

SECOND REGULAR SESSION

HOUSE BILL NO. 1291

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KINGERY (Sponsor),
WILSON (119) AND MOORE (Co-sponsors).

Read 1st time January 10, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4002L.01I

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to health insurance provider networks.

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 376.382, to read as follows:

**376.382. 1. If a health care provider in a health carrier's provider network makes
2 a referral to or utilizes the services of another provider that is not in the health carrier's
3 provider network and will result in an enrollee incurring an out-of-network charge for
4 such referral or services, the health care provider shall notify the enrollee prior to such
5 referral or utilization of services of that fact. If the enrollee does not consent to incurring
6 the additional out-of-network charges, the health care provider shall make a referral or
7 utilize the services of health care providers in the provider network only.**

**8 2. This section shall not apply to referrals made or utilization of services resulting
9 when the health carrier provider network does not have a health care provider with
10 appropriate training and experience to meet the health care needs of an enrollee. In such
11 instances, the services shall be provided by the nonparticipating provider at no additional
12 cost to the enrollee beyond what the enrollee would otherwise pay for services received
13 within the network.**

✓

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.