILL NO. 496

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COOPER (120).

Read 1st time February 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1555L.011

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to the use of tax information for purposes of determining health insurance eligibility.

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

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be
2 known as section 376.505, to read as follows:

376.505. 1. No health carrier, as defined in section 376.1350, shall require any
2 applicant or insured to submit tax forms that disclose salaries, income, wages, or any other
3 tax information not relevant to determining coverage eligibility. If any health carrier
4 requires an applicant or insured to submit tax forms for purposes of determining
5 eligibility, the health carrier shall allow the applicant or insured to redact or otherwise edit
6 any information relating to salaries, wages, income, or other tax information not relevant
7 to determining coverage eligibility.

8 2. It shall be an unfair trade practice under sections 375.934 and 375.936, RSMo,
9 to violate the provisions of this section.

10 3. The director of the department of insurance shall promulgate rules for the
11 enforcement of this section and shall establish categories of tax information in addition to
12 salaries, income, or wages in which health carriers shall not request by means of a tax
13 return. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
14 is created under the authority delegated in this section shall become effective only if it
15 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
16 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

17 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
18 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
19 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
20 **adopted after August 28, 2005, shall be invalid and void.**