

FIRST REGULAR SESSION

HOUSE BILL NO. 134

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SELBY.

Pre-filed December 14, 2000, and 1000 copies ordered printed.

ANNE C. WALKER, Chief Clerk

0542L.011

AN ACT

To amend chapter 632, RSMo, relating to comprehensive psychiatric services by adding thereto three new sections relating to the same subject, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 632, RSMo, is amended by adding thereto three new sections, to be
2 known as sections 632.080, 632.082 and 632.084, to read as follows:

632.080. 1. A mental hospital or facility administering electroconvulsive therapy,
2 psychosurgery, prefrontal sonic sound treatment or any other convulsive or coma-
3 producing therapy administered to treat mental illness or a physician administering the
4 therapy on an outpatient basis shall submit to the department of mental health quarterly
5 reports relating to the administration of the therapy in the hospital or facility or by the
6 physician.

7 2. The report shall state for each quarter:

8 (1) The number of patients who received the therapy, including:

9 (a) The number of persons voluntarily receiving mental health services who
10 consented to the therapy;

11 (b) The number of involuntary patients who consented to the therapy; and

12 (c) The number of involuntary patients for whom a guardian of such patient
13 consented to the therapy;

14 (2) The age, sex and race of the person receiving the therapy;

15 (3) The source of the treatment payment;

16 (4) The average number of nonelectroconvulsive treatments;

17 (5) The average number of electroconvulsive treatments administered for each
18 complete series of treatments, but not including maintenance treatments;

19 **(6) The average number of maintenance electroconvulsive treatments administered**
20 **per month;**

21 **(7) The number of fractures, reported memory losses, incidents of apnea and**
22 **cardiac arrests without death;**

23 **(8) Autopsy findings if death occurred within fourteen days after the date of the**
24 **administration of therapy; and**

25 **(9) Any other information required by the department.**

26 **3. Any violation of this section is a misdemeanor punishable by:**

27 **(1) A fine of not more than ten thousand dollars;**

28 **(2) Confinement in jail for not more than six months; or**

29 **(3) Both fine and confinement.**

632.082. The department of mental health shall use the information received
2 **pursuant to section 632.080 to analyze, audit and monitor the use of electroconvulsive**
3 **therapy, psychosurgery, prefrontal sonic sound treatment or any other convulsive or coma-**
4 **producing therapy administered to treat mental illness.**

632.084. 1. The change in law made by sections 632.080 to 632.084 applies only to
2 **an offense committed on or after August 28, 2001. For purposes of this section, an offense**
3 **is committed before August 28, 2001, if any element of the offense occurs before such date.**

4 **2. An offense committed before August 28, 2001, is covered by the law in effect**
5 **when the offense was committed and the former law is continued in effect for that purpose.**