

SECOND REGULAR SESSION

# HOUSE BILL NO. 1170

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES CROWELL, HENDRICKSON (Co-sponsors), MYERS, REID,  
DOLAN, HUNTER, REINHART, MAY (149), MOORE, BEARDEN, BOWMAN,  
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TED WEDEL, Chief Clerk

2625L.01I

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### AN ACT

To amend chapter 208, RSMo, by adding thereto three new sections relating to establishing a trust fund to provide access to treatment for certain uninsured medical treatments.

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

Section A. Chapter 208, RSMo, is amended by adding thereto three new sections, to be known as sections 208.670, 208.671, and 208.672, to read as follows:

**208.670. As used in sections 208.670 to 208.672, the following terms mean:**

(1) "Applicant", any individual who:

(a) Applies for assistance from the Missourians helping Missourians trust fund established in section 208.671;

(b) Is a citizen of the United States or a legally resident alien;

(c) Is a resident of the state of Missouri;

(d) Has a gross income equal to or less than three hundred percent of the federal poverty level for a single person as set and updated annually by the United States Department of Health and Human Services or its successor agency;

(e) Has a life-threatening illness or injury; and

(f) Is uninsured for the needed treatment on the date of application and is not eligible for coverage for the needed treatment through private insurance or federal, state, or local government medical assistance programs.

(2) "Life threatening illness or injury", a medical condition:

(a) Requiring specialized medical treatment, hospitalization, or both; and

(b) More likely than not, resulting directly in death within twelve months if left untreated.

**208.671. 1. The state treasurer shall credit to and deposit in the Missourians helping Missourians trust fund all amounts received pursuant to subsection 5 of this section, and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given for this specific fund.**

**2. The state treasurer shall invest moneys in the Missourians helping Missourians trust fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys in the Missourians helping Missourians trust fund shall be credited to the Missourians helping Missourians trust fund. The general assembly may appropriate moneys annually from the Missourians helping Missourians trust fund to the department of revenue to pay the costs incurred for collecting and transferring funds pursuant to subsection 5 of this section. Except as provided in subsection 3 of this section, funds appropriated by the general assembly from the Missourians helping Missourians trust fund shall only be used by the division of medical services for purposes authorized pursuant to sections 208.670 to 208.672 and shall not be used to supplant any existing program or service.**

**3. Funds received from gifts, bequests, contributions other than contributions made pursuant to subsection 5 of this section, grants, and federal funds may be used and expended by the division of medical services for such purposes as may be specified in any requirements, terms, or conditions attached thereto or, in the absence of any specific requirements, terms, or conditions, as the division of medical services may determine for any lawful purpose.**

**4. The provisions of section 33.080, RSMo, requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue fund of this state at the end of each biennium, shall not apply to the Missourians helping Missourians trust fund.**

**5. In each tax year beginning on or after January 1, 2003, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that two dollars or any amount in excess of two dollars on a single return, and four dollars or any amount in excess of four dollars on a combined return, of the refund due be credited to the Missourians helping Missourians trust fund. The contribution designation authorized by this section shall be clearly and unambiguously printed on the first page of each income tax return form provided by this state. If any individual or corporation which is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the Missourians helping Missourians trust fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in**

37 separately, that amount, clearly designated for the Missourians helping Missourians trust  
38 fund, which the individual or corporation wishes to contribute and the department of  
39 revenue shall forward such amount to the state treasurer for deposit to the Missourians  
40 helping Missourians trust fund as provided in subsections 6 and 7 of this section.

41       6. The director of revenue shall transfer at least monthly all contributions  
42 designated by individuals under subsection 5 of this section to the state treasurer for  
43 deposit to the Missourians helping Missourians trust fund.

44       7. The director of revenue shall transfer at least monthly all contributions  
45 designated by corporations under subsection 5 of this section, less an amount sufficient to  
46 cover the cost of collection and handling by the department of revenue, to the state  
47 treasurer for deposit to the Missourians helping Missourians trust fund.

48       8. A contribution designated under subsection 5 of this section shall only be  
49 transferred and deposited in the Missourians helping Missourians trust fund after all other  
50 claims against the refund from which such contribution is to be made have been satisfied.

208.672. 1. The moneys in the Missourians helping Missourians trust fund shall  
2 be used solely by the division of medical services in providing a source of payment for  
3 medical treatment of a life-threatening illness or injury. Expenditures and disbursements  
4 from the Missourians helping Missourians trust fund shall be made on a first-come, first-  
5 serve basis based on the date the division of medical services receives the original signed  
6 application, and shall be made on behalf of any qualified applicant if:

7       (1) Moneys from the Missourians helping Missourians trust fund are available;

8       (2) The applicant's physician has developed an approved treatment plan; and

9       (3) The health provider is willing to accept the terms of the approved treatment  
10 plan contract.

11       2. The division of medical services shall promulgate rules, guidelines, and  
12 regulations as are necessary to establish application procedures, approved treatment plans,  
13 contracts with health providers, and appeals regarding adverse determinations of  
14 eligibility and approved treatment plans. No rule or portion of a rule promulgated  
15 pursuant to the authority of this section shall become effective unless it has been  
16 promulgated pursuant to chapter 536, RSMo.