

FIRST REGULAR SESSION

[PERFECTED]

# 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.

Read 2nd time January 25, 2007 and referred to the Committee on Crime Prevention and Public Safety February 1, 2007.

Reported from the Committee on Crime Prevention and Public Safety February 28, 2007 with recommendation that the bill Do Pass.  
Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules March 6, 2007 with recommendation that the bill Do Pass.

Taken up for Perfection March 26, 2007. Bill ordered Perfected and printed, as amended.

D. ADAM CRUMBLISS, Chief Clerk

1395L.01P

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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, with an emergency clause.

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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

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.

5 bills nos. 420 & 344, ninety-third general assembly, first regular session, are repealed and one  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  
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.

Section B. Because immediate action is necessary to allow for management of health  
2 services in an emergency, the enactment of section A of this act is deemed necessary for the  
3 immediate preservation of the public health, welfare, peace and safety, and is hereby declared  
4 to be an emergency act within the meaning of the constitution, and the enactment of section A  
5 of this act shall be in full force and effect upon its passage and approval.

[44.045. 1. Subject to approval by the state emergency management  
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3 health care professional licensed, registered, or certified in this state who  
4 volunteers to be so deployed may be deployed to provide care as necessitated by  
5 the emergency.

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7 services or the division of professional registration within the department of  
8 economic development may release otherwise confidential contact and licensure,  
9 registration, or certification information relating to health care professionals to  
10 state, local, and private agencies to facilitate deployment.]

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