

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1437
93RD GENERAL ASSEMBLY

4502S.02T

2006

AN ACT

To repeal sections 190.350, 190.353, 190.355, 192.400, 192.410, and 192.420, RSMo, and to enact in lieu thereof five new sections relating to poison and radiation control.

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

Section A. Sections 190.350, 190.353, 190.355, 192.400, 192.410, and 192.420, RSMo,
2 are repealed and five new sections enacted in lieu thereof, to be known as sections 190.353,
3 190.355, 192.400, 192.410, and 192.420, to read as follows:

190.353. 1. The [advisory committee on poison control] **department of health and**
2 **senior services** shall:

3 (1) Provide for the establishment of a "Missouri Regional Poison Information Center"
4 capable of providing the services described in subsection [3] **2** of this section based on the best
5 demonstrated ability to perform such services as evidenced by past performance of such services
6 and by current certification as a regional poison control center by the American Association of
7 Poison Control Centers[;]. **The department shall, in conjunction with local health agencies**
8 **and health care providers, determine the region to be served by the center; and**

9 (2) Provide for the establishment of a "Missouri Poison Control Network" to consist of
10 poison prevention and treatment centers throughout the state of Missouri, representing all
11 federally designated emergency medical services areas[;]

12 (3) Establish policies for data collection at poison treatment centers and procedures for
13 the medical treatment of victims of poisoning and overdose;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 (4) Develop a systematic plan for the statewide education of the general public and
15 health care professionals on the control and proper use of poisonous substances and the treatment
16 of poison victims;

17 (5) Cooperate with the Missouri poison information center in systems evaluation and in
18 review of morbidity and mortality rates among poison victims; and

19 (6) Fund educational programs at area poison treatment centers for the general public and
20 for health care professionals.

21 2. The committee shall submit an annual report to the presiding officers of each house
22 of the general assembly and the department of health and senior services concerning the
23 administration of the Missouri poison control network, and shall cooperate with the department
24 of health and senior services for the purpose of providing data for health planning].

25 [3.] 2. The Missouri poison information center shall provide:

26 (1) A twenty-four hour toll-free telephone referral and information service for the general
27 public and health care professionals, supervised by a physician who is board-certified in the field
28 of clinical toxicology and staffed by licensed professionals who are certified as information
29 specialists or whose certification is pending, according to the requirements of the American
30 Association of Poison Control Centers;

31 (2) Design and coordination of appropriate public and professional education services
32 in the area of poison treatment and prevention;

33 (3) Plans for cooperation between the Missouri poison control network and health and
34 emergency service agencies and associations involved in poison control activities;

35 (4) Program evaluation and systematic data collection on poison exposures in
36 cooperation with the department of health and senior services; and

37 (5) Coordination of poison control, treatment, and education activities of poison
38 prevention and treatment centers.

190.355. The [advisory committee on poison control may contract for services from such
2 private persons, agencies, and corporations as are necessary to fully effectuate the purposes of
3 sections 190.350 to 190.355, and] **Missouri regional poison information center** shall fully
4 utilize existing institutions and services for the control and treatment of poisons.

192.400. The following words and terms as used in sections 192.400 to 192.490 mean:

2 (1) ["Committee on radiation control", a subcommittee of the Missouri atomic energy
3 commission;

4 (2)] "Radiation", any or all of the following forms of ionizing radiation: gamma and X
5 rays, alpha and beta particles, high speed electrons, neutrons, protons and other nuclear or atomic
6 particles or rays, and other radiant energies including, by way of extension but not of limitation,

7 radium, strontium 90, cesium 137 and cobalt 60, but radiation as herein defined does not include
8 sound or radio waves or visible, infrared or ultraviolet light;

9 [(3)] (2) "Radiation machine", any device that produces radiation;

10 [(4)] (3) "Unnecessary radiation", the use of radiation as herein defined in such a manner
11 as to be hazardous to the health of the people or the industrial or agricultural potentials of the
12 state.

192.410. The department of health and senior services[, with the guidance and advice
2 of the committee on radiation,] shall:

3 (1) Develop comprehensive policies and programs for the evaluation and determination
4 of hazards associated with the use of radiation and for their abatement or elimination;

5 (2) Employ, and, if necessary, train the personnel needed to carry out the provisions of
6 sections 192.400 to 192.490;

7 (3) Advise, consult and cooperate with other agencies of this state, the federal
8 government, other states, and interstate agencies, and with affected groups, political subdivisions
9 and industries in furtherance of the purposes of sections 192.400 to 192.490;

10 (4) Accept and administer loans, grants or other funds or gifts from the federal
11 government and from other sources, public or private, for carrying out any of its functions;

12 (5) Encourage, participate in or conduct studies, investigations, training, research and
13 demonstrations relating to the control of radiation hazards, the measurement of radiation, the
14 effects on health of exposure to radiation and related problems as it may deem necessary or
15 advisable for the discharge of its duties under sections 192.400 to 192.490 or for the protection
16 of public health;

17 (6) Collect and disseminate information relating to the determination and control of
18 radiation exposure and hazards;

19 (7) Review and approve plans and specifications for radiation sources submitted
20 pursuant to rules and regulations promulgated under sections 192.400 to 192.490;

21 (8) Inspect radiation sources, their shielding and immediate surroundings and records
22 for the determination of any possible radiation hazard and may examine any records or
23 memoranda pertaining to the question of radiation machines and the use of radioactive materials.

192.420. The department of health and senior services shall administer sections 192.400
2 to 192.490 and may[, with the approval of the committee on radiation control,] formulate and
3 promulgate rules on radiation, including registration of radiation sources and machines, as may
4 be necessary to prohibit and prevent unnecessary radiation. Rules shall be promulgated pursuant
5 to the provisions of this section and chapter 536, RSMo. No rule or portion of a rule
6 promulgated under the authority of sections 192.400 to 192.490 shall become effective unless
7 it has been promulgated pursuant to the provisions of section 536.024, RSMo.

2 [190.350. 1. The "Advisory Committee on Poison Control" is hereby
3 created within the department of health and senior services.
4 2. The committee shall consist of nine members, as follows:
5 (1) The director of the department of health and senior services or his
6 designee;
7 (2) One health care professional with demonstrated ability and
8 experience in the area of poison from each of the seven federally designated
9 emergency medical services areas in this state. Such members shall be appointed
10 by the governing body of each area, or, in cases where no governing body has
11 been formed, by the director of the department of health and senior services, and
12 shall serve terms of four years; and
13 (3) The director of the Missouri poison information center established
14 pursuant to section 190.353.
15 3. The committee shall meet within ten days after September 28, 1985,
16 and organize by selecting a chairman and vice chairman. A majority of the
17 members shall constitute a quorum.
18 4. The members of the committee shall serve without compensation, but
19 shall be reimbursed for actual and necessary expenses incurred in the
performance of their official duties.]

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