

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 164, Page 1, Section A, Line 22, by inserting after
2 all of said section and line the following:

3
4 "191.603. As used in sections 191.600 to 191.615, the following terms shall mean:

5 (1) "Areas of defined need", areas designated by the department pursuant to section 191.605, when
6 services of a physician, including a psychiatrist, chiropractor, or dentist are needed to improve the patient-
7 health professional ratio in the area, to contribute health care professional services to an area of economic
8 impact, or to contribute health care professional services to an area suffering from the effects of a natural
9 disaster;

10 (2) "Chiropractor", a person licensed and registered pursuant to chapter 331;

11 (3) "Department", the department of health and senior services;

12 (4) "General dentist", dentists licensed and registered pursuant to chapter 332 engaged in general
13 dentistry and who are providing such services to the general population;

14 (5) "Primary care physician", physicians licensed and registered pursuant to chapter 334 engaged in
15 general or family practice, internal medicine, pediatrics or obstetrics and gynecology as their primary
16 specialties, and who are providing such primary care services to the general population;

17 (6) "Psychiatrist", the same meaning as in section 632.005.

18 191.605. The department shall designate counties, communities, or sections of urban areas as areas
19 of defined need for medical, psychiatric, chiropractic, or dental services when such county, community or
20 section of an urban area has been designated as a primary care health professional shortage area, a mental
21 health care professional shortage area, or a dental health care professional shortage area by the federal
22 Department of Health and Human Services, or has been determined by the director of the department of
23 health and senior services to have an extraordinary need for health care professional services, without a
24 corresponding supply of such professionals.

25 191.607. The department shall adopt and promulgate regulations establishing standards for
26 determining eligible persons for loan repayment pursuant to sections 191.600 to 191.615. These standards
27 shall include, but are not limited to the following:

28 (1) Citizenship or permanent residency in the United States;

29 (2) Residence in the state of Missouri;

30 (3) Enrollment as a full-time medical student in the final year of a course of study offered by an
31 approved educational institution or licensed to practice medicine or osteopathy pursuant to chapter 334,
32 including psychiatrists;

33 (4) Enrollment as a full-time dental student in the final year of course study offered by an approved
34 educational institution or licensed to practice general dentistry pursuant to chapter 332;

35 (5) Enrollment as a full-time chiropractic student in the final year of course study offered by an
36 approved educational institution or licensed to practice chiropractic medicine pursuant to chapter 331;

37 (6) Application for loan repayment.198.082. 1. Each certified nursing assistant hired to work in a
38 skilled nursing or intermediate care facility after January 1, 1980, shall have successfully completed a nursing
39 assistant training program approved by the department or shall enroll in and begin the first available approved
40 training program which is scheduled to commence within ninety days of the date of the certified nursing

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assistant's employment and which shall be completed within four months of employment. Training programs shall be offered at any facility licensed ~~[or approved]~~ by the department of health and senior services; any skilled nursing or intermediate care unit in a Missouri veterans home, as defined in section 42.002; or any hospital, as defined in section 197.020. Training programs shall be ~~[which is most]~~ reasonably accessible to the enrollees in each class. The program may be established by ~~[the]~~ a skilled nursing or intermediate care facility, unit, or hospital; by a professional organization~~[-];~~ or by the department, and training shall be given by the personnel of the facility, unit, or hospital; by a professional organization~~[-];~~ by the department~~[-];~~ by any community college; or by the vocational education department of any high school.

2. As used in this section the term "certified nursing assistant" means an employee~~[-]~~ who has completed the training required under subsection 1 of this section, who has passed the certification exam, and ~~[including a nurse's aide or an orderly,]~~ who is assigned by a skilled nursing or intermediate care facility, unit, or hospital to provide or assist in the provision of direct resident health care services under the supervision of a nurse licensed under the nursing practice law, chapter 335.

3. This section shall not apply to any person otherwise regulated or licensed to perform health care services under the laws of this state. It shall not apply to volunteers or to members of religious or fraternal orders which operate and administer the facility, if such volunteers or members work without compensation.

~~[3-]~~ 4. The training program ~~[after January 1, 1989, shall consist of at least the following:~~
~~—— (1) A training program consisting]~~ requirements shall be defined in regulation by the department and shall require ~~[of]~~ at least seventy-five classroom hours of training ~~[on basic nursing skills, clinical practice, resident safety and rights, the social and psychological problems of residents, and the methods of handling and caring for mentally confused residents such as those with Alzheimer's disease and related disorders,]~~ and one hundred hours supervised and on-the-job training. On-the-job training sites shall include supervised practical training in a laboratory or other setting in which the trainee demonstrates knowledge while performing tasks on an individual under the direct supervision of a registered nurse or a licensed practical nurse. The ~~[one hundred hours]~~ training shall be completed within four months of employment and may consist of normal employment as nurse assistants or hospital nursing support staff under the supervision of a licensed nurse~~[-]~~ and

