

SECOND REGULAR SESSION

# HOUSE BILL NO. 1979

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MERIDETH.

4325H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the MO HealthNet program.

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

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be  
2 known as section 208.1080, to read as follows:

**208.1080. 1. To the extent allowed by federal law, the department of social services  
2 shall establish the "Missouri Care Plan" within MO HealthNet and make coverage  
3 available for purchase through the plan to any person who is not otherwise eligible for MO  
4 HealthNet.**

**5 2. The coverage provided to a person who enrolls in the Missouri care plan shall  
6 be the same as the coverage provided to MO HealthNet participants who do not participate  
7 in a MO HealthNet managed care program.**

**8 3. The department shall apply to the Secretary of the United States Department of  
9 Health and Human Services for any necessary waiver under 42 U.S.C. Section 1315 or  
10 18052, as applicable, to:**

**11 (1) Allow the department to enter into a contract with one or more insurers to  
12 provide coverage to persons who enroll in the Missouri care plan established under this  
13 section; and**

**14 (2) Allow a person who is determined eligible for advance payments of the premium  
15 tax credit and cost-sharing reductions, if available, under 45 CFR 155.305 to use such  
16 credits and reductions to purchase coverage through the Missouri care plan.**

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           **4. If the Secretary of the United States Department of Health and Human Services**  
18 **grants any necessary waiver under subsection 3 of this section, the department may enter**  
19 **into a contract with one or more providers of insurance to provide the coverage described**  
20 **in this section to persons who enroll in the Missouri care plan.**

21           **5. The department shall adopt such regulations as necessary to carry out the**  
22 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**  
23 **536.010, that is created under the authority delegated in this section shall become effective**  
24 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**  
25 **applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of**  
26 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**  
27 **the effective date, or to disapprove and annul a rule are subsequently held**  
28 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
29 **after August 28, 2020, shall be invalid and void.**

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