

FIRST REGULAR SESSION

HOUSE BILL NO. 1156

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HUBBARD (Sponsor) AND PAGE (Co-sponsor).

Read 1st time March 16, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2397L.01I

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to direct billing of anatomic pathology services.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.890, to read as follows:

191.890. 1. A clinical laboratory or physician located in this state or another state that is providing anatomic pathology services for patients in this state shall present or cause to be presented a claim, bill, or demand for such services only to the following:

- (1) The patient directly;**
- (2) The responsible insurer or other third-party payor;**
- (3) The hospital, public health clinic, or nonprofit health clinic ordering such services;**
- (4) The referring laboratory, other than a laboratory of a physician's office or group practice that does not perform the professional component of the anatomic pathology service;**
- (5) Governmental agencies and/or their specific public or private agent, agency, or organization on behalf of the recipient of the services.**

2. Except as provided under subsection 6 of this section, no licensed practitioner in this state shall, directly or indirectly, charge, bill, or otherwise solicit payment for anatomic pathology services unless such services were rendered personally by the licensed

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.

16 practitioner or under the licensed practitioner's direct supervision in accordance with
17 Section 353 of the Public Health Service Act, 42 U.S.C. Section 263a.

18 3. No patient, insurer, third-party payor, hospital, public health clinic, or nonprofit
19 health clinic shall be required to reimburse any licensed practitioner for charges or claims
20 submitted in violation of this section.

21 4. Nothing in this section shall be construed to mandate the assignment of benefits
22 for anatomic pathology services.

23 5. For purposes of this section, "anatomic pathology services" means:

24 (1) Histopathology or surgical pathology. "Histopathology or surgical pathology"
25 means the gross and microscopic examination and histologic processing of organ tissue
26 performed by a physician or under the supervision of a physician;

27 (2) Cytopathology. "Cytopathology" means the examination of cells from fluids,
28 aspirates, washings, brushings, or smears, including Pap test examination performed by
29 a physician or under the supervision of a physician;

30 (3) Hematology. "Hematology" means the microscopic evaluation of bone marrow
31 aspirates and biopsies performed by a physician or under the supervision of a physician,
32 and peripheral blood smears when the attending or treating physician, or technologist
33 requests that a blood smear be reviewed by a pathologist;

34 (4) Sub-cellular pathology and molecular pathology; and

35 (5) Blood-banking services performed by pathologists.

36 6. This section shall not be construed to prohibit billing of a referring laboratory
37 for anatomic pathology services in instances where a sample or samples must be sent to
38 another specialist; except that, for purposes of this subsection, referring laboratory does
39 not include a laboratory of a physician's office or group practice that does not perform the
40 professional component of the anatomic pathology service involved.

41 7. Nothing in this section shall be construed to prohibit a referring physician from
42 sending a patient's specimen to any laboratory providing anatomic pathology services.

43 8. The respective state licensing boards having jurisdiction over any practitioner
44 who may request or provide anatomic pathology services may revoke, suspend, or deny
45 renewal of the license of any practitioner who violates the provisions of this section.

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