

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/HS/House Bill No. 432, Page 65, Section 376.1228, Line 26,

2 by inserting after all of said line the following:

3 "376.1551. 1. As used in this section, the following  
4 terms mean:

5 (1) "Health benefit plan", the same meaning given to  
6 the term in section 376.1350;

7 (2) "Health carrier", the same meaning given to the  
8 term in section 376.1350;

9 (3) "Mental health condition", the same meaning given  
10 to the term in section 376.1550.

11 2. Notwithstanding any other provision of law to the  
12 contrary, each health carrier that offers or issues health  
13 benefit plans that are delivered, issued for delivery,  
14 continued, or renewed in this state on or after January 1,  
15 2022, and that provide coverage for a mental health  
16 condition shall meet the requirements of the Mental Health  
17 Parity and Addiction Equity Act of 2008, 42 U.S.C. Section  
18 300gg-26, as amended, and the regulations promulgated  
19 thereunder. The director may enforce such requirements  
20 subject to the provisions of this section.

21 3. The provisions of this section shall not apply to a  
22 supplemental insurance policy, including a life care  
23 contract, accident-only policy, specified disease policy,  
24 hospital policy providing a fixed daily benefit only,  
25 Medicare supplement policy, long-term care policy,  
26 hospitalization-surgical care policy, short-term major

27 medical policy of twelve months' or less duration, a health  
28 benefit plan in the small group market that was issued  
29 before January 1, 2014, or a health benefit plan in the  
30 individual market that was purchased before January 1, 2014,  
31 or any other supplemental policy as determined by the  
32 director of the department of commerce and insurance.

33 4. The director may promulgate rules to effectuate the  
34 provisions of this section. Any rule or portion of a rule,  
35 as that term is defined in section 536.010, that is created  
36 under the authority delegated in this section shall become  
37 effective only if it complies with and is subject to all of  
38 the provisions of chapter 536 and, if applicable, section  
39 536.028. This section and chapter 536 are nonseverable, and  
40 if any of the powers vested with the general assembly  
41 pursuant to chapter 536 to review, to delay the effective  
42 date, or to disapprove and annul a rule are subsequently  
43 held unconstitutional, then the grant of rulemaking  
44 authority and any rule proposed or adopted after August 28,  
45 2021, shall be invalid and void."; and

46 Further amend the title and enacting clause accordingly.