

FIRST REGULAR SESSION

HOUSE BILL NO. 994

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EGGLESTON.

1067H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section 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 one new section, to be
2 known as section 376.2055, to read as follows:

**376.2055. 1. Unless the provisions of this section would violate federal law, rule or
2 regulation, or if such provisions would create a loss to the state in federal funds, any
3 employer in this state that provides health insurance benefits for employees shall allow any
4 employee the option of having coverage under the health insurance plan offered or
5 receiving the amount the employer would have paid for such employee's health insurance
6 plan.**

**7 2. The employee shall have the option of receiving the payment in the form of
8 compensation, purchasing a qualifying individual or family high-deductible policy through
9 the individual market and placing any remaining funds in an eligible health savings
10 account with the funds to be used for paying medical expenses, or a combination of both.**

**11 3. The department of revenue shall seek a waiver or ruling from the Internal
12 Revenue Service of the United States Department of the Treasury under the provisions of
13 the Internal Revenue Code that the funds received under subsection 1 of this section are:**

**14 (1) If received in compensation, treated as ordinary income as determined for
15 federal income tax purposes;**

**16 (2) If the funds are placed in an eligible health savings account, exempt from
17 income taxation; or**

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 **(3) If the funds are used to purchase an individual or family high-deductible health**
19 **insurance policy, exempt from income taxation.**

20 **4. To qualify, an individual or family high-deductible health insurance policy shall**
21 **meet federal requirements for health savings account (HSA) eligibility.**

22 **5. The department of revenue may adopt rules and regulations to implement the**
23 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**
24 **536.010, that is created under the authority delegated in this section shall become effective**
25 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**
26 **applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of**
27 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
28 **the effective date, or to disapprove and annul a rule are subsequently held**
29 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
30 **after August 28, 2017, shall be invalid and void.**

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