

SECOND REGULAR SESSION

# HOUSE BILL NO. 1733

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES STREAM (Sponsor), STORCH, TILLEY, KIRKTON, LeVOTA, TALBOY, WEBB, ZERR, BIERMANN, STILL, BROWN (50), NASHEED, HOSKINS (121), SCHUPP, SCHIEFFER, OXFORD, AULL, SUTHERLAND, SCHOEMEHL, HODGES, ZIMMERMAN, VOGT, WALSH, MEINERS, NEWMAN, LOW, FAITH, JONES (63), ENGLUND, NORR, ALLEN, GRISAMORE, LAMPE, SCHAAF AND DENISON (Co-sponsors).

3431L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 376, RSMo, by adding thereto four new sections relating to eating disorders.

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

Section A. Chapter 376, RSMo, is amended by adding thereto four new sections, to be known as sections 376.845, 1, 2, and 3, to read as follows:

**376.845. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2011, shall provide coverage for the diagnosis and treatment of eating disorders.**

**2. A health carrier or health benefit plan offering group health insurance coverage shall not:**

**(1) Deny eligibility or continued eligibility to an individual to enroll or renew coverage under the terms of the plan solely for the purpose of avoiding the requirements of this section;**

**(2) Deny coverage for treatment of eating disorders, including coverage for residential treatment of eating disorders, if such treatment is medically necessary in accordance with the Practice Guidelines for the Treatment of Patients with Eating Disorders, as most recently published by the American Psychiatric Association;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14           **(3) Provide monetary payments, rebates, or other benefits to individuals to**  
15 **encourage such individuals to accept less than the minimum protections available under**  
16 **this section;**

17           **(4) Penalize or otherwise reduce or limit the reimbursement of a provider because**  
18 **such provider provided care to an individual participant or beneficiary in accordance with**  
19 **this section;**

20           **(5) Provide monetary or other incentives to a provider to induce such provider to**  
21 **provide care to an individual participant or beneficiary in a manner inconsistent with this**  
22 **section; or**

23           **(6) Deny continued eligibility to enroll or renew coverage under the terms of the**  
24 **plan to an individual participant or beneficiary solely because the individual was**  
25 **previously found to have an eating disorder or received treatment for an eating disorder.**

26           **3. The coverage required under this section shall provide access to psychiatric and**  
27 **medical treatment under the plan and shall provide coverage for integrated care and**  
28 **treatments as prescribed by medical and psychiatric health care professionals, including**  
29 **but not limited to nutrition counseling, physical therapy, dietician services, medical**  
30 **monitoring, and psychiatric monitoring.**

31           **4. For the purposes of this section, the following terms shall mean:**

32           **(1) "Eating disorders", anorexia nervosa, bulimia, binge eating, eating disorders**  
33 **nonspecified, and any other severe eating disorders contained in the most recent version**  
34 **of the Diagnostic and Statistical Manual of Mental Disorders published by the American**  
35 **Psychiatric Association;**

36           **(2) "Health benefit plan", the same meaning as such term is defined in section**  
37 **376.1350;**

38           **(3) "Health carrier", the same meaning as such term is defined in section 376.1350.**

39           **5. Nothing in this section shall be construed as requiring a health carrier or health**  
40 **benefit plan to provide coverage of mental illness. No health carrier or health benefit plan**  
41 **shall require that such health benefits be provided in accordance with the requirements**  
42 **for coverage of mental illness under the health benefit plan.**

43           **6. The health care service required by this section shall not be subject to any**  
44 **greater deductible or co-payment than other health care services provided by the health**  
45 **benefit plan.**

46           **7. The provisions of this section shall not apply to a supplemental insurance policy,**  
47 **including a life care contract, accident-only policy, specified disease policy, hospital policy**  
48 **providing a fixed daily benefit only, Medicare supplement policy, long-term care policy,**

49 short-term major medical policies of six months' or less duration, or any other  
50 supplemental policy.

Section 1. The department of mental health, in collaboration with the departments  
2 of health and senior services and social services, shall provide diagnosis and treatment  
3 services for any resident of this state who does not have insurance coverage for the  
4 diagnosis and treatment of eating disorders or is in need of financial assistance to pay for  
5 the diagnosis and treatment of an eating disorder. Such eating disorder care shall be  
6 provided at eating disorder specialty units, private facilities, and state-operated facilities  
7 that have licensed eating disorder specialists on staff.

Section 2. 1. There is hereby established within the department of mental health  
2 the "Missouri Eating Disorder Council" which shall consist of the following persons to be  
3 selected by and the number of members to be determined by the director of the department  
4 of mental health:

- 5 (1) Director's designees from the department of mental health;
- 6 (2) Eating disorder researchers, clinicians, and patient advocacy groups; and
- 7 (3) The general public.

8 2. The council shall:

9 (1) Oversee the eating disorder education and awareness programs established in  
10 section 3 of this act;

11 (2) Identify whether adequate treatment and diagnostic services are available in the  
12 state; and

13 (3) Assist the department of mental health in identifying eating disorder research  
14 projects.

15 3. Members of the council shall serve four-year terms, with the initial terms of the  
16 members staggered as two-year, three-year, and four-year terms. The members of the  
17 council may be reappointed. The members of the council shall not receive compensation  
18 for their service on the council, but may, subject to appropriation, be reimbursed for their  
19 actual and necessary expenses incurred as members of the council.

20 4. The council shall conduct an organizational meeting at the call of the director of  
21 the department of mental health. At such meeting, the council shall select a chair and vice  
22 chair of the council. Subsequent meetings of the council shall be called as necessary by the  
23 chair of the council or the director of the department of mental health.

Section 3. 1. The department of mental health, in collaboration with the  
2 departments of health and senior services, elementary and secondary education, and higher  
3 education and in consultation with the Missouri eating disorder council established in

4 section 2 of this act, shall develop and implement the following education and awareness  
5 programs:

6 (1) Health care professional education and training programs designed to prevent  
7 and treat eating disorders. Such programs shall include:

8 (a) Discussion of various strategies with patients from at-risk and diverse  
9 populations to promote positive behavior change and healthy lifestyles to prevent eating  
10 disorders;

11 (b) Identification of individuals with eating disorders and those who are at risk for  
12 developing an eating disorder;

13 (c) Conducting a comprehensive assessment of individual and familial health risk  
14 factors;

15 (2) Education and training programs for elementary and secondary and higher  
16 education professionals. Such programs shall include:

17 (a) Distribution of educational materials to middle and high school students in both  
18 public and private schools, including but not limited to utilization of the National Women's  
19 Health Information Center's Body Wise materials;

20 (b) Development of a curriculum which focuses on a healthy body image,  
21 identifying the warning signs and behaviors associated with an eating disorder, and ways  
22 to assist the individual, friends, or family members who may have an eating disorder; and

23 (3) General eating disorder awareness and education programs.

24 2. The department of mental health may seek the cooperation and assistance of any  
25 state department or agency, as the department deems necessary, in the development and  
26 implementation of the awareness and education programs implemented under this section.

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