

SECOND REGULAR SESSION

SENATE BILL NO. 769

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURLISON.

Pre-filed December 3, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4134S.011

AN ACT

To repeal sections 376.1005, 376.1017, and 376.1037, RSMo, and to enact in lieu thereof four new sections relating to multiple employer self-insured health plans.

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

Section A. Sections 376.1005, 376.1017, and 376.1037, RSMo, are repealed
2 and four new sections enacted in lieu thereof, to be known as section 376.1005,
3 376.1017, 376.1037, and 376.1038, to read as follows:

376.1005. 1. Application for a certificate of authority shall be made on
2 forms prescribed by the director of the department of commerce and
3 insurance. [No multiple employer self-insured health plan may hold or obtain a
4 certificate of authority unless it had not less than two hundred fifty covered
5 employees during the preceding calendar quarter.]

6 2. Not later than March first of each year, every multiple employer
7 self-insured health plan shall pay to the director a license fee equal to two
8 percent of the Missouri claims paid by the plan during the immediately preceding
9 calendar year. All the funds collected by the director shall be deposited in the
10 Missouri department of commerce and insurance dedicated fund.

11 3. Within forty-five days from the date coverage commences, the plan shall
12 issue to each covered employee a policy, contract, certificate, summary plan
13 description or other evidence of the benefits and coverages provided. This
14 evidence of the benefits and coverages provided shall contain in boldfaced print
15 in a conspicuous location, the following statement:

16 "The benefits and coverages described herein are provided through
17 a trust fund established and funded by a group of employers. The

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 benefits and coverages are not fully insured by an insurer licensed
19 to do business in the state of Missouri and are therefore not
20 protected by the Missouri Life and Health Guaranty Association".

376.1017. 1. A plan shall establish loss reserves for all incurred losses,
2 both reported and unreported, and for unearned premiums.

3 2. A plan also shall establish a surplus account equal to the greater of the
4 following:

5 (1) Three times the average paid monthly premium during the plan's most
6 recent fund year; **or**

7 (2) For plans which do not yet have one fund year's experience, three
8 times estimated monthly premium[; or

9 (3) Six hundred thousand dollars].

376.1037. Multiple employer self-insured health plans licensed in this
2 state shall **not** be subject to those taxes set out in sections 148.310 to 148.461.

**376.1038. Sole proprietors, or employers with only one employee,
2 shall be eligible to participate in a multiple employer self-insured
3 health plan.**

Bill ✓

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