

TITLE 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 15—Hospital Program

PROPOSED AMENDMENT

13 CSR 70-15.190 Out-of-State Hospital Services Reimbursement Plan. The division is amending sections (2) and (6), deleting section (3), and renumbering sections (4), (5), and (6).

PURPOSE: This amendment updates the inpatient reimbursement methodology for out-of-state hospitals.

(2) Payment for authorized inpatient hospital services shall be made *[on a prospective per diem basis]***according to subsections (2)(A) or (2)(B)** for services provided outside Missouri if the services are covered by the Missouri Medicaid Program. To be reimbursed for furnishing services to Missouri Medicaid participants, out-of-state hospitals must complete a Missouri Medicaid Program Provider Participation Application and have the application approved by the Missouri Department of Social Services, Missouri Medicaid Audit and Compliance (MMAC).

[(3) Determination of Payment. The payment for inpatient hospital services provided by an out-of-state hospital shall be the lowest of—]

(A) *[For the]***The payment for authorized inpatient hospital services provided by an out-of-state free-standing psychiatric hospital***[s whose per diem was set on the hospital's audited Medicaid cost report prior to July 1, 2022, the hospital's per diem will be the rate in effect as of June 30, 2022. For all other out-of-state hospitals,]* **shall be the lowest of:**

1. *[the]***The hospital's per diem rate, which** will be *[fifty percent (50%) of]*the weighted statewide average per diem rate for Missouri **free-standing psychiatric** hospitals as calculated by the MO HealthNet Division for the State Fiscal Year (SFY) in which the service was provided; or

*[(B)]***2. The amount of total charges billed by the hospital. The hospital's billed charges must be their usual and customary charges for services; or**

*[(C)]***3. The Medicare deductible or coinsurance, if applicable, up to the amount allowed by the Missouri Medicaid program.**

(B) The payment for authorized inpatient hospital services provided by an out-of-state hospital, except for free-standing psychiatric hospitals, shall be calculated using an All Patient Refined Diagnosis Related Groups (APR DRG) reimbursement methodology as described in 13 CSR 70-15.010(6).

*[(4)]***(3) The payment for authorized outpatient hospital services provided by an out-of-state hospital shall be the lower of—]:**

(A) The outpatient reimbursement as described in 13 CSR 70-15.160; or

(B) The amount of total charges billed by the hospital.

*[(5)]***(4) Disproportionate Share Hospital (DSH) Payments. Out-of-state hospitals do not qualify for DSH payments.**

*[(6)]***(5) Definitions.**

(A) The definitions from regulation 13 CSR 70-15.010 are incorporated as 13 CSR 70-15.190.

(B) Out-of-state/[—] **is defined as** not within the physical boundaries of Missouri.

(C) Usual and customary charge/[—] **is** the amount which the individual provider charges the general public in the majority of cases for a specific procedure or service.

AUTHORITY: sections 208.201 and 660.017, RSMo 2016. Original rule filed April 15, 2004, effective Oct. 30, 2004. Emergency amendment filed June 16, 2022, effective July 1, 2022, expired Feb. 23, 2023. Amended: Filed June 16, 2022, effective Jan. 30, 2023. Emergency amendment filed June 20, 2025, effective July 7, 2025, expired Feb. 26, 2026. Amended: Filed June 23, 2025.*

**Original authority: 208.201, RSMo 1987, amended 2007, and 660.017, RSMo 1993, amended 1995.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate for SFY 2026.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate for SFY 2026.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, P.O. Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing will not be scheduled.*