

SECOND REGULAR SESSION

HOUSE BILL NO. 2775

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HRUZA.

6432H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto three new sections relating to health insurance.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto three new sections, to be known as sections 376.464, 376.2099, and 376.2120, to read as follows:

376.464. 1. As used in this section, terms shall have the same meanings given to them in section 376.1350, except that the term "health carrier" shall also include any MO HealthNet managed care organization and any health services corporation or health maintenance organization as defined in chapter 354.

2. No health carrier shall impose any penalty or fee on an in-network health care provider based on the provision of a health care service by an out-of-network health care provider.

376.2099. 1. As used in this section, the following terms mean:

(1) "Anesthesia practitioner", an anesthesiologist or an anesthesiologist assistant, as such terms are defined in section 334.400;

(2) "Anesthesia time", the period during which an anesthesia practitioner is present with the patient, beginning when the anesthesia practitioner begins to prepare the patient for anesthesia in an operating room or equivalent area and ending when the anesthesia practitioner is no longer delivering anesthesia services to the patient and the patient may be placed safely under postoperative or postanesthesia care. In calculating anesthesia time, an anesthesia practitioner may include blocks of time around

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.

10 interruptions, provided that the anesthesia practitioner is delivering continuous
11 anesthesia care in the time periods before and after each interruption;

12 (3) "Health carrier", the same meaning given to the term in section 376.1350.
13 The term "health carrier" shall also include any MO HealthNet managed care
14 organization and any health services corporation or health maintenance organization as
15 defined in chapter 354.

16 2. Reimbursement amounts from a health carrier for anesthesia services shall be
17 calculated under the prevailing medical coding and billing standards in the professional
18 medical billing community. Reimbursement amounts for anesthesia services shall be
19 calculated based on a base, plus time units, multiplied by an anesthesia conversion
20 factor as defined in the individual contract between the health carrier and anesthesia
21 practitioner or group of anesthesia practitioners. Anesthesia time shall be recognized
22 with time units no more than fifteen minutes in duration. The sum of the anesthesia
23 time units shall equal the anesthesia time.

24 3. No health carrier shall directly or indirectly impose a maximum duration of
25 anesthesia time for which reimbursement will be made for anesthesia provided during a
26 health care service for which anesthesia is covered.

27 4. No health carrier shall directly or indirectly restrict or exclude all anesthesia
28 time from reimbursement for a health care service for which anesthesia is covered.

376.2120. 1. As used in this section, terms shall have the same meanings given to
2 them in section 376.1350, except that the term "health carrier" shall also include any
3 MO HealthNet managed care organization and any health services corporation or
4 health maintenance organization as defined in chapter 354.

5 2. No contract issued, amended, continued, or renewed on or after August 28,
6 2026, between a health carrier and an enrollee, or between a health carrier and a health
7 care provider for the provision of health care services to enrollees, shall authorize the
8 health carrier to modify or add to the contract, including any manual, policy, protocol,
9 procedure, program, or other document referred to in the contract, except that the
10 contract, manual, policy, protocol, procedure, program, or other document may be
11 modified or added to the contract if:

12 (1) The modification or addition is:

13 (a) Subsequently negotiated and agreed to in writing by the parties to the
14 contract;

15 (b) Required by or necessary to comply with applicable state or federal law,
16 regulation, or order;

17 (c) Made to reflect changes to the uniform format and standard medical code
18 sets promulgated by the department of commerce and insurance in accordance with
19 subsection 7 of section 376.384; or

20 (d) Made to reflect changes to the Medicare or MO HealthNet fee schedule; and

21 (2) The modification or addition is made readily available to each party in an
22 electronic format at or before the time the amendment takes effect and for the duration
23 for which claims may be submitted for reimbursement under the contract.

24 3. Except as otherwise provided in subsection 2 of this section, for contracts
25 issued, amended, continued, or renewed on or after August 28, 2026, between a health
26 carrier and an enrollee, or between a health carrier and a health care provider for the
27 provision of health care services to enrollees, no manual, policy, protocol, procedure,
28 program, or other document shall be binding upon the provider or enrollee unless it is
29 referred to in the contract, is in effect at the time the contract is signed, and is made
30 readily available to each party in an electronic format at or before the time the contract
31 is signed and for the duration for which claims may be submitted for reimbursement
32 under the contract.

33 4. Requirements under this section that a contract or document be made readily
34 available to each party in an electronic format shall be satisfied by the health carrier
35 providing each party with electronic access to a copy of the contract or document
36 without amendments and, for purposes of modifications and additions, with electronic
37 access to a copy of the contract or document with any amendments indicated by
38 underlining and bolding any added language and by visually striking through any
39 deleted language.

40 5. Any contractual provision waiving or violating the provisions of this section
41 shall be null and void as against the public policy of this state.

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