

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 78

91ST GENERAL ASSEMBLY

0298L.01T

2001

AN ACT

To repeal section 334.128, RSMo 2000, relating to the state board of registration for the healing arts, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 334.128, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 334.128, to read as follows:

334.128. Any person who reports or provides information to the board, or any person who assists the board, including, but not limited to, **physicians' health programs and individuals working, consulting with or staffing such physicians' health programs approved by the board for impaired physicians**, applicants or licensees who are the subject of an investigation, physicians serving on competency panels, medical record custodians, consultants, attorneys, board members, agents, employees or expert witnesses, in the course of any investigation, hearing or other proceeding conducted by or before the board pursuant to the provisions of this chapter and who does so in good faith and without malice shall not be subject to an action for civil damages as a result thereof, and no cause of action [of any nature] shall arise against him **or her as a result of his or her conduct pursuant to this section**. The attorney general shall defend such persons in any such action or proceeding.

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.