

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 237,
2 Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

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4 "191.1100. 1. Sections 191.1100 to [~~191.1112~~] 191.1116 shall be known and may be cited
5 as the "Volunteer Health Services Act".

6 2. As used in [~~sections 191.1100 to 191.1112~~] the volunteer health services act, the
7 following terms shall mean:

8 (1) "Gross deviation", a conscious disregard of the safety of others;

9 (2) "Health care provider", any physician, surgeon, dentist, nurse, optometrist, mental health
10 professional licensed under chapter 337, veterinarian, or other practitioner of a health care
11 discipline, the professional practice of which requires licensure or certification under state law or
12 under comparable laws of another state, territory, district, or possession of the United States;

13 (3) "Licensed health care provider", any health care provider holding a current license or
14 certificate issued under:

15 (a) Missouri state law;

16 (b) Comparable laws of another state, territory, district, or possession of the United States;

17 (4) "Regularly practice", to practice more than sixty days within any ninety-day period;

18 (5) "Sponsoring organization", any organization that organizes or arranges for the voluntary
19 provision of health care services and registers with the department of health and senior services as a
20 sponsoring organization in accordance with section 191.1106;

21 (6) "Voluntary provision of health care services", the providing of professional health care
22 services by a health care provider without charge to a recipient of the services or a third party. The
23 provision of such health care services under sections 191.1100 to 191.1112 shall be the provider's
24 professional practice area in which the provider is licensed or certified.

25 191.1110. 1. (1) No licensed health care provider working on behalf of a sponsoring
26 organization or registered with the appropriate licensing body pursuant to section 191.1114 who
27 engages in the voluntary provision of health care services within the limits of the person's license,
28 certificate, or authorization to [~~any~~] a patient [~~of a sponsoring organization~~] shall be liable for any
29 civil damages for any act or omission resulting from the rendering of such services, unless the act or
30 omission was the result of such person's gross deviation from the ordinary standard of care or
31 willful misconduct.

32 (2) The volunteer licensee who is providing free care shall not receive compensation of any
33 type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of any
34 nature, from any person for the free care. Nor shall such service be a part of the provider's training
35 or assignment.

36 (3) The volunteer licensee shall be acting within the scope of such license, certification, or

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1 authority.

2 (4) A health care licensee providing free health care shall not engage in activities at a clinic,
3 or at the health care licensee's office, if the activities are performed on behalf of the sponsoring
4 organization, unless such activities are authorized by the appropriate authorities to be performed at
5 the clinic or office and the clinic or office is in compliance with all applicable regulations.

6 2. For purposes of this section, any commissioned or contract medical officer or dentist
7 serving on active duty in the United States Armed Forces and assigned to duty as a practicing,
8 commissioned, or contract medical officer or dentist at any military hospital or medical facility
9 owned and operated by the United States government shall be deemed to be licensed.

10 191.1114. 1. To qualify for liability protection under subdivision (1) of subsection 1 of
11 section 191.1110, a health care provider who provides volunteer health care services without
12 working on behalf of a sponsoring organization shall register with the appropriate licensing body
13 before providing such services by submitting a registration fee of fifty dollars and filing a
14 registration form. The registration and fee shall be submitted annually to the appropriate licensing
15 body with the fee to be used for the administration of sections 191.1100 to 191.1116. Such
16 registration form shall contain:

17 (1) The name of the health care provider;

18 (2) The address, including street, city, zip code, and county, of the health care provider's
19 principal office address;

20 (3) Telephone numbers for the principal office listed under subdivision (2) of this
21 subsection; and

22 (4) Such additional information as the appropriate licensing body shall require.

23
24 Upon any change in the information required under this subsection, the health care provider shall
25 notify the appropriate licensing body in writing of such change within thirty days of its occurrence.

26 2. The health care provider shall maintain on file for five years following the date of service
27 the date, place, and type of services provided and shall furnish such records upon request to any
28 regulatory board of any healing arts profession established under state law.

29 3. Adverse incidents and information on treatment outcomes shall be reported by any
30 provider to the appropriate licensing body if the incidents and information pertain to a patient
31 treated under the volunteer health services act. The appropriate licensing body shall review the
32 incident to determine whether it involves conduct by the licensee that is subject to disciplinary
33 action. All patient medical records and any identifying information contained in adverse incident
34 reports and treatment outcomes which are obtained by governmental entities or licensing bodies
35 under this subsection are confidential.

36 4. The appropriate licensing body may revoke the registration of any health care provider
37 that fails to comply with the requirements of this section.

38 5. Nothing in the volunteer health services act shall prohibit a health care provider from
39 providing health care services without charge or shall require a health care provider to register with
40 an appropriate licensing body. However, a health care provider who does not register or who does
41 not work on behalf of a sponsoring organization shall not be entitled to liability protection under
42 subdivision (1) subsection 1 of section 191.1110 or to continuing education credits under section
43 191.1116.

44 191.1116. For every hour of volunteer service performed by a health care provider, the
45 appropriate licensing body shall credit such health care professional one hour of continuing
46 education credit, up to a maximum of eight credit hours per licensure period. The health care
47 provider shall submit to the appropriate licensing body a voluntary services report that lists the dates
48 of voluntary service provided, the type of service provided, and the amount of time spent with each

1 patient."; and

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3 Further amend said bill by amending the title, enacting clause, and intersectional references
4 accordingly.

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