

FIRST REGULAR SESSION

# HOUSE BILL NO. 579

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DEMPSEY (Sponsor), DAY, FISHER, ROORDA, JONES (117), DUSENBERG, BEARDEN, SCHAAF, TILLEY, DOUGHERTY, WALLACE, WOOD, FAITH, YATES, SATER, COOPER (158), NOLTE, MOORE, RUESTMAN, RICHARD, SANDER, PAGE, JONES (89), COOPER (155) AND FARES (Co-sponsors).

Read 1st time January 24, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1395L.01I

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### AN ACT

To repeal section 44.045 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58, ninety-third general assembly, first regular session and section 44.045 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 420 & 344, ninety-third general assembly, first regular session, and to enact in lieu thereof one new section relating to civil defense.

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

Section A. Section 44.045 as enacted by conference committee substitute for senate  
2 substitute for senate committee substitute for house committee substitute for house bill no. 58,  
3 ninety-third general assembly, first regular session and section 44.045 as enacted by conference  
4 committee substitute for house committee substitute for senate committee substitute for senate  
5 bills nos. 420 & 344, ninety-third general assembly, first regular session, are repealed and one  
6 new section enacted in lieu thereof, to be known as section 44.045, to read as follows:

44.045. 1. Subject to approval by the state emergency management agency during an  
2 emergency declared by the governor [or general assembly], any health care professional licensed,  
3 registered, or certified in this state **or any state who volunteers to be so deployed as provided**  
4 **herein** may be deployed to provide care as necessitated by the emergency, including care  
5 necessitated by mutual aid agreements between political subdivisions and other public 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.

6 private entities under section 44.090. **During an emergency declared by the governor,**  
7 **volunteer health care providers deployed by the governor or any state agency shall not be**  
8 **liable for any civil damages for any failure, in the delivery of healthcare necessitated by the**  
9 **emergency during deployment, to exercise the skill and learning of an ordinarily careful**  
10 **health care provider in similar circumstances, but shall be liable for damages due to willful**  
11 **or wanton acts or omissions in rendering such care.**

12 2. In a declared state of emergency, the department of health and senior services and the  
13 division of professional registration within the department of economic development may release  
14 otherwise confidential contact and licensure, registration, or certification information relating  
15 to health care professionals to state, local, and private agencies to facilitate deployment.

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3 agency during an emergency declared by the governor or state legislature, any  
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6 the emergency.

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