

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute for Senate Bill No. 490, Page 1, Section A, Line 5, by inserting immediately after
2 said section and line the following:

3
4 "191.1100. 1. Sections 191.1100 to ~~[191.1112]~~ 191.1116 shall be known and may be cited as the
5 "Volunteer Health Services Act".

6 2. As used in ~~[sections 191.1100 to 191.1112]~~ the volunteer health services act, the following terms
7 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 discipline, the
11 professional practice of which requires licensure or certification under state law or under comparable laws of
12 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 certificate
14 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 services
22 by a health care provider without charge to a recipient of the services or a third party. The provision of such
23 health care services under sections 191.1100 to 191.1112 shall be the provider's professional practice area in
24 which the provider is licensed or certified.

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

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

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

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

39 2. For purposes of this section, any commissioned or contract medical officer or dentist serving on

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1 active duty in the United States Armed Forces and assigned to duty as a practicing, commissioned, or
2 contract medical officer or dentist at any military hospital or medical facility owned and operated by the
3 United States government shall be deemed to be licensed.

4 191.1114. 1. To qualify for liability protection under subdivision (1) of subsection 1 of section
5 191.1110, a health care provider who provides volunteer health care services without working on behalf of a
6 sponsoring organization shall register with the appropriate licensing body before providing such services by
7 submitting a registration fee of fifty dollars and filing a registration form. The registration and fee shall be
8 submitted annually to the appropriate licensing body with the fee to be used for the administration of sections
9 191.1100 to 191.1116. Such registration form shall contain:

- 10 (1) The name of the health care provider;
11 (2) The address, including street, city, zip code, and county, of the health care provider's principal
12 office address;
13 (3) Telephone numbers for the principal office listed under subdivision (2) of this subsection; and
14 (4) Such additional information as the appropriate licensing body shall require.
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16 Upon any change in the information required under this subsection, the health care provider shall notify the
17 appropriate licensing body in writing of such change within thirty days of its occurrence.

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

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

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

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

34 191.1116. For every hour of volunteer service performed by a health care provider, the appropriate
35 licensing body shall credit such health care professional one hour of continuing education credit, up to a
36 maximum of eight credit hours per licensure period. The health care provider shall submit to the appropriate
37 licensing body a voluntary services report that lists the dates of voluntary service provided, the type of
38 service provided, and the amount of time spent with each patient."; and
39

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