

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 354, Page 11, Section 192.667, Line 217, by inserting after all of said line the
3 following:

4
5 "197.600. 1. For purposes of this section, the term "pain management clinic" shall mean a
6 privately owned clinic, facility, or office in which health care providers provide chronic
7 nonmalignant pain treatment through pharmacotherapy to a majority of its patients for ninety days or
8 more in a twelve-month period or a privately owned clinic, facility, or office which advertises in any
9 medium for chronic pain management services through pharmacotherapy. Chronic nonmalignant
10 pain treatment through pharmacotherapy shall not include, and shall not be construed to include,
11 surgical or obstetrical anesthesia services, postoperative pain control, or interventional pain
12 management procedures and techniques. For purposes of determining if a clinic, facility, or office
13 qualifies as a pain management clinic under this section, the entire clinic, facility, or office caseload
14 of patients who received health care services from all physicians, advanced practice registered
15 nurses, physician assistants, and assistant physicians who serve in the clinic, facility, or office shall
16 be counted.

17 2. No owner or employee of a pain management clinic shall have previously been denied or
18 had a restricted license to prescribe, dispense, administer, supply, or sell a controlled substance or
19 been subject to disciplinary action by any licensing entity for conduct that was a result of
20 inappropriately prescribing, dispensing, administering, supplying, or selling a controlled substance.

21 3. No pain management clinic as defined in this section shall operate in the state unless it has
22 been issued a pain management clinic certificate by the department of health and senior services after
23 a determination that the clinic meets the requirements of this section and any other requirements the
24 department may require by regulation. Any pain management clinic operating on the effective date
25 of this section shall have ninety days to obtain a certificate from the department.

26 4. The department of health and senior services shall promulgate rules and regulations to
27 implement the provisions of this section pertaining to the operation and licensure of pain
28 management clinics. Such rules and regulations shall include, but not be limited to:

- 29 (1) The certification process and any required fees;
- 30 (2) Required hours of operation;
- 31 (3) Required licenses of staff and staffing levels;
- 32 (4) Record keeping and patient chart requirements;
- 33 (5) A requirement to participate in any prescription drug monitoring program in Missouri.

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35 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
36 authority delegated in this section shall become effective only if it complies with and is subject to all

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1 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
2 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to
3 review, to delay the effective date, or to disapprove and annul a rule are subsequently held
4 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
5 August 28, 2015, shall be invalid and void."; and

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7 Further amend said bill, Page 23, Section 324.001, Line 181, by inserting immediately after all of
8 said section and line the following:

9
10 " Section 1. Certified music therapists who have completed the education and clinical
11 training requirements established by the American Music Therapy Association and have passed the
12 Certification Board for Music Therapists certification examination shall be deemed as licensed by
13 the department of elementary and secondary education for the purposes of providing services to the
14 first steps program under sections 160.900 to 160.925."; and

15
16
17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.