

SS SCS HCS HB 1764 -- INSURANCE

This bill prohibits any person, employer, or health care provider from being compelled to participate in any health care system. Individuals and employers may pay directly for lawful health care services without being required to pay a penalty or fine, and health care providers can accept payment for health care services from individuals or employers without being subject to fines or penalties. The purchase or sale of health insurance in private health care systems cannot be prohibited by law or rule.

A domestic insurer organized as a stock insurance company is allowed to voluntarily dissolve and liquidate as a corporation if the Director of the Department of Insurance, Financial Institutions and Professional Registration approves the articles of dissolution prior to filing the articles with the Secretary of State and the insurer files a copy of the department director's approval along with the articles of dissolution with the Secretary of State.

In determining whether to approve a dissolution, the department director must consider, among other factors, whether the insurer's annual financial statements show no written insurance premiums for five years, the insurer has demonstrated that all policyholder claims have been satisfied or transferred to another insurer, and an examination pursuant to Sections 374.202 - 374.207, RSMo, has been completed within the last five years.

The bill contains a referendum clause and will be submitted to qualified voters on August 3, 2010.