

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2209, Page 2, Section 376.998, Line 21,
2 by inserting after all of said section and line the following:

3
4 "376.1218. 1. Any health carrier or health benefit plan that offers or issues health benefit
5 plans, other than Medicaid health benefit plans, which are delivered, issued for delivery, continued,
6 or renewed in this state on or after January 1, 2006, shall provide coverage for early intervention
7 services described in this section that are delivered by early intervention specialists who are health
8 care professionals licensed by the state of Missouri and acting within the scope of their professions
9 for children from birth to age three identified by the Part C early intervention system as eligible for
10 services under Part C of the Individuals with Disabilities Education Act, 20 U.S.C. Section 1431, et
11 seq. Such coverage shall be limited to three thousand dollars for each covered child per policy per
12 calendar year, with a maximum of nine thousand dollars per child.

13 2. As used in this section, "health carrier" and "health benefit plan" shall have the same
14 meaning as such terms are defined in section 376.1350.

15 3. In the event that any health benefit plan is found not to be required to provide coverage
16 under subsection 1 of this section because of preemption by a federal law, including but not limited
17 to the act commonly known as ERISA contained in Title 29 of the United States Code, or in the
18 event that subsection 1 of this section is found to be unconstitutional, then the lead agency shall be
19 responsible for payment and provision of any benefit provided under this section.

20 4. For purposes of this section, "early intervention services" means medically necessary
21 speech and language therapy, occupational therapy, physical therapy, and assistive technology
22 devices for children from birth to age three who are identified by the Part C early intervention
23 system as eligible for services under Part C of the Individuals with Disabilities Education Act, 20
24 U.S.C. Section 1431, et seq. Early intervention services shall include services under an active
25 individualized family service plan that enhance functional ability without effecting a cure. An
26 individualized family service plan is a written plan for providing early intervention services to an
27 eligible child and the child's family that is adopted in accordance with 20 U.S.C. Section 1436. The
28 Part C early intervention system, on behalf of its contracted regional Part C early intervention system
29 centers and providers, shall be considered the rendering provider of services for purposes of this
30 section.

31 5. No payment made for specified early intervention services shall be applied by the health
32 carrier or health benefit plan against any maximum lifetime aggregate specified in the policy or
33 health benefit plan [if the carrier opts to satisfy its obligations under this section under subdivision
34 (2) of subsection 7 of this section]. [A health benefit plan shall be billed at the applicable Medicaid
35 rate at the time the covered benefit is delivered, and the health benefit plan shall pay the Part C early
36 intervention system at such rate for benefits covered by this section.] Services under the Part C early

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1 intervention system shall be delivered as prescribed by the individualized family service plan and an
2 electronic claim filed in accordance with the carrier's or plan's standard format. [Beginning January
3 1, 2007, such claims' payments shall be made in accordance with the provisions of sections 376.383
4 and 376.384.]

5 6. The health care service required by this section shall not be subject to any greater
6 deductible, co-payment, or coinsurance than other similar health care services provided by the health
7 benefit plan.

8 7. [(1) Subject to the provisions of this section, payments made during a calendar year by a
9 health carrier or group of carriers affiliated by or under common ownership or control to the Part C
10 early intervention system for services provided to children covered by the Part C early intervention
11 system shall not exceed one-half of one percent of the direct written premium for health benefit plans
12 as reported to the department of insurance, financial institutions and professional registration on the
13 health carrier's most recently filed annual financial statement.

14 (2) In lieu of reimbursing claims under this section,] A carrier or group of carriers affiliated
15 by or under common ownership or control [may] shall, on behalf of all of the carrier's or carriers'
16 health benefit plan or plans providing coverage under this section, directly pay the Part C early
17 intervention system by January thirty-first of the calendar year an amount equal to one-half of one
18 percent of the direct written premium for health benefit plans as reported to the department of
19 insurance, financial institutions and professional registration on the health carrier's most recently
20 filed annual financial statement, or five hundred thousand dollars, whichever is less, and such
21 payment shall constitute full and complete satisfaction of the health benefit plan's obligation for the
22 calendar year. Nothing in this subsection shall require a health carrier or health benefit plan
23 providing coverage under this section to amend or modify any provision of an existing policy or plan
24 relating to the payment or reimbursement of claims by the health carrier or health benefit plan.

25 8. [This section shall not apply to a supplemental insurance policy, including a life care
26 contract, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare
27 supplement policy, hospitalization-surgical care policy, policy that is individually underwritten or
28 provides such coverage for specific individuals and members of their families, long-term care policy,
29 or short-term major medical policies of six months or less duration.

30 9. Except for health carriers or health benefit plans making payments under subdivision (2)
31 of subsection 7 of this section, the department of insurance, financial institutions and professional
32 registration shall collect data related to the number of children receiving private insurance coverage
33 under this section and the total amount of moneys paid on behalf of such children by private health
34 carriers or health benefit plans. The department shall report to the general assembly regarding the
35 department's findings no later than January 30, 2007, and annually thereafter.

36 10.] Notwithstanding the provisions of section 23.253 to the contrary, the provisions of this
37 section shall not sunset."; and

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39 Further amend said bill by amending the title, enacting clause, and intersectional references
40 accordingly.