**Missouri General Assembly passes bill to stop unfair emergency room bills**

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Health advocates cheer important victory; urge legislators to continue working to address surprise medical bills

On Friday, May 18, with the 2018 Regular Legislative Session drawing to a close, the Missouri House of Representatives and the Missouri Senate both voted to pass SB 982.

SB 982, sponsored by Sen. Paul Wieland (R-Jefferson County), addresses two types of situations where insured Missourians face large medical bills after seeking care in an emergency room.

In the first situation, a person may seek emergency room care but receive a diagnosis of a non-emergency condition. Last summer, insurance company Anthem announced that it would refuse to pay for Missouri emergency room visits that it deemed not to have been emergencies based on the final diagnosis.

Jen Bersdale, Executive Director of Missouri Health Care for All, explains, “The problem with the policy Anthem announced last year is that very often, the average consumer truly cannot tell the difference between a heart attack and a more benign condition. By requiring consumers to self-diagnose or face huge bills, we create a very real risk that a cost-conscious consumer will fail to seek care for a life-threatening emergency.”

SB 982 restores a “prudent layperson” standard, which stipulates that if an average person would believe the situation to have been an emergency based on the symptoms, their insurance company must cover the visit.

The other situation addressed by SB 982 occurs when an individual seeks care at an in-network emergency room and is treated by an out-of-network emergency room doctor, who later sends the patient an out-of-network bill.
Bersdale continues, “Anyone who has ever gone to the emergency room knows you don’t get to choose the doctor you see while you’re there. Patients shouldn’t face huge bills because the doctor on call that night wasn’t part of their network.”

Under SB 982, patients would be held harmless in this situation and would not be liable for more than in-network cost-sharing payments.

Hundreds of health care supporters across the state called on their legislators via phone, e-mail, and meetings to pass SB 982 in order to protect Missourians from these bills.

Missouri Health Care for All Policy Director Shawn D’Abreu echoes the importance of SB 982 and the bipartisan effort to pass it. “We are happy that Missouri patients will have additional protections against being second-guessed on the seriousness of their health emergencies or surprised by expensive ER bills when they’ve done all they can to do the right thing,” D’Abreu says. “We thank Senators Wieland, Schupp, and Onder for their work in the Senate and Representatives Pike and Henderson for their efforts in the House.”

While Missouri Health Care for All celebrates the passage of SB 982, its leaders also reiterate that this bill is just the first step in addressing a broad range of surprise medical bills received by insured Missourians.

D’Abreu says, “While this legislation represents significant progress on the issue of surprise billing, it is vital that this cooperation continue in the coming years to increase commonsense protections for Missouri patients.”

Bersdale agrees. “We have heard from Missourians across the state who have received unavoidable out-of-network medical bills not addressed by SB 982, from people whose doctors sent their labwork to an out-of-network lab to people whose lives could only be saved by an out-of-network hospital. Nobody should incur medical debt – whether it is $900 or $90,000 – because they had no way to avoid seeing an out-of-network provider.

“Today’s victory on SB 982 demonstrates that it is still possible for legislators from both parties to work together with consumer advocates, providers, hospitals, and insurers to protect patients. We look forward to returning to make additional progress next year.”

The final version of SB 982 passed the Missouri House by a vote of 137-8 and the Senate by a vote of 33-0.
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