

SECOND REGULAR SESSION

HOUSE BILL NO. 2811

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HILL.

6860H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to out-of-network billing for physician services.

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 376.1850, to read as follows:

**376.1850. 1. For purposes of this section, the term “facility-based physician” shall
2 mean any physician licensed in this state to whom a facility has granted clinical privileges
3 and who provides services to patients of the facility under those clinical privileges.**

**4 2. Any facility-based physician licensed in this state who bills a patient covered by
5 a health benefit plan under this chapter that does not have a contract with the facility-
6 based physician shall send a billing statement to the patient that contains a conspicuous,
7 plain-language explanation of the mediation process available under this section if the
8 amount for which the patient is responsible to the physician, after co-payments,
9 deductibles, and coinsurance, including the amount unpaid by the health benefit plan, is
10 greater than five hundred dollars.**

**11 3. A patient may request mediation of a settlement of an out-of-network health
12 benefit claim if:**

**13 (1) The amount for which the patient is responsible to a facility-based physician,
14 after co-payments, deductibles, and coinsurance, including the amount unpaid by the
15 insurer, is greater than five hundred dollars; and**

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.

16 **(2) The health benefit claim is for a health care service or supply provided by a**
17 **facility-based physician in a hospital that is a preferred provider or that has a contract**
18 **with the health benefit plan.**

19 **4. The department of insurance, financial institutions and professional registration**
20 **may promulgate rules and regulations to implement the provisions of this section. Any rule**
21 **or portion of a rule, as that term is defined in section 536.010, that is created under the**
22 **authority delegated in this section shall become effective only if it complies with and is**
23 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
24 **section and chapter 536 are nonseverable, and if any of the powers vested with the general**
25 **assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**
26 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
27 **authority and any rule proposed or adopted after August 28, 2016, shall be invalid and**
28 **void.**

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