

SECOND REGULAR SESSION

# HOUSE BILL NO. 2113

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DAVIS (Sponsor), TILLEY,  
THRELKELD AND STEVENSON (Co-sponsors).

Read 1st time March 30, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3341L.01I

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### AN ACT

To amend chapter 383, RSMo, by adding thereto one new section relating to liability for uncompensated medical services.

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

Section A. Chapter 383, RSMo, is amended by adding thereto one new section, to be  
2 known as section 383.400, to read as follows:

**383.400. 1. The liability of any physician, nurse, or dentist who volunteers his or  
2 her medical services without compensation, including persons covered under section  
3 105.711, RSMo, shall be limited to actual damages only which result from the provision of  
4 such medical services by the volunteer physician, nurse, or dentist.**

**5 2. To encourage physicians, nurses, and dentists to volunteer their medical services  
6 in this state, and upon request and verification of the volunteer status of a physician, nurse,  
7 or dentist in this state, the state of Missouri shall purchase or provide, at no cost to the  
8 volunteer physician, nurse, or dentist, a policy of medical malpractice insurance with a  
9 minimum coverage of five hundred thousand dollars for liability claims or judgments for  
10 actual damages and/or legal expenses incurred but not covered under section 105.711,  
11 RSMo, resulting from the provision of uncompensated medical services by a volunteer  
12 physician, nurse, or dentist in this state.**

**13 3. The department of health and senior services shall implement this section,  
14 including but not limited to verifying the volunteer status of physicians, nurses, and**

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.

15 dentists, and promulgating rules. Any rule or portion of a rule, as that term is defined in  
16 section 536.010, RSMo, that is created under the authority delegated in this section shall  
17 become effective only if it complies with and is subject to all of the provisions of chapter  
18 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,  
19 RSMo, are nonseverable and if any of the powers vested with the general assembly  
20 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and  
21 annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
22 authority and any rule proposed or adopted after August 28, 2006, shall be invalid and  
23 void.

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