

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 50

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLOCHER.

1520H.03I

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article IV of the Constitution of Missouri, by adopting one new section relating to insurance coverage of preexisting conditions.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article IV of the Constitution of the state of Missouri:

Section A. Article IV, Constitution of Missouri, is amended by adding one new section, to be known as Section 38, to read as follows:

Section 38. 1. For purposes of this section, the term "preexisting condition exclusion" means a limitation or exclusion of benefits, including a denial of coverage, relating to a condition based on the fact that the condition was present before the effective date of coverage or, if coverage is denied, the date of the denial, under a health benefit plan, regardless of whether any medical advice, diagnosis, care, or treatment was recommended or received before such date.

2. Except as precluded by federal law, any health carrier or health benefit plan that offers or issues health benefit plans that are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2023, shall not impose any preexisting condition exclusions with respect to such plans and shall not charge children or adults with

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.

11 **a preexisting condition more for coverage than the health benefit plan charges a child or**
12 **an adult who does not have a preexisting condition.**

13 **3. The provisions of this section shall not apply to excepted benefit plans as**
14 **provided by general law.**

Section B. Under chapter 116 and other applicable constitutional provisions and laws
2 of this state allowing the general assembly to adopt ballot language for the submission of this
3 joint resolution to the voters of this state, the official summary statement of this resolution shall
4 be as follows:

5 "Shall the Missouri Constitution be amended to prohibit health insurance companies from
6 limiting or excluding benefits, denying coverage, or charging more to children and adults due
7 to preexisting conditions, except as precluded by federal law and excepted benefit plans?".

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