

Emergency Rules

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

EMERGENCY RULE

22 CSR 10-2.120 Partnership Incentive Provisions and Limitations

PURPOSE: This rule establishes the policy of the board of trustees in regards to the Strive for Wellness® Partnership Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

EMERGENCY STATEMENT: This emergency rule must be in place by October 1, 2016, in accordance with open enrollment for the new plan year. Therefore, this emergency rule 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 allows members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo 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 rule be filed as an emergency rule in order to maintain the integrity of the current health care plan. This emergency rule must become effective October 1, 2016 to fulfill the compelling governmental interest of offering continuous health insurance to officers, state and public entity employees, retirees, and their families. This emergency rule reflects changes made to the plan by the MCHCP Board of Trustees. This emergency rule complies with the protections extended in 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 rule was filed August 26, 2016, becomes effective October 1, 2016, and expires March 29, 2017.

(1) Strive for Wellness® Partnership Incentive—The Partnership Incentive is a voluntary program that eligible members may elect to participate in to earn a reduction in premium. Eligible members are responsible for completing requirements.

(2) Partnership Incentive—The Strive for Wellness® Partnership Incentive is a reduction in premium of twenty-five dollars (\$25) per month per eligible member who is compliant with this rule.

(3) Eligibility—The following members enrolled in a Missouri Consolidated Health Care Plan (MCHCP), Preferred Provider Organization (PPO), or Health Savings Account (HSA) Plan are eligible to participate in the Partnership Incentive:

- (A) Active employee subscribers; and
- (B) Non-Medicare subscribers.

(4) Limitations and exclusions—The following members are not eligible to participate in the Partnership Incentive:

- (A) Subscribers under the age of eighteen (18) years;
- (B) Dependents;
- (C) TRICARE Supplement Plan subscribers;
- (D) Subscriber (with the exception of active employee subscriber)

who has Medicare as primary coverage; and

(E) When Medicare becomes a subscriber's primary insurance payer, the subscriber (with the exception of active employee subscriber) is no longer eligible to participate and will lose the partnership incentive the first day of the month in which Medicare becomes primary.

(5) 2016 Participation.

(A) In order to receive the Partnership Incentive, eligible members must complete all of the following for the incentive to be effective the first day of the second month after the requirements are completed:

- 1. The Partnership Promise; and
- 2. The Health Assessment.

(B) The requirements must be completed through the member's myMCHCP account.

(C) Eligible members adding medical coverage with an effective date on or after December 1, 2015 must complete all of the following within thirty-one (31) days of his/her medical coverage effective date (unless otherwise specified) for the incentive to be effective the first day his/her medical coverage is effective:

- 1. The Partnership Promise; and
- 2. The Health Assessment.

(D) An employee earning the Partnership Incentive who then terminates all employment with the state and is rehired as a new state employee with medical coverage effective in the same plan year, will receive the Partnership Incentive effective the first day his/her medical coverage is effective after s/he is rehired.

(E) Eligible members who have earned the incentive may earn a *de minimis* gift for completing one (1) or more of the following MCHCP-approved health actions. An eligible member must report the completion of the health action to MCHCP by December 31, 2016 and may receive only one (1) gift per year. MCHCP-approved health actions are as follows:

- 1. Receiving a preventive lab screening such as cholesterol and blood sugar;
- 2. Receiving an annual preventive exam;
- 3. Attending two (2) online health education webinars provided by Strive for Wellness®;
- 4. Attending two (2) lunch-and-learn health education sessions provided by Strive for Wellness®;
- 5. Participating in a virtual health coaching program through the website of the MCHCP wellness vendor and achieving at least one (1) milestone;
- 6. Participating in physical activity such as walking, jogging, Zumba, yoga, or weight-training for one hundred fifty (150) minutes each week for three (3) months;
- 7. Standing for at least two (2) hours during each workday for three (3) months;
- 8. Complete the Governor's 100 Missouri Miles Challenge; or
- 9. Walking one (1) million steps.

(F) The 2016 Partnership Incentive shall begin January 1, 2016 and end December 31, 2016.

(G) Eligible members who first complete the 2016 Partnership Incentive requirements, October 1, 2016 through December 31, 2016, do not have to complete two (2) Health Assessments. The date in which they complete their Health Assessment will be used as meeting the requirement to complete a Health Assessment to receive the incentive for both 2016 and 2017 in accordance with the applicable timeline.

(6) 2017 Participation.

(A) In order to receive the Partnership Incentive, eligible members must complete all of the following for the incentive to be effective the first day of the second month after the requirements are completed:

- 1. The Partnership Promise;
- 2. The Health Assessment; and

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3. The Health Education Quiz. A series of questions administered by MCHCP designed to measure understanding of MCHCP benefits and/or general health knowledge.

(B) The requirements must be completed through the member's myMCHCP account.

(C) Eligible members adding medical coverage with an effective date on or after December 1, 2016 must complete all of the following within thirty-one (31) days of his/her medical coverage effective date (unless otherwise specified) for the incentive to be effective the first day his/her medical coverage is effective:

1. The Partnership Promise;
2. The Health Assessment; and
3. The Health Education Quiz.

(D) An employee earning the Partnership Incentive who then terminates all employment with the state and is rehired as a new state employee with medical coverage effective in the same plan year, will receive the Partnership Incentive effective the first day his/her medical coverage is effective after s/he is rehired.

(E) Eligible members who have earned the incentive may earn a *de minimis* gift for completing one (1) or more of the following MCHCP-approved health actions. An eligible member must report the completion of the health action to MCHCP by December 31, 2017 and may receive only one (1) gift per year. MCHCP-approved health actions are as follows:

1. Receiving a preventive lab screening such as cholesterol and blood sugar;
2. Receiving an annual preventive exam;
3. Attending three (3) Strive for Wellness[®] sponsored health education or physical activity events;
4. Participating in physical activity such as walking, jogging, Zumba, yoga, or weight-training for one hundred fifty (150) minutes each week for three (3) months;
5. Standing for at least two (2) hours during each workday for three (3) months; or
6. Walking one (1) million steps.

(F) The 2017 Partnership Incentive shall begin January 1, 2017 and end December 31, 2017.

(7) A waiver may be granted, in whole or in part, for the applicable plan year if a member requests a waiver of a requirement(s) in writing along with a provider's written certification that it is medically inadvisable for the member to participate in the applicable requirement(s).

(8) MCHCP and/or its vendor may audit participation information for accuracy. Misrepresentation or fraud could lead to loss of the Partnership Incentive and/or prosecution.

(9) MCHCP and/or its vendor may utilize participation data for purposes of offering additional programs in accordance with MCHCP's privacy policy.

AUTHORITY: section 103.059, RSMo 2000. Emergency rule filed Aug. 28, 2012, effective Oct. 1, 2012, terminated Feb. 27, 2013. Original rule filed Aug. 28, 2012, effective Feb. 28, 2013. For intervening history, please consult the Code of State Regulations. Emergency rescission and rule filed Aug. 26, 2016, effective Oct. 1, 2016, expires March 29, 2017. An emergency rescission and rule and a proposed rescission and rule covering the same material will be published in the October 3, 2016, issue of the Missouri Register.