

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 682

96TH GENERAL ASSEMBLY
2012

4808H.05T

AN ACT

To amend chapter 334, RSMo, by adding thereto one new section relating to
interventional pain management.

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

Section A. Chapter 334, RSMo, is amended by adding thereto one new
2 section, to be known as section 334.153, to read as follows:

**334.153. 1. No person other than a physician licensed under this
2 chapter shall perform the following interventions in the course of
3 diagnosing or treating pain which is chronic, persistent and
4 intractable, or occurs outside of a surgical, obstetrical, or post-
5 operative course of care:**

6 (1) Ablation of targeted nerves;

7 (2) Percutaneous precision needle placement within the spinal
8 column with placement of drugs, such as local anesthetics, steroids, and
9 analgesics, in the spinal column under fluoroscopic guidance. The
10 provisions of this subdivision shall not apply to inter-laminar lumbar
11 epidural injections performed in a hospital as defined in section
12 197.020 or an ambulatory surgery center as defined in section 197.200
13 if the standard of care for medicare reimbursement for inter-laminar
14 or trans-laminar lumbar epidural injections is changed after the
15 effective date of this section to allow reimbursement only with the use
16 of image guidance; or

17 (3) Laser or endoscopic discectomy, or the surgical placement of
18 intrathecal infusion pumps, and or spinal cord stimulators.

19 2. Nothing in this section shall be construed to prohibit or
20 restrict the performance of surgical or obstetrical anesthesia services
21 or post-operative pain control by a certified registered nurse
22 anesthetist pursuant to subsection 7 of section 334.104 or by an
23 anesthesiologist assistant licensed pursuant to sections 334.400 to
24 334.434.

25 3. The state board of registration for the healing arts may
26 promulgate rules to implement the provisions of this section, except
27 that such authority shall not apply to rulemaking authority to define
28 or regulate the scope of practice of certified registered nurse
29 anesthetists. Any rule or portion of a rule, as that term is defined in
30 section 536.010 that is created under the authority delegated in this
31 section shall become effective only if it complies with and is subject to
32 all of the provisions of chapter 536, and, if applicable, section
33 536.028. This section and chapter 536 are non-severable and if any of
34 the powers vested with the general assembly pursuant to chapter 536,
35 to review, to delay the effective date, or to disapprove and annul a rule
36 are subsequently held unconstitutional, then the grant of rulemaking
37 authority and any rule proposed or adopted after August 28, 2012, shall
38 be invalid and void.

39 4. The provisions of this section shall automatically expire four
40 years after the effective date of this section unless reauthorized by an
41 act of the general assembly.

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