

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5660H.011
 Bill No.: HB 2733
 Subject: Insurance - Health; Health Care Professionals
 Type: Original
 Date: March 15, 2024

Bill Summary: This proposal creates provisions relating to health care provider participation in health insurance plans.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue Fund	(Unknown, greater than \$20,286,000)	(Unknown, greater than \$20,286,000)	(Unknown, greater than \$20,286,000)
Total Estimated Net Effect on General Revenue	(Unknown, greater than \$20,286,000)	(Unknown, greater than \$20,286,000)	(Unknown, greater than \$20,286,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Other State Funds	(Unknown, greater than \$4,830,000)	Unknown, greater than \$4,830,000)	Unknown, greater than \$4,830,000)
State Road Fund	(\$8,000,000 to \$12,000,000)	(\$8,000,000 to \$12,000,000)	(\$8,000,000 to \$12,000,000)
Total Estimated Net Effect on <u>Other</u> State Funds	(Unknown, Greater than \$12,830,000 to \$16,830,000)	(Unknown, Greater than \$12,830,000 to \$16,830,000)	(Unknown, Greater than \$12,830,000 to \$16,830,000)

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Federal Funds	(Unknown, greater than \$7,084,000)	(Unknown, greater than \$7,084,000)	(Unknown, greater than \$7,084,000)
Total Estimated Net Effect on <u>All</u> Federal Funds	(Unknown, greater than \$7,084,000)	(Unknown, greater than \$7,084,000)	(Unknown, greater than \$7,084,000)

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Consolidated Health Care Plan (MCHCP)** assume this proposal creates provisions relating to health care provider participation in health insurance plans.

MCHCP assumes this legislation requires a health benefit plan to not discriminate against providers, letting any provider participate in any plan and receive the same amount of reimbursement for the same service. In consultation with MCHCP's third party administrator, MCHCP is estimating that medical claims costs would increase by 7% to 12% primarily driven by the erosion of provider discounts.

MCHCP medical claims costs for FY 22 were just over \$460 million. Using the lessor of the amounts estimated (7%), the fiscal impact would be unknown, but greater than \$32.2 million. While most of the cost increase would be borne by the state, there would also be an unknown impact to member's costs from increased out of pocket costs and any resulting increase in premiums.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the cost estimate as provided by MCHCP, broken out as the following:

(63%) GR – Unknown, Greater than \$20,286,000
(22%) Federal - Unknown, Greater than \$7,084,000
(15%) Other State Funds - Unknown, Greater than \$4,830,000
TOTAL \$32,200,000

Officials from the **Missouri Department of Transportation (MoDOT)** state that while the MoDOT/MSHP medical plan does not fall under the definition of "health benefit plan" under 376.1350, this may apply to third party administrators that administer the plan's benefits. This will increase the costs for the health plan administrators which will likely be passed on as a self-insured plan.

MoDOT expects an increased plan cost between 7 and 9 percent, based on FTC studies. This equates to an estimated negative fiscal impact of \$8,000,000 to \$12,000,000.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the cost estimate as provided by MoDOT to the State Road Fund.

Oversight assumes this proposal could have an unknown fiscal impact to local political subdivisions' health insurance plans.

Officials from the **Department of Commerce and Insurance**, the **Department of Social Services** and the **Missouri Department of Conservation** each assume the proposal will have no

fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **Department of Public Safety - Missouri Highway Patrol** defer to the Missouri Department of Transportation for the potential fiscal impact of this proposal.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
GENERAL REVENUE FUND			
<u>Cost – MCHCP</u> Increased Medical Claims Cost	<u>(Unknown, greater than \$20,286,000)</u>	<u>(Unknown, greater than \$20,286,000)</u>	<u>(Unknown, greater than \$20,286,000)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>(Unknown, greater than \$20,286,000)</u>	<u>(Unknown, greater than \$20,286,000)</u>	<u>(Unknown, greater than \$20,286,000)</u>
OTHER STATE FUNDS			
<u>Cost – MCHCP</u> Increased Medical Claims Cost	<u>(Unknown, greater than \$4,830,000)</u>	<u>Unknown, greater than \$4,830,000)</u>	<u>Unknown, greater than \$4,830,000)</u>

ESTIMATED NET EFFECT TO OTHER STATE FUNDS	<u>(Unknown, greater than \$4,830,000)</u>	<u>Unknown, greater than \$4,830,000)</u>	<u>Unknown, greater than \$4,830,000)</u>
STATE ROAD FUND			
Cost – MoDOT Increased Medical Claims Cost	<u>(\$8,000,000 to \$12,000,000)</u>	<u>(\$8,000,000 to \$12,000,000)</u>	<u>(\$8,000,000 to \$12,000,000)</u>
ESTIMATED NET EFFECT TO THE STATE ROAD FUND	<u>(\$8,000,000 to \$12,000,000)</u>	<u>(\$8,000,000 to \$12,000,000)</u>	<u>(\$8,000,000 to \$12,000,000)</u>
FEDERAL FUNDS			
Cost – MCHCP Increased Medical Claims Cost	<u>(Unknown, greater than \$7,084,000)</u>	<u>(Unknown, greater than \$7,084,000)</u>	<u>(Unknown, greater than \$7,084,000)</u>
ESTIMATED NET EFFECT TO FEDERAL FUNDS	<u>(Unknown, greater than \$7,084,000)</u>	<u>(Unknown, greater than \$7,084,000)</u>	<u>(Unknown, greater than \$7,084,000)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
LOCAL POLITICAL SUBDIVISIONS			
Cost – Increased Medical Claims Cost	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT – Small Business

A direct fiscal impact to small businesses offering group or individual health insurance coverage could be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill establishes the "Patients First Act". This bill prohibits a group health plan or health issuance issuer offering group or individual health insurance coverage from discriminating with respect to participation under the plan or coverage against any health care provider who is acting within the scope of the provider's license or certificate.

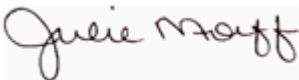
The health benefit plan cannot discriminate against a health care provider based on the provider's licensure with respect to reimbursement or participation in any plan or insurance program.

The bill requires a health care provider to be reimbursed at the same rate for the same service as long as the service is within the provider's scope of practice.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance
Department of Public Safety - Missouri Highway Patrol
Department of Social Services
Missouri Department of Conservation
Missouri Department of Transportation
Office of the Secretary of State
Joint Committee on Administrative Rules
Missouri Consolidated Health Care Plan



Julie Morff
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March 15, 2024



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March 15, 2024