

HOUSE BILL NO. 2311

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HAFFNER.

4997H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to billing practices of provider-based facilities.

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

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be known as section 197.288, to read as follows:

197.288. 1. For purposes of this section, the following terms mean:

(1) "Health system", a system that is:

(a) A parent corporation of one or more hospitals and any entity affiliated with such parent corporation through ownership, governance, membership, or other means; or

(b) A hospital and any entity affiliated with such hospital through ownership, governance, membership, or other means;

(2) "Hospital", the same meaning as provided in section 197.020;

(3) "Provider-based facility", a clinic or physician's office that operates under the ownership, administrative, and financial control of a hospital or health system and bills as an outpatient department of the hospital. "Provider-based facility" does not include critical access hospitals, facilities designated as rural health clinics, or ambulatory surgery centers.

2. A provider-based facility shall not charge, bill, or collect a facility fee for services rendered. The patient shall not be responsible for such charge unless Medicare is the primary payor for such patient and the facility is allowed to charge the fee under federal law or the patient is covered by Medicaid and Medicaid allows the facility to charge the fee.

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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.