
EMERGENCY RULE

TITLE 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN

Division 10 – Health Care Plan Chapter 2 – State Membership

EMERGENCY AMENDMENT

22 CSR 10-2.025 Rule for Participating Higher Education Entity Entry into the Missouri Consolidated Health Care Plan The Missouri Consolidated Health Care Plan is amending sections (1) and (2).

PURPOSE: This emergency amendment revises the timeframe for Participating Higher Education Entities (PHEE) to provide their letter of intent to join the plan and clarifies eligibility requirements for PHEEs that choose to cover retirees.

EMERGENCY STATEMENT: This emergency amendment must be in place by January 1, 2025, in accordance with the new plan year. Therefore, this emergency amendment is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forego coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this amendment be filed as an emergency amendment to maintain the integrity of the current health care plan. This emergency amendment fulfills the compelling governmental interest of offering access to more convenient and affordable medical services to members as one (1) method of protecting the MCHCP trust fund from more costly expenses. This emergency amendment reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. This emergency amendment complies with the protections extended by the **Missouri** and **United States Constitutions** and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency amendment was filed October 25, 2024, becomes effective January 1, 2025, and expires June 29, 2025.

(1) Terms and Conditions for Joining. Participating Higher Education Entities (PHEE) shall be a state sponsored institution of higher learning. The PHEE shall provide a letter to the board stating their intent to join the Missouri Consolidated Health Care Plan (MCHCP) no later than **[August] June 1**, for coverage beginning January 1 of the following year.

(2) Eligibility Requirements. Notwithstanding any provision of rule to the contrary, eligibility of PHEE employees and retirees shall be solely determined by the PHEE. The PHEE shall be responsible for complying with all laws pertaining to employee benefits as to eligibility.

(A) The PHEE shall provide to MCHCP appropriate documentation of initial and ongoing eligibility of PHEE employees **[and retirees]**.

[(B)] Once provided by the PHEE, the employees **[and/or retirees]** of the PHEE submitted shall be included in the term state employee **[and/or state retiree]** used throughout this chapter.

(B) If the PHEE chooses to cover retirees, they shall provide to MCHCP appropriate documentation of initial and ongoing eligibility. Once provided by the PHEE, the retirees of the PHEE submitted shall be included in the term retiree used throughout this chapter.

AUTHORITY: section 103.059, RSMo 2016. Original rule filed Oct. 28, 2016, effective May 30, 2017. Emergency amendment filed Oct. 25, 2024, effective Jan. 1, 2025, expires June 29, 2025. An emergency amendment and proposed amendment covering this same material will be published in the Dec. 2, 2024, issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.