SENATE SUBSTITUTE

FOR

HOUSE BILL NO. 1713

AN ACT

To repeal sections 376.427 and 376.816, RSMo, and to
enact in lieu thereof two new sections relating to
health insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1   Section A. Sections 376.427 and 376.816, RSMo, are repealed

2 and two new sections enacted in lieu thereof, to be known as

3 sections 376.427 and 376.816, to read as follows:

4   376.427. 1. As used in this section, the following terms

5 mean:

6   (1) "Health care services", medical, surgical, dental,

7 podiatric, pharmaceutical, chiropractic, licensed ambulance

8 service, and optometric services;

9   (2) "Insured", any person entitled to benefits under a

10 contract of accident and sickness insurance, or medical-payment

11 insurance issued as a supplement to liability insurance but not

12 including any other coverages contained in a liability or a

13 workers' compensation policy, issued by an insurer;

14   (3) "Insurer", any person, reciprocal exchange,

15 interinsurer, fraternal benefit society, health services

16 corporation, self-insured group arrangement to the extent not

17 prohibited by federal law, or any other legal entity engaged in

18 the business of insurance;

19   (4) "Provider", a physician, hospital, dentist, podiatrist,

1   chiropractor, pharmacy, licensed ambulance service, or

2   optometrist, licensed by this state.

3   2. Upon receipt of an assignment of benefits made by the

4   insured to a provider, the insurer shall issue the instrument of

5   payment for a claim for payment for health care services in the

6   name of the provider. All claims shall be paid **[**within thirty

7   days of the receipt by the insurer of all documents reasonably

8   needed to determine the claim**]** <u>in accordance with section</u>

9   <u>376.383</u>.

10   3. Nothing in this section shall preclude an insurer from

11   voluntarily issuing an instrument of payment in the single name

12   of the provider.

13   4. **[**This section shall not require**]** Any insurer, health

14   services corporation, health maintenance corporation or preferred

15   provider organization which directly contracts with certain

16   members of a class of providers for the delivery of health care

17   services **[**to**]** <u>shall</u> issue payment as provided pursuant to this

18   section <u>directly</u> to those members of the class which do not have

19   a contract with the insurer.

20   376.816. 1. No **[**individual or group insurance policy

21   providing coverage on an expense-incurred basis, no individual or

22   group service or indemnity contract issued by a not-for-profit

23   health services corporation, no health maintenance organization

24   nor any self-insured group health benefit plan of any type or

25   description shall be offered, issued or renewed in this state on

26   or after July 10, 1991, unless the policy, plan or contract**]**

27   <u>health carrier or health benefit plan that offers or issues</u>

28   <u>health benefit plans, other than Medicaid health benefit plans,</u>

1   shall deliver, issue for delivery, continue, or renew a health

2   benefit plan to a Missouri resident on or after January 1, 2011,

3   unless the health benefit plan covers adopted children of the

4   insured, subscriber or enrollee on the same basis as other

5   dependents.

6   2. The coverage required by subsection 1 of this section is

7   effective:

8   (1) From the date of birth if a petition for adoption is

9   filed within thirty days of the birth of such child; or

10   (2) From the date of placement for the purpose of adoption

11   if a petition for adoption is filed within thirty days of

12   placement of such child.

13   Such coverage shall continue unless the placement is disrupted

14   prior to legal adoption and the child is removed from placement.

15   Coverage shall include the necessary care and treatment of

16   medical conditions existing prior to the date of placement.

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

18   (1) "Health benefit plan", the same meaning as such term is

19   defined in section 376.1350;

20   (2) "Health carrier", the same meaning as such term is

21   defined in section 376.1350;

22   (3) "Placement" **[**means**]**, in the physical custody of the

23   adoptive parent.