

FIRST REGULAR SESSION

HOUSE BILL NO. 718

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FITZWATER (144).

1233H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the provision of health care services in correctional facilities.

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 known as section 208.830, to read as follows:

208.830. 1. No hospital or health care services provider that receives funding from MO HealthNet shall refuse to contract with or provide health care services to the department of corrections directly or to any contractor to the department of corrections that provides health care services to any individual incarcerated in a Missouri correctional setting.

2. The department of corrections or its contracted medical provider shall pay to a provider of a health care service for a person residing in a correctional or detention facility an amount no greater than one hundred percent of the MO HealthNet reimbursement rate or federal Medicare reimbursement rate, whichever is greater, for any given procedure applicable to such provider and service. This limitation applies to all health care services, both inpatient and outpatient, goods, and prescription drugs provided to a person outside the facility.

3. At the request of the department of corrections, the attorney general shall seek injunctive relief from any court of competent jurisdiction or the circuit court of Cole County against any hospital or health care services provider that does not comply with the provisions of this section. If the court finds for the state, attorney fees shall be awarded to the state.

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.

18 **4. Any cost savings due to the provisions of this section shall inure to the state and**
19 **not to any health care services contractor.**

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