

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 889
101ST GENERAL ASSEMBLY

1860H.04C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for mental health conditions.

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 376.1551, to read as follows:

376.1551. 1. As used in this section, the following terms mean:

- 2 **(1) "Health benefit plan", the same meaning given to the term in section 376.1350;**
3 **(2) "Health carrier", the same meaning given to the term in section 376.1350;**
4 **(3) "Mental health condition", the same meaning given to the term in section**
5 **376.1550.**

6 **2. Notwithstanding any other provision of law to the contrary, each health carrier**
7 **that offers or issues health benefit plans that are delivered, issued for delivery, continued,**
8 **or renewed in this state on or after January 1, 2022, and that provide coverage for a mental**
9 **health condition shall meet the requirements of the Mental Health Parity and Addiction**
10 **Equity Act of 2008, 42 U.S.C. Section 300gg-26, as amended, and the regulations**
11 **promulgated thereunder as of January 1, 2018. The director may enforce such**
12 **requirements subject to the provisions of this section.**

13 **3. The provisions of this section shall not apply to a supplemental insurance policy,**
14 **including a life care contract, accident-only policy, specified disease policy, hospital policy**
15 **providing a fixed daily benefit only, Medicare supplement policy, long-term care policy,**
16 **hospitalization-surgical care policy, short-term major medical policy of six months' or less**
17 **duration, or any other supplemental policy as determined by the director of the**
18 **department of commerce and insurance.**

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.

19 **4. The director may promulgate rules to effectuate the provisions of this section.**
20 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
21 **under the authority delegated in this section shall become effective only if it complies with**
22 **and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.**
23 **This section and chapter 536 are nonseverable, and if any of the powers vested with the**
24 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
25 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
26 **rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be**
27 **invalid and void.**

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