

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 122
99TH GENERAL ASSEMBLY

0454H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 334.010, RSMo, and to enact in lieu thereof one new section relating to physicians providing sports medicine services.

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

Section A. Section 334.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 334.010, to read as follows:

334.010. 1. It shall be unlawful for any person not now a registered physician within the meaning of the law to practice medicine or surgery in any of its departments, to engage in the practice of medicine across state lines or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, or engage in the practice of midwifery in this state, except as herein provided.

2. For the purposes of this chapter, the "practice of medicine across state lines" shall mean:

(1) The rendering of a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent; or

(2) The rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent.

3. A physician located outside of this state shall not be required to obtain a license when:

(1) In consultation with a physician licensed to practice medicine in this state; and

(2) The physician licensed in this state retains ultimate authority and responsibility for the diagnosis or diagnoses and treatment in the care of the patient located within this state; or

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.

19 (3) Evaluating a patient or rendering an oral, written or otherwise documented medical
20 opinion, or when providing testimony or records for the purpose of any civil or criminal action
21 before any judicial or administrative proceeding of this state or other forum in this state; or

22 (4) Participating in a utilization review pursuant to section 376.1350.

23 **4. This section shall not apply to a person who holds a current, unrestricted license**
24 **to practice medicine in another state when the person, under a written agreement with an**
25 **athletic team located in the state in which the person is licensed, provides sports-related**
26 **medical services to any of the following individuals if the team is traveling to or from, or**
27 **participating in, a sporting event in this state:**

28 (1) A member of an athletic team;

29 (2) A member of an athletic team's coaching, communications, equipment, or sports
30 medicine staff;

31 (3) A member of a band or cheerleading squad accompanying an athletic team; or

32 (4) An athletic team's mascot.

33 **5. In providing sports-related medical services under this section, the person shall**
34 **not provide medical services at a health care facility, including a hospital, ambulatory**
35 **surgical center, or any other facility in which medical care, diagnosis, or treatment is**
36 **provided on an inpatient or outpatient basis.**

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