

SECOND REGULAR SESSION

HOUSE BILL NO. 2413

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HELMS.

5339H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to anatomic pathology services.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.890, to read as follows:

191.890. 1. For purposes of this section, the term "anatomic pathology services"
2 **means:**

3 **(1) "Histopathology" or "surgical pathology", the gross and microscopic**
4 **examination and histologic processing of organ tissue performed by a physician or under**
5 **the supervision of a physician;**

6 **(2) "Cytopathology", the examination of cells, from fluids, aspirates, washings,**
7 **brushings, or smears, including a Pap test performed by a physician or under the**
8 **supervision of a physician;**

9 **(3) "Hematology", the microscopic evaluation of bone marrow aspirates and**
10 **biopsies performed by a physician or under the supervision of a licensed physician, and**
11 **peripheral blood smears when the attending or treating physician or technologist requests**
12 **that a blood smear be reviewed by a pathologist;**

13 **(4) Subcellular pathology and molecular pathology; and**

14 **(5) Blood-banking services performed by pathologists.**

15 **2. Except as provided under subsection 5 of this section, no licensed health care**
16 **professional in the state shall, directly or indirectly, charge, bill, or otherwise solicit**
17 **payment from a patient for anatomic pathology services unless such services were rendered**

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 personally by the licensed health care professional or under the licensed health care
19 professional's direct supervision.

20 3. No patient, insurer, third-party payor, hospital, public health clinic, or nonprofit
21 health clinic shall be required to reimburse any licensed health care professional for
22 charges or claims submitted in violation of this section.

23 4. Nothing in this section shall be construed to mandate the assignment of benefits
24 for anatomic pathology services as defined in this section.

25 5. The provisions of this section do not prohibit billing of a referring laboratory for
26 anatomic pathology services in instances where a sample or samples must be sent to
27 another specialist; except that, for purposes of this subsection, "referring laboratory" does
28 not include a laboratory of a physician's office or group practice that does not perform the
29 technical or professional component of the anatomic pathology service involved.

30 6. The respective state licensing boards having jurisdiction over any health care
31 professional who may request or provide anatomic pathology services may revoke,
32 suspend, or deny renewal of the license of any health care professional who violates the
33 provisions of this section.

34 7. Nothing in this section shall be construed to prohibit a referring physician from
35 sending a patient's specimen to any laboratory providing anatomic pathology services.

36 8. A clinical laboratory or physician located in this state or in another state
37 providing anatomic pathology services for patients in this state shall present or cause to be
38 presented a claim, bill, or demand for payment for these services only to the following:

39 (1) The patient directly;

40 (2) The responsible insurer or other third-party payor;

41 (3) The hospital, public health clinic, or nonprofit health clinic ordering such
42 services;

43 (4) The referring laboratory, other than a laboratory of a physician's office or
44 group practice that does not perform the professional component of the anatomic
45 pathology service;

46 (5) Governmental agencies or their specified public or private agent, agency, or
47 organization on behalf of the recipient of the services.

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