

SECOND REGULAR SESSION

HOUSE BILL NO. 1580

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HIGDON.

5388H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to prescribed food supplements.

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 known as section 376.847, to read as follows:

376.847. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2015, shall provide coverage for food supplements prescribed by a physician acting within the scope of his or her practice.

2. A health carrier or health benefit plan shall not:

(1) Deny eligibility or continued eligibility to an individual to enroll or renew coverage under the terms of the plan solely for the purpose of avoiding the requirements of this section;

(2) Provide monetary payments, rebates, or other benefits to individuals to encourage such individuals to accept less than the minimum protections available under this section;

(3) Penalize or otherwise reduce or limit the reimbursement of a provider because such provider prescribed food supplements to an individual participant or beneficiary in accordance with this section; or

(4) Provide monetary or other incentives to a provider to induce such provider to provide care to an individual participant or beneficiary in a manner inconsistent with this section.

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.

18 **3. For the purposes of this section, the following terms shall mean:**

19 **(1) “Food supplements”, products intended to supplement the diet that are labeled**
20 **as food, nutritional, or dietary supplements, are not represented as conventional foods or**
21 **as sole items of a meal or the diet, and contain one or more of the following dietary**
22 **ingredients:**

23 **(a) A vitamin;**

24 **(b) A mineral;**

25 **(c) An herb or other botanical;**

26 **(d) An amino acid;**

27 **(e) A dietary substance to supplement the diet by increasing the total dietary**
28 **intake; or**

29 **(f) A concentrate, metabolite, constituent, extract, or combination of any ingredient**
30 **described in this subdivision;**

31 **(2) “Health benefit plan”, shall have the same meaning ascribed to it in section**
32 **376.1350;**

33 **(3) “Health carrier”, shall have the same meaning ascribed to it in section 376.1350.**

34 **4. The provisions of this section shall not apply to a supplemental insurance policy**
35 **including a life care contract, accident-only policy, specified disease policy, hospital policy**
36 **providing a fixed daily benefit only, Medicare supplement policy, long-term care policy,**
37 **short-term major medical policies of six months or less duration, or any other**
38 **supplemental policy.**

39 **5. The coverage required by this section shall not be subject to any greater**
40 **deductible or co-payment than other coverage provided by the health benefit plan.**

✓