

FIRST REGULAR SESSION

HOUSE BILL NO. 1021

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BRATTIN.

0748H.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 195, RSMo, by adding thereto one new section relating to receipt of gifts by a practitioner.

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

Section A. Chapter 195, RSMo, is amended by adding thereto one new section, to be known as section 195.004, to read as follows:

195.004. It shall be unlawful for any manufacturer or wholesale drug distributor, or any agent thereof, to offer or give any gift of value to a practitioner. A medical device manufacturer that distributes drugs as an incidental part of its device business shall not be considered a manufacturer, a wholesale drug distributor, or agent under this section. As used in this section, “gift” does not include:

(1) Professional samples of a drug provided to a prescriber for free distribution to patients;

(2) Items, excluding professional drug samples, with a total combined retail value, in any calendar year, of not more than fifty dollars;

(3) A payment to the sponsor of a medical conference, professional meeting, or other educational program, provided the payment is not made directly to a practitioner and is used solely for bona fide educational purposes;

(4) Reasonable honoraria and payment of the reasonable expenses of a practitioner who serves on the faculty at a professional or educational conference or meeting;

(5) Compensation for the substantial professional or consulting services of a practitioner in connection with a genuine research project;

(6) Publications and educational materials; 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.

18 **(7) Salaries or other benefits paid to employees.**

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