

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 414

AN ACT

To amend chapter 376, RSMo, by adding thereto two new sections relating to innovations in health insurance, with an emergency clause.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Chapter 376, RSMo, is amended by adding thereto
2 two new sections, to be known as sections 376.1180 and 376.1182,
3 to read as follows:

4 376.1180. 1. There is hereby created the "Missouri Health
5 Insurance Innovation Task Force" for the purpose of soliciting
6 concepts on potential forms of innovation in the health insurance
7 marketplace which may qualify the state for a section 1332
8 innovation waiver under the federal Patient Protection and
9 Affordable Care Act, Public Law 111-148, as amended, and issuing
10 a report of the task force's recommended course or courses of
11 action for the state to obtain an innovation waiver. The task
12 force shall focus on improving access to health care, decreasing
13 premiums, and increasing the number of health carriers available
14 in the state's health insurance market.

15 2. The task force shall consist of the following members:

16 (1) The director of the department of insurance, financial
17 institutions, and professional registration, or his or her
18 designee;

1 (2) Three representatives of insurance producers in the
2 state, with one to be appointed by the president pro tempore of
3 the senate and two to be appointed by the speaker of the house of
4 representatives;

5 (3) Three representatives of health insurers in the state,
6 with two to be appointed by the president pro tempore of the
7 senate and one to be appointed by the speaker of the house of
8 representatives;

9 (4) Three members of the senate, with two to be appointed
10 by the president pro tempore of the senate and one to be
11 appointed by the minority leader of the senate;

12 (5) Three members of the house of representatives, with two
13 to be appointed by the speaker of the house of representatives
14 and one to be appointed by the minority leader of the house of
15 representatives;

16 (6) Two representatives of the interests of hospitals and
17 doctors in the state, to be appointed by the governor; and

18 (7) Four representatives of the interests of consumers,
19 with one to be appointed by the president pro tempore of the
20 senate, one to be appointed by the minority leader of senate, one
21 to be appointed by the speaker of the house of representatives,
22 and one to be appointed by the minority leader of the house of
23 representatives.

24 3. The staffs of the department, senate research, and house
25 research shall provide technical assistance to the task force as
26 necessary for the completion of its duties.

27 4. The members shall be appointed no later than thirty days
28 after the effective date of this section. The task force shall

1 hold its first meeting no later than fifteen days after such
2 members are appointed.

3 5. The members of the task force shall serve without
4 compensation, but the members and staff assigned to the task
5 force shall receive reimbursement for actual and necessary
6 expenses incurred in attending meetings of the task force or any
7 subcommittee thereof.

8 6. The director, or his or her designee, shall serve as
9 chair. Duties of the chair shall include calling meetings,
10 leading discussions, posting public notice of meetings,
11 soliciting comments from the public and from technical experts
12 and other interested parties, and preparing a final report in
13 accordance with the provisions of this section. The director is
14 hereby authorized to expend the funds necessary to conduct the
15 business of the task force, including but not limited to
16 commissioning an actuarial review of waiver concepts under
17 consideration by the task force.

18 7. Unless the task force extends this deadline by a
19 majority vote, the chair shall complete a final report of the
20 task force's activities and recommendations no later than
21 December 31, 2019. Recommendations of the task force shall be
22 revenue neutral with regard to the general revenues of the state
23 and shall be approved by a majority vote of the task force
24 members. Copies of the report shall be delivered to the
25 governor, the speaker of the house of representatives, and the
26 president pro tempore of the senate.

27 376.1182. 1. Notwithstanding any provision of law to the
28 contrary, the department is authorized to work with the Missouri

1 health insurance innovation task force established in section
2 376.1180, and with the Centers for Medicare and Medicaid Services
3 to develop innovative ways to transform the health insurance
4 markets in this state and to submit applications for a section
5 1332 innovation waiver under the federal Patient Protection and
6 Affordable Care Act, Public Law 111-148, as amended.

7 2. This section shall not be interpreted to permit the
8 department, or any other state agency, to implement, establish,
9 create, or operate a state-based exchange or to assist or
10 facilitate in the operation of a federally facilitated
11 marketplace as prohibited under section 376.1186. However, to
12 the extent the department may assume certain administrative
13 functions or activities which are ancillary to and currently
14 performed by the federally facilitated marketplace, such
15 functions are hereby authorized to be performed by the department
16 if the functions or activities will further the objective of
17 creating alternatives to the Affordable Care Act, accomplish the
18 other objectives specified in this section, or are consistent
19 with the objectives and final recommendations of the Missouri
20 health insurance innovation task force established in section
21 376.1180. Such ancillary administrative functions include but
22 are not limited to determining actuarial values of health benefit
23 plans, certification of qualified health plans, or administering
24 premium tax subsidies.

25 3. Provided the general assembly accepts the task force's
26 recommendations by filing with the secretary of state no later
27 than March 15, 2020, a petition to accept the recommendations
28 signed by two-thirds of the members of the senate and two-thirds

1 of the members of the house of representatives, the director
2 shall, subject to approval by the governor, no later than
3 December 31, 2020, or as soon as practicable following the
4 enactment of any legislation necessary to qualify the state for a
5 section 1332 innovation waiver, submit an application to the
6 Centers for Medicare and Medicaid Services seeking approval of a
7 section 1332 innovation waiver based on the recommendations of
8 the task force established in section 376.1180.

9 Section B. Because of the importance of access to
10 affordable health insurance, section A of this act is deemed
11 necessary for the immediate preservation of the public health,
12 welfare, peace and safety, and is hereby declared to be an
13 emergency act within the meaning of the constitution, and section
14 A of this act shall be in full force and effect upon its passage
15 and approval.