

SENATE BILL NO. 406

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

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KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage of genetic screenings for cancer risk.

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 376.1260, to read as follows:

376.1260. 1. As used in this section, the following terms mean:

(1) "Cost-sharing requirement", any deductible, coinsurance, co-payment, or maximum limitation on the application of such deductible, coinsurance, co-payment, or similar out-of-pocket expense;

(2) "Genetic counseling", the provision of services to individuals, couples, families, and organizations by one or more appropriately trained individuals to address the physical and psychological issues associated with the occurrence or risk of occurrence of a genetic disorder, birth defect, or genetically influenced condition or disease in an individual or a family;

(3) "Health benefit plan", the same meaning as is ascribed to such term in section 376.1350;

(4) "Health carrier", the same meaning as is ascribed to such term in section 376.1350.

18 2. Each health benefit plan delivered, issued for
19 delivery, continued or renewed on or after January 1, 2025,
20 shall provide coverage for BRCA-related genetic counseling
21 and genetic testing provided by an individual certified by
22 an accrediting body, recognized by the department of
23 commerce and insurance, to provide genetic counseling and
24 genetic testing. The coverage required under this section
25 shall include all costs associated with genetic counseling
26 and, if indicated after genetic counseling, a genetic
27 laboratory test of the BRCA1 and BRCA2 genes for individuals
28 assessed to be at an increased risk, based on a clinical
29 risk assessment tool, of potentially harmful mutations in
30 the BRCA1 or BRCA2 genes due to a personal or family history
31 of breast or ovarian cancer.

32 3. No health benefit plan or health carrier shall
33 consider, or request approval to consider, the results of
34 any genetic testing or the provision of genetic counseling
35 provided in accordance with this section in determining
36 eligibility for coverage, establishing premiums, limiting
37 coverage, renewing coverage, or any other underwriting
38 decision. A violation of this subsection shall constitute a
39 violation of section 375.1303.

40 4. No health benefit plan shall impose any cost-
41 sharing requirement with respect to coverage required under
42 this section. If application of this section would result
43 in health savings account ineligibility under Section 223 of
44 the Internal Revenue Code of 1986, as amended, this section
45 shall apply to health savings account-qualified high
46 deductible health plans with respect to any cost-sharing
47 under the plans only after an enrollee has satisfied the
48 minimum deductible under Section 223, except with respect to
49 items or services that are preventive care under Section

50 223(c)(2)(C) of the Internal Revenue Code of 1986, as
51 amended, in which case the requirements of this section
52 shall apply regardless of whether the minimum deductible
53 under Section 223 has been satisfied.

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