

FIRST REGULAR SESSION

HOUSE BILL NO. 804

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STINNETT.

1650H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage of alternatives to opioid drugs.

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 376.1280, to read as follows:

376.1280. 1. As used in this section, the following terms mean:

2 (1) "Elevated risk of opioid misuse", when an enrollee meets one or more of the
3 following criteria, as determined by the prescribing health care professional:

4 (a) Current or previous history or diagnosis of a substance use disorder;

5 (b) Completed an advance health care directive to limit pain control to
6 nonopioid measures as described in section 459.016;

7 (c) Increased risk for opioid overdose, dependency, or serious side effects based
8 on the patient's age or diagnosis; or

9 (d) Currently prescribed medications with contraindications for opioid use;

10 (2) "Enrollee", the same meaning given to the term in section 376.1350;

11 (3) "Health benefit plan", the same meaning given to the term in section
12 376.1350;

13 (4) "Health care professional", the same meaning given to the term in section
14 376.1350.

15 2. Notwithstanding any provision of law to the contrary, when a licensed health
16 care professional acting within the scope of his or her license prescribes a nonopioid

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.

17 medication for the treatment of pain to a patient with an elevated risk of opioid misuse,
18 it shall be unlawful for a health benefit plan to:

19 (1) Deny coverage of the nonopioid prescription drug in favor of an opioid
20 prescription drug;

21 (2) Require the patient to try an opioid prescription drug prior to providing
22 coverage of the nonopioid prescription drug; or

23 (3) Require a higher level of cost sharing for the nonopioid prescription drug
24 than for an opioid prescription drug.

25 3. No health benefit plan shall require a health care professional or enrollee to
26 submit documentation beyond the prescribing health care professional's clinical notes to
27 determine whether an enrollee meets the criteria for an elevated risk of opioid misuse.

28 4. This section shall apply to health benefit plans delivered, issued for delivery,
29 continued, or renewed on or after January 1, 2026.

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