

SECOND REGULAR SESSION

HOUSE BILL NO. 1779

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES RIDDLE (Sponsor), KIRKTON, WILSON, LANT, FREDERICK,
SWAN, GARDNER, BARNES, HOUGHTON AND KORMAN (Co-sponsors).

5815H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to advanced practice registered nurses.

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

Section A. Section 630.175, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 630.175, to read as follows:

630.175. 1. No person admitted on a voluntary or involuntary basis to any mental health facility or mental health program in which people are civilly detained pursuant to chapter 632, and no patient, resident or client of a residential facility or day program operated, funded or licensed by the department shall be subject to physical or chemical restraint, isolation or seclusion unless it is determined by the head of the facility [or] , the attending licensed physician, **or the attending advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician** that the chosen intervention is imminently necessary to protect the health and safety of the patient, resident, client or others and that it provides the least restrictive environment. **If such order is made by the attending advanced practice registered nurse, such order shall be reviewed in person by the attending licensed physician if the episode of restraint is to extend beyond:**

- (1) Four hours duration in the case of a person under eighteen years of age;**
- (2) Eight hours duration in the case of a person eighteen years of age or older; or**
- (3) For any total length of restraint lasting more than four hours duration in a twenty-four hour period in the case of a person under eighteen years of age or beyond eight**

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.

16 **hours duration in the case of a person eighteen years of age or older in a twenty-four hour**
17 **period.**

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19 **The review shall occur prior to the time limit specified under subsection 6 of this section**
20 **and shall be documented by the attending licensed physician under subsection 2 of this**
21 **section.**

22 2. Every use of physical or chemical restraint, isolation or seclusion and the reasons
23 therefor shall be made a part of the clinical record of the patient, resident or client under the
24 signature of the head of the facility, or the attending licensed physician, **or the attending**
25 **advanced practice registered nurse in a collaborative practice arrangement with the**
26 **attending licensed physician.**

27 3. Physical or chemical restraint, isolation or seclusion shall not be considered standard
28 treatment or habilitation and shall cease as soon as the circumstances causing the need for such
29 action have ended.

30 4. The use of security escort devices, including devices designed to restrict physical
31 movement, which are used to maintain safety and security and to prevent escape during transport
32 outside of a facility shall not be considered physical restraint within the meaning of this section.
33 Individuals who have been civilly detained under sections 632.300 to 632.475 may be placed in
34 security escort devices when transported outside of the facility if it is determined by the head of
35 the facility, or the attending licensed physician, **or the attending advanced practice registered**
36 **nurse in a collaborative practice arrangement with the attending licensed physician** that the
37 use of security escort devices is necessary to protect the health and safety of the patient, resident,
38 client, or other persons or is necessary to prevent escape. Individuals who have been civilly
39 detained under sections 632.480 to 632.513 or committed under chapter 552 shall be placed in
40 security escort devices when transported outside of the facility unless it is determined by the head
41 of the facility, or the attending licensed physician, **or the attending advanced practice**
42 **registered nurse in a collaborative practice arrangement with the attending licensed**
43 **physician** that security escort devices are not necessary to protect the health and safety of the
44 patient, resident, client, or other persons or is not necessary to prevent escape.

45 5. Extraordinary measures employed by the head of the facility to ensure the safety and
46 security of patients, residents, clients, and other persons during times of natural or man-made
47 disasters shall not be considered restraint, isolation, or seclusion within the meaning of this
48 section.

49 6. **Orders issued under this section by the attending advanced practice registered**
50 **nurse in a collaborative practice arrangement with the attending licensed physician shall**
51 **be reviewed in person by the attending licensed physician of the facility within twenty-four**

52 hours or the next regular working day of the order being issued, and such review shall be
53 documented in the clinical record of the patient, resident, or client.

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