

SECOND REGULAR SESSION

# HOUSE BILL NO. 1385

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ENGLISH.

4676H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 376.2004, RSMo, and to enact in lieu thereof one new section relating to health benefit exchange navigator licensing.

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

Section A. Section 376.2004, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 376.2004, to read as follows:

376.2004. 1. An individual applying for a navigator license shall make application to the department on a form developed by the director and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the director shall find that the individual:

(1) Is eighteen years of age or older;

(2) Resides in this state or maintains his or her principal place of business in the state;

(3) Is not disqualified for having committed any act that would be grounds for refusal to issue, renew, suspend, or revoke an insurance producer license under section 375.141;

(4) Has successfully passed the written examination [prescribed] **created and administered** by the director. **The department may contract with an independent testing service to administer the examination. Any certification examination that allows the individual to perform the duties identified in 42 U.S.C. Section 18031(i) or related duties which is taken in lieu of the examination created and administered by the department shall not satisfy the requirements of this section, irrespective of whether the examination is for purposes of serving as a navigator, certified application counselor, in-person assister, or health center outreach and enrollment assistance worker;**

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.

18 (5) When applicable, has the written consent of the director under 18 U.S.C. 1033 or any  
19 successor statute regulating crimes by or affecting persons engaged in the business of insurance  
20 whose activities affect interstate commerce;

21 (6) Has identified the entity with which he or she is affiliated and supervised; and

22 (7) Has paid the fees prescribed by the director.

23 2. An entity that acts as a navigator, supervises the activities of individual navigators,  
24 or receives funding to perform such activities shall obtain a navigator entity license. An entity  
25 applying for an entity navigator license shall make application on a form containing the  
26 information prescribed by the director.

27 3. The director may require any documents deemed necessary to verify the information  
28 contained in an application submitted in accordance with subsections 1 and 2 of this section.

29 4. Entities licensed as navigators shall, in a manner prescribed by the director, provide  
30 a list of all individual navigators that are employed by or in any manner affiliated with the  
31 navigator entity and shall report any changes in employment or affiliation within twenty days of  
32 such change.

33 5. Prior to any exchange becoming operational in this state, the director shall prescribe  
34 initial training, continuing education, and written examination standards and requirements for  
35 navigators.

36 **6. The department shall require by rule that each licensed navigator furnish a**  
37 **surety bond or other evidence of financial responsibility that protects all persons against**  
38 **wrongful acts, misrepresentations, errors, omissions, or negligence of the navigator.**

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