

SECOND REGULAR SESSION

HOUSE BILL NO. 1874

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LEMBKE (Sponsor), PORTWOOD, SANDERS BROOKS,
RUCKER, MEADOWS AND EL-AMIN (Co-sponsors).

Read 1st time February 24, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5183L.01I

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to hepatitis C testing.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.647, to read as follows:

191.647. 1. The department of health and senior services shall oversee hepatitis C
2 **testing for health care providers and first responders. All health care providers and first**
3 **responders offered employment after January 1, 2007, shall be tested for hepatitis C before**
4 **commencing their employment with the employer. The employer of the health care**
5 **provider or first responder shall pay the cost of such testing.**
6 **2. Any test results obtained from such testing shall be confidential and shall not be**
7 **disclosed except to the health care provider or first responder and to the employer's human**
8 **resources supervisor for inclusion in the health care provider's or first responder's**
9 **personnel records. Test results sent to the human resources supervisor of the employer**
10 **shall be sealed in an envelope with the name of the health care provider or first responder,**
11 **the date of the test results, and the words "HEPATITIS C TEST RESULTS" noted on the**
12 **outside of the envelope. If a legal dispute or status of a health care provider or first**
13 **responder arises, the employer may, without being deemed in violation of the**
14 **confidentiality requirements of this section, access the testing records contained in the**

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 health care provider's or first responder's personnel file for the sole purpose of resolving
16 the legal dispute or employment benefits dispute.

17 3. Notwithstanding the confidentiality requirements of the hepatitis C testing
18 authorized under this section, the department of health and senior services may exercise
19 the general authority and power under section 192.020, RSMo, to intervene in instances
20 where there is reason to believe that a health care provider or first responder is practicing
21 in a manner that creates a grave and unjustifiable risk of injury to others.

22 4. The provisions of sections 23.250 to 23.298, RSMo, shall not apply to this section.

✓