

HOUSE COMMITTEE

AMENDMENT NO. ___

Offered by

of

1 AMEND House Bill No. 769, Page 1, In the Title, Line 2, by
2 deleting the words "two new sections" and inserting in lieu
3 thereof the words "one new section"; and
4

5 Further amend said bill, Page 1, Section A, Lines 1 and 2,
6 by deleting all of said lines and inserting in lieu thereof the
7 following:

8 "Section A. Chapter 376, RSMo, is amended by adding thereto
9 one new section, to be known as section 376.1800, to read as
10 follows:"; and
11

12 Further amend said bill, Page 1, Section 376.1800, Lines 8
13 and 10, by deleting the word "section" and inserting in lieu
14 thereof the word "chapter"; and
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16 Further amend said bill, Page 2, Section 376.1800, Lines 27
17 to 36, by deleting all of said lines and inserting in lieu
18 thereof the following:

19 "5. (1) For any patient who enters into a medical retainer
20 agreement under this section and who has established a health
21 savings account (HSA) in compliance with 26 U.S.C. Section 223,
22 or who has a flexible spending arrangement (FSA) or health
23 reimbursement arrangement (HRA), fees under the patient's medical
24 retainer agreement may be paid from such health savings account
25 or reimbursed through such flexible spending arrangement or
26 health reimbursement arrangement, subject to any federal or state
27 laws regarding qualified expenditures from a health savings
28 account, or reimbursement through a flexible spending arrangement

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1 or a health reimbursement arrangement.

2 (2) The employer of any patient described in subdivision
3 (1) of this subsection may:

4 (a) Make contributions to such patient's health savings
5 account, flexible spending arrangement, or health reimbursement
6 arrangement to cover all or any portion of the agreed-upon fees
7 under the patient's medical retainer agreement, subject to any
8 federal or state restrictions on contributions made by an
9 employer to a health savings account, or reimbursement through a
10 flexible spending arrangement, or health reimbursement
11 arrangement; or

12 (b) Pay the agreed-upon fees directly to the physician
13 under the medical retainer agreement."; and

14
15 Further amend said bill, Page 2, Section 376.1800, Line 39,
16 by inserting after all of said line the following:

17 "7. A covenant not to compete entered into between a
18 physician and a nonprofit employer shall not apply to medical
19 retainer agreements under this section entered into or continued
20 after termination of the physician's employment with such
21 nonprofit employer. No physician shall be deemed in breach of
22 any covenant not to compete with a previous nonprofit employer as
23 a result of entering into or continuing of a medical retainer
24 agreement under this section after termination of the physician's
25 employment."; and

26
27 Further amend said bill, Page 2, Section 376.1805, Lines 1
28 to 12, by deleting all of said lines; and

29
30 Further amend said title, enacting clause and intersectional
31 references accordingly.