

Senate File 2381

S-5039

1 Amend Senate File 2381 as follows:

2 1. Page 1, line 4, by striking <514M.1> and inserting <514M>

3 2. Page 1, by striking lines 23 through 35.

4 3. Page 2, by striking lines 1 through 17.

5 4. Page 2, line 18, by striking <5.> and inserting <2.>

6 5. Page 2, after line 22 by inserting:

7 <3. *"Covered benefits"* or *"benefits"* means health care
8 services that a covered person is entitled to under the terms
9 of a health benefit plan.>

10 6. Page 2, by striking lines 23 and 24 and inserting:

11 <4. *"Covered person"* means a policyholder, subscriber,
12 enrollee, or other individual participating in a health benefit
13 plan.>

14 7. Page 2, by striking lines 25 through 32.

15 8. Page 2, line 33, by striking <9.> and inserting <5.>

16 9. Page 3, by striking lines 1 and 2 and inserting:

17 <6. *"Health benefit plan"* means a policy, contract,
18 certificate, or agreement offered or issued by a health carrier
19 to provide, deliver, arrange for, pay for, or reimburse any of
20 the costs of health care services.>

21 10. Page 3, line 3, by striking <11.> and inserting <7.>

22 11. Page 3, by striking lines 12 and 13 and inserting:

23 <8. *"Health care services"* means services for the diagnosis,
24 prevention, treatment, cure, or relief of a health condition,
25 illness, injury, or disease.>

26 12. Page 3, by striking lines 14 and 15 and inserting:

27 <9. a. *"Health carrier"* means an entity subject to the
28 insurance laws and regulations of this state, or subject
29 to the jurisdiction of the commissioner, including an
30 insurance company offering sickness and accident plans, a
31 health maintenance organization, a nonprofit health service
32 corporation, a plan established pursuant to chapter 509A
33 for public employees, or any other entity providing a plan
34 of health insurance, health care benefits, or health care
35 services.

1 *b.* For purposes of this chapter, "*health carrier*" does not
2 include an entity providing any of the following:

- 3 (1) Coverage for accident-only, or disability income
4 insurance.
- 5 (2) Coverage issued as a supplement to liability insurance.
- 6 (3) Liability insurance, including general liability
7 insurance and automobile liability insurance.
- 8 (4) Workers' compensation or similar insurance.
- 9 (5) Automobile medical-payment insurance.
- 10 (6) Credit-only insurance.
- 11 (7) Coverage for on-site medical clinic care.
- 12 (8) Other similar insurance coverage, specified in
13 federal regulations, under which benefits for medical care
14 are secondary or incidental to other insurance coverage or
15 benefits.

16 *c.* For purposes of this chapter, "*health carrier*" does not
17 include an entity providing benefits under a separate policy
18 including any of the following:

- 19 (1) Limited scope dental or vision benefits.
- 20 (2) Benefits for long-term care, nursing home care, home
21 health care, or community-based care.
- 22 (3) Any other similar limited benefits as provided by the
23 commissioner by rule.

24 *d.* For purposes of this chapter, "*health carrier*" does not
25 include an entity providing benefits offered as independent
26 noncoordinated benefits including any of the following:

- 27 (1) Coverage only for a specified disease or illness.
- 28 (2) A hospital indemnity or other fixed indemnity
29 insurance.

30 *e.* For purposes of this chapter, "*health carrier*" does
31 not include an entity providing a Medicare supplemental
32 health insurance policy as defined under section 1882(g)(1)
33 of the federal Social Security Act, coverage supplemental to
34 the coverage provided under 10 U.S.C. ch. 55, and similar
35 supplemental coverage provided to coverage under group health

1 insurance coverage.>

2 13. Page 3, line 16, by striking <14.> and inserting <10.>

3 14. Page 3, line 18, by striking <15.> and inserting <11.>

4 15. Page 3, line 34, after <individuals.> by inserting
5 <A health care provider may satisfy the requirements of this
6 paragraph by complying with the centers for Medicare and
7 Medicaid services of the United States department of health and
8 human services hospital price transparency final rule published
9 in the federal register on November 22, 2023.>

10 16. Page 4, by striking lines 6 through 21 and inserting:

11 <c. (1) Prior to the provision of a scheduled health
12 care service, a health care provider shall inform all covered
13 persons and uninsured individuals of the right of the covered
14 person or uninsured individual to pay for a health care service
15 via the discounted cash price. The notice may be provided
16 electronically, verbally, in writing, or posted at the physical
17 location of the health care provider.

18 (2) Prior to the provision of a scheduled health care
19 service, a health care provider shall inform a covered person
20 that the covered person may qualify for a deductible credit
21 if the covered person pays the discounted cash price for the
22 health care service and if the discounted cash price is below
23 the average allowed amount paid by the health carrier to
24 network providers for a comparable health care service. The
25 notice may be provided electronically, verbally, in writing, or
26 posted at the physical location of the health care provider.>

27 17. Page 4, after line 27 by inserting:

28 <e. A health carrier shall not enter into a contract with a
29 health care provider that prohibits the health care provider
30 from offering a discounted cash price below the contracted
31 rates the health care provider has with a health carrier, or
32 that prohibits the health care provider from disclosing the
33 health care provider's discounted cash price under paragraph
34 "b".>

35 18. Page 4, line 28, by striking <e.> and inserting <f.>

- 1 19. Page 4, line 30, by striking <health care provider> and
2 inserting <pharmacist>
- 3 20. Page 4, by striking line 32 and inserting <point the
4 pharmacist fills a prescription drug>
- 5 21. Page 4, line 34, by striking <f.> and inserting <g.>
- 6 22. Page 7, by striking lines 5 through 12.
- 7 23. Page 8, by striking lines 4 through 35.
- 8 24. Page 9, by striking lines 1 and 2 and inserting:
9 <10. This chapter shall not be construed to prohibit a
10 health care>
- 11 25. Page 9, line 9, by striking <12.> and inserting <11.>
- 12 26. Page 9, line 26, by striking <2025> and inserting <2026>
- 13 27. Title page, by striking line 2 and inserting <services.>

JEFF EDLER