

# SENATE BILL NO. 559

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

2174S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to payment for anatomic pathology services.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.890, to read as follows:

**191.890. 1. For purposes of this section, the term "anatomic pathology services" means:**

(1) "Histopathology" or "surgical pathology", the gross and microscopic examination and histologic processing of organ tissue performed by a physician or under the supervision of a physician;

(2) "Cytopathology", the examination of cells, from fluids, aspirates, washings, brushings, or smears, including a pap smear performed by a physician or under the supervision of a physician;

(3) "Hematology", the microscopic evaluation of bone marrow aspirates and biopsies performed by a physician or under the supervision of a licensed physician, and peripheral blood smears when the attending or treating physician or technologist requests that a blood smear be reviewed by a pathologist;

(4) Subcellular pathology and molecular pathology; and

(5) Blood-banking services performed by pathologists.

19           2. Except as provided under subsection 5 of this  
20 section, no licensed health care professional in the state  
21 shall, directly or indirectly, charge, bill, or otherwise  
22 solicit payment from a patient for anatomic pathology  
23 services unless such services were rendered personally by  
24 the licensed health care professional or under the licensed  
25 health care professional's direct supervision.

26           3. No patient, insurer, third-party payor, hospital,  
27 public health clinic, or nonprofit health clinic shall be  
28 required to reimburse any licensed health care professional  
29 for charges or claims submitted in violation of this section.

30           4. Nothing in this section shall be construed to  
31 mandate the assignment of benefits for anatomic pathology  
32 services as defined in this section.

33           5. The provisions of this section shall not prohibit  
34 billing by a referring laboratory for anatomic pathology  
35 services in instances where a sample or samples must be sent  
36 to another specialist, provided that the referring  
37 laboratory performs a technical or professional component of  
38 the anatomic pathology service involved.

39           6. The respective state licensing boards having  
40 jurisdiction over any health care professional who may  
41 request or provide anatomic pathology services may revoke,  
42 suspend, or deny renewal of the license of any health care  
43 professional who violates the provisions of this section.

44           7. Nothing in this section shall be construed to  
45 prohibit a referring physician from sending a patient's  
46 specimen to any laboratory providing anatomic pathology  
47 services.

48           8. A clinical laboratory or physician located in this  
49 state or in another state providing anatomic pathology  
50 services for patients in this state shall present or cause

51 to be presented a claim, bill, or demand for payment for  
52 these services only to the following:

- 53 (1) The patient directly;
- 54 (2) The responsible insurer or other third-party payor;
- 55 (3) The hospital, public health clinic, or nonprofit  
56 health clinic ordering such services;
- 57 (4) The referring laboratory, other than a laboratory  
58 of a physician's office or group practice that does not  
59 perform the professional component of the anatomic pathology  
60 service;
- 61 (5) Governmental agencies or their specified public or  
62 private agent, agency, or organization on behalf of the  
63 recipient of the services.

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