

**Title 13—DEPARTMENT OF SOCIAL SERVICES**  
**Division 70—MO HealthNet Division**  
**Chapter 4—Conditions of Participant Participation, Rights, and Responsibilities**

**PROPOSED AMENDMENT**

**13 CSR 70-4.080 State Children’s Health Insurance Program.** The division is amending sections (5), (7), and (8), and adding two new sections (11) and (12).

*PURPOSE: This amendment revised language in section (5) to update the remittance deadline. It adds language to section (7) addressing incurring a premium as the result of an annual review. It adds language to section (8) to exclude children with special health care needs from a thirty day waiting period or require them to be without healthcare to qualify for CHIP for failure to pay a premium. It adds new sections (11) and (12) that address twelve (12) months of continuous eligibility.*

(5) If the parent(s) or guardian(s) [*with an income of more than two hundred twenty-five percent (225%) of the federal poverty level*] **who owes a premium** fails to meet the premium payment requirements, a past due notice shall be sent requesting remittance within [*twenty (20)*] **thirty (30)** calendar days from **the** date of the past due letter. [*Failure to make payment within this time period shall result in the child’s ineligibility for coverage for ninety (90) days*].

(7) The thirty- (30-) calendar-day delay in service delivery is not applicable to a child/children already participating in the program when the parent’s or guardian’s income changes. **If the household incurs a premium as the result of an annual review, regardless of whether it is a new amount or the same amount,** [*C*]coverage shall be extended for sixty (60) calendar days to allow for premium collection and to ensure continuity in coverage. Coverage shall be discontinued for the child/children if the premium payment is not made within the sixty- (60-) day extension **period**.

(8) Any child identified as having “special health care needs,” defined as a condition which left untreated would result in the death or serious physical injury of a child, who does not have access to affordable employer-subsidized health care insurance shall not **be subject to the thirty- (30-) day waiting period required under section 208.646, RSMo, and once enrolled, shall not** be required to be without health care coverage **for any period of time** in order to be eligible for services under sections 208.631 to [*208.658*]**208.657, RSMo,** [*and shall not be subject to the thirty- (30-) day waiting period required under section 208.646, RSMo,*] **for the parent’s or guardian’s failure to pay a premium,** as long as the child meets all other qualifications for eligibility **for the remainder of the 12-month continuous eligibility period described in section 11 of this rule.**

(11) When a household pays its first premium<sub>5</sub> or pays the first premium due after a completed annual review, coverage for the household’s child(ren) shall extend for a twelve (12) month continuous eligibility period from the month of application or the month of the last completed annual review (whichever is later).

(A) If the household does not pay its first premium due after a completed annual review, then the case will be closed.

(12) A household with children that is not required to pay a premium shall have continuous coverage for the household’s child(ren) for twelve (12) months from the month of application or the month of the last completed annual review (whichever is later).

*AUTHORITY: sections [208.633, 208.650, 208.655, and 208.657, RSMo 2000, and sections 208.631, 208.636, 208.640,] 208.153, 208.201, [208.643, 208.646, 208.647, and 208.658,] 208.991, and 660.017 RSMo Supp. 2014.\* Original rule filed July 15, 1998, effective Feb. 28, 1999. Emergency amendment filed Aug. 4, 2005, effective Sept. 1, 2005, expired Feb. 27, 2006. Amended: Filed April 29, 2005, effective Nov. 30, 2005. Amended: Filed Nov. 15, 2005, effective May 30, 2006. Emergency amendment filed June 15, 2006, effective July 1, 2006, expired Dec. 28, 2006. Amended: Filed June 15, 2006, effective Dec. 30, 2006. Amended: Filed Sept. 17, 2007, effective March 30, 2008. Amended: Filed Feb. 1, 2008, effective Aug. 30, 2008. Amended: Filed June 2, 2008, effective Nov. 30, 2008. Amended: Filed Sept. 25, 2014, effective March 30, 2015. Amended: Filed September 9, 2024.*

*\*Original authority: 208.201, RSMo 1987, amended 2007; 208.631, RSMo 1998, amended 2002, 2006, 2007; 208.633, RSMo 1998; 208.636, RSMo 1998; 208.640, RSMo 1998, amended 2005, 2007; 208.643, RSMo 1998; 208.646, RSMo 1998; 208.647, RSMo 2004; 208.650, RSMo 1998; 208.655, RSMo 1998; and 208.657, RSMo 1998.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with **Department of Social Services, Legal Services Division-Rulemaking, P.O. Box 1527 Jefferson City, MO 65102-1527, or by email to [Rules.Comments@dss.mo.gov](mailto:Rules.Comments@dss.mo.gov)**. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*