

SECOND REGULAR SESSION

# HOUSE BILL NO. 2394

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOSLEY.

4879H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage of genetic screenings for cancer risk.

*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 376.1260, to read as follows:

**376.1260. 1. As used in this section, the following terms mean:**

(1) "Cost-sharing requirement", any deductible, coinsurance, co-payment, or maximum limitation on the application of such deductible, coinsurance, co-payment, or similar out-of-pocket expense;

(2) "Genetic counseling", the provision of services to individuals, couples, families, and organizations by one or more appropriately trained individuals to address the physical and psychological issues associated with the occurrence or risk of occurrence of a genetic disorder, birth defect, or genetically influenced condition or disease in an individual or a family;

(3) "Health benefit plan", the same meaning as is ascribed to such term in section 376.1350;

(4) "Health carrier", the same meaning as is ascribed to such term in section 376.1350.

2. Each health benefit plan delivered, issued for delivery, continued, or renewed on or after January 1, 2025, shall provide coverage for BRCA-related genetic counseling and genetic testing provided by an individual certified by an accrediting body, recognized by the department of commerce and insurance, to provide genetic counseling

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 **and genetic testing. The coverage required under this section shall include all costs**  
19 **associated with genetic counseling and, if indicated after genetic counseling, a genetic**  
20 **laboratory test of the BRCA1 and BRCA2 genes for individuals assessed to be at an**  
21 **increased risk, based on a clinical risk assessment tool, of potentially harmful mutations**  
22 **in the BRCA1 or BRCA2 genes due to a personal or family history of breast or ovarian**  
23 **cancer.**

24 **3. No health benefit plan or health carrier shall consider, or request approval to**  
25 **consider, the results of any genetic testing or the provision of genetic counseling**  
26 **provided in accordance with this section in determining eligibility for coverage,**  
27 **establishing premiums, limiting coverage, renewing coverage, or any other underwriting**  
28 **decision. A violation of this subsection shall constitute a violation of section 375.1303.**

29 **4. No health benefit plan shall impose any cost-sharing requirement with respect**  
30 **to coverage required under this section. If application of this section would result in**  
31 **health savings account ineligibility under Section 223 of the Internal Revenue Code of**  
32 **1986, as amended, this section shall apply to health savings account-qualified high**  
33 **deductible health plans with respect to any cost-sharing under the plans only after an**  
34 **enrollee has satisfied the minimum deductible under Section 223, except with respect to**  
35 **items or services that are preventive care under Section 223(c)(2)(C) of the Internal**  
36 **Revenue Code of 1986, as amended, in which case the requirements of this section shall**  
37 **apply regardless of whether the minimum deductible under Section 223 has been**  
38 **satisfied.**

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