

SECOND REGULAR SESSION

# HOUSE BILL NO. 1938

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BARRY, KREIDER, CRUMP, CURLS, REID, OSTMANN,  
PORTWOOD, HOLAND (Co-sponsors), THOMPSON, CARNAHAN, FARNEN, DAVIS, ROSS,  
O'CONNOR, FOLEY, NAEGER AND PHILLIPS.

Read 1<sup>st</sup> time February 14, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4616L.011

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### AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to health insurance coverage.

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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 one new section, to be  
2 known as section 376.1253, to read as follows:

376.1253. 1. Each physician attending any patient with a newly diagnosed cancer  
2 shall, if it is within the physician's best clinical judgment and is in the best interest of the  
3 patient, provide the patient with a timely referral to an appropriate specialist, within or  
4 outside the provider network, for a second opinion regarding the treatment of the patient's  
5 type of cancer.

6 2. Each health carrier offering health benefit plans that are delivered, issued for  
7 delivery, continued or renewed in this state on or after January 1, 2003, shall provide  
8 coverage for a second opinion rendered by an appropriate medical specialist when a  
9 patient with a newly diagnosed cancer is referred to such specialist by his or her attending  
10 physician as listed in subsection 1 of this section. This coverage shall apply even if the  
11 appropriate medical specialist is outside of the patient's provider network. Such coverage  
12 shall be subject to the same deductible and coinsurance conditions applied to other  
13 referrals and all other terms and conditions applicable to other benefits.

14 3. The terms "health carrier" and "health benefit plan" shall have the same  
15 meaning as such terms are defined in section 376.1350.

16 4. The provisions of this section shall not apply to a supplemental insurance policy,  
17 including a life care contract, accident-only policy, specified disease policy, hospital policy

- 18 **providing a fixed daily benefit only, Medicare supplement policy, long-term care policy,**
- 19 **short-term major medical policy of six months or less duration, or any other policy as**
- 20 **determined by the director of the department of insurance.**