

SECOND REGULAR SESSION

SENATE BILL NO. 1103

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 23, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5320S.011

AN ACT

To repeal section 354.430, RSMo, and to enact in lieu thereof one new section relating to the issuance of health insurance coverage evidence.

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

Section A. Section 354.430, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 354.430, to read as follows:

354.430. 1. Every enrollee residing in this state is entitled to evidence of
2 coverage. If the enrollee obtains coverage through an insurance policy or a
3 contract issued by a health services corporation, whether by option or otherwise,
4 the insurer or the health services corporation shall issue the evidence of
5 coverage. Otherwise the health maintenance organization shall issue the
6 evidence of coverage.

7 2. No evidence of coverage, or amendment thereto, shall be issued or
8 delivered to any person in this state until a copy of the form of the evidence of
9 coverage, or amendment thereto, has been filed with the director.

10 3. An evidence of coverage shall contain:

11 (1) No provisions or statements which are unjust, unfair, inequitable,
12 misleading, or deceptive, or which encourage misrepresentation, or which are
13 untrue, misleading, or deceptive as defined in subsection 1 of section 354.460; and

14 (2) A clear and complete statement, if a contract, or a reasonably complete
15 summary, if a certificate, of:

16 (a) The health care services and the insurance or other benefits, if any,
17 to which the enrollee is entitled;

18 (b) Any limitations on the services, kind of services, benefits, or kinds of
19 benefits to be provided, including any deductible or co-payment, **coinsurance,**
20 **or other cost-sharing feature, which feature shall be as requested by the**

21 **group sponsor or, in the case of non-group coverage, the individual**
22 **certificate holder;**

23 (c) Where and in what manner information is available as to how services
24 may be obtained;

25 (d) The total amount of payment for health care services and the
26 indemnity or service benefits, if any, which the enrollee is obligated to pay with
27 respect to individual contracts; and

28 (e) A clear and understandable description of the health maintenance
29 organization's method for resolving enrollee complaints, including the health
30 maintenance organization's toll-free customer service number and the department
31 of insurance's consumer complaint hot line number.

32 4. Any subsequent change in an evidence of coverage may be made in a
33 separate document issued to the enrollee.

34 5. A copy of the form of the evidence of coverage to be used in this state,
35 and any amendment thereto, shall be subject to the filing of subsection 2 of this
36 section unless it is subject to the jurisdiction of the director under the laws
37 governing health insurance or health services corporations, in which event the
38 filing provisions of those laws shall apply.

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