

FIRST REGULAR SESSION

SENATE BILL NO. 158

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 16, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

0607S.02I

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to enabling health insurers authorized to sell health insurance coverage in selected states to engage in the business of health insurance in Missouri.

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 known as section 376.684, to read as follows:

376.684. 1. The Missouri general assembly recognizes the need for individuals, employers, and other purchasers of health insurance coverage in this state to have the opportunity to choose health insurance plans that are more affordable and flexible than existing market policies offering accident and sickness insurance coverage. Therefore, the Missouri general assembly seeks to increase the availability of health insurance coverage by allowing insurers authorized to engage in the business of insurance in selected states to issue accident and sickness policies in Missouri.

2. The selected out-of-state insurers shall not be required to offer or provide state mandated health benefits required by Missouri law or regulations in health insurance policies sold to Missouri residents.

3. Each written application for participation in an out-of-state health benefit plan shall contain the following language in boldface type at the beginning of the document:

"This policy is primarily governed by the laws of (insert state where the master policy is filed); therefore, all of the rating laws applicable to policies filed in this state do not apply to this policy, which may result in increases in your premium at renewal that would not be permissible in a

21 (insert state)-approved policy. Any purchase of individual
22 health insurance should be considered carefully since
23 future medical conditions may make it impossible to
24 qualify for another individual health policy. For
25 information concerning individual health coverage under
26 a (insert state)-approved policy, please consult your
27 insurance agent or the (insert state Department of
28 Insurance or similar agency)."

29 4. Each out-of-state health benefit plan shall contain the
30 following language in boldface type at the beginning of the document:

31 "The benefits of this policy providing your coverage are
32 governed primarily by the laws of a state other than
33 (insert state). While this health benefit plan may provide
34 you a more affordable health insurance policy, it may also
35 provide fewer health benefits than those normally included
36 as state mandated health benefits in policies in (insert
37 state). Please consult your insurance agent to determine
38 which state-mandated health benefits are excluded under
39 this policy."

40 5. The director of the department of insurance, financial
41 institutions and professional registration shall be authorized to
42 conduct market conduct and solvency examinations of all out-of-state
43 companies seeking to offer health benefit plans in this state or who
44 have been given approval to offer health benefit plans in this
45 state. Such examinations shall be conducted in the same manner and
46 under the same terms and conditions as for companies located in this
47 state.

48 6. The director of the department of insurance, financial
49 institutions and professional registration shall promulgate rules and
50 regulations necessary to implement the provisions of this section,
51 including, but not limited to, determining which health insurance
52 companies located in other states shall be authorized to offer plans to
53 Missouri residents and determining the manner of approving the health
54 benefit plans offered by such companies. Any rule or portion of a rule,
55 as that term is defined in section 536.010 that is created under the
56 authority delegated in this section shall become effective only if it
57 complies with and is subject to all of the provisions of chapter 536, and,

58 **if applicable, section 536.028. This section and chapter 536 are**
59 **nonseverable and if any of the powers vested with the general assembly**
60 **pursuant to chapter 536, to review, to delay the effective date, or to**
61 **disapprove and annul a rule are subsequently held unconstitutional,**
62 **then the grant of rulemaking authority and any rule proposed or**
63 **adopted after August 28, 2013, shall be invalid and void.**

✓

Unofficial

Bill

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