~~—— (2) Continuing in-service training to assure continuing competency in existing and new nursing skills. All nursing assistants trained prior to January 1, 1989, shall attend, by August 31, 1989, an entire special retraining program established by rule or regulation of the department which shall contain information on methods of handling mentally confused residents and which may be offered on premises by the employing facility].~~

~~[4-]~~ 5. Certified nursing ~~[Nursing]~~ assistants who have not successfully completed the nursing assistant training program prior to employment may begin duties as a certified nursing assistant ~~[only after completing an initial twelve hours of basic orientation approved by the department]~~ and may provide direct resident care only if under the ~~[general]~~ direct supervision of a licensed nurse prior to completion of the seventy-five classroom hours of the training program.

6. The competency evaluation shall be performed in a facility, as defined in 42 CFR Sec. 483.5, or laboratory setting comparable to the setting in which the individual shall function as a certified nursing assistant.

7. Persons completing the training requirements of unlicensed assistive personnel under 19 CSR 30-20.125 or its successor regulation, and who have completed the competency evaluation, shall be allowed to sit for the certified nursing assistant examination and be deemed to have fulfilled the classroom and clinical standards for designation as a certified nursing assistant.

8. The department of health and senior services may offer additional training programs and certifications to students who are already certified as nursing assistants according to regulations promulgated by the department and curriculum approved by the board."; and

Further amend said bill, Page 90, Section 334.920, Line 63, by inserting after all of said section and line the following:

"334.1135. 1. There is hereby established a joint task force to be known as the "Joint Task Force on Radiologic Technologist Licensure".

2. The task force shall be composed of the following:
 - (1) Two members of the senate, one of whom shall be appointed by the president pro tempore and one by the minority leader of the senate;
 - (2) Two members of the house of representatives, one of whom shall be appointed by the speaker and one by the minority leader of the house of representatives;
 - (3) A clinic administrator, or his or her designee, appointed by the Missouri Association of Rural Health Clinics;
 - (4) A physician appointed by the Missouri State Medical Association;
 - (5) A pain management physician appointed by the Missouri Society of Anesthesiologists;
 - (6) A radiologic technologist appointed by the Missouri Society of Radiologic Technologists;
 - (7) A nuclear medicine technologist appointed by the Missouri Valley Chapter of the Society of Nuclear Medicine and Molecular Imaging;
 - (8) An administrator of an ambulatory surgical center appointed by the Missouri Ambulatory Surgical Center Association;
 - (9) A physician appointed by the Missouri Academy of Family Physicians;
 - (10) A certified registered nurse anesthetist appointed by the Missouri Association of Nurse Anesthetists;
 - (11) A physician appointed by the Missouri Radiological Society;
 - (12) The director of the Missouri state board of registration for the healing arts, or his or her designee; and
 - (13) The director of the Missouri state board of nursing, or his or her designee.
3. The joint task force shall review the current status of licensure of radiologic technologists in Missouri and shall develop a plan to address the most appropriate method to protect public safety when radiologic imaging and radiologic procedures are utilized. The plan shall include:
 - (1) An analysis of the risks associated if radiologic technologists are not licensed;
 - (2) The creation of a Radiologic Imaging and Radiation Therapy Advisory Commission;
 - (3) Procedures to address the specific needs of rural health care and the availability of licensed radiologic technologists;
 - (4) Requirements for licensure of radiographer, radiation therapist, nuclear medicine technologist, nuclear medicine advanced associate, radiologist assistant, limited x-ray machine operators;
 - (5) Reasonable exemptions to licensure;
 - (6) Continuing education and training;
 - (7) Penalty provisions; and
 - (8) Other items that the task force deems relevant for the proper determination of licensure of radiologic technologists in Missouri.
4. The task force shall meet within thirty days of its creation and select a chair and vice chair. A majority of the task force shall constitute a quorum, but the concurrence of a majority of total members shall be required for the determination of any matter within the joint task force's duties.
5. The task force shall be staffed by legislative personnel of as is deemed necessary to assist the task force in the performance of its duties.
6. The members of the task force shall serve without compensation, but may, subject to appropriation, be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.
7. The task force shall submit a full report of its activities, including the plan developed under subsection 3 of this section, to the general assembly on or before January 15, 2020. The task force shall send copies of the report to the director of the division of professional registration."; and

Further amend said bill, Page 98, Section 335.066, Line 248, by inserting after all of said section and line the following:

"335.175. 1. No later than January 1, 2014, there is hereby established within the state board of registration for the healing arts and the state board of nursing the "Utilization of Telehealth by Nurses". An advanced practice registered nurse (APRN) providing nursing services under a collaborative practice

1 arrangement under section 334.104 may provide such services outside the geographic proximity requirements
 2 of section 334.104 if the collaborating physician and advanced practice registered nurse utilize telehealth in
 3 the care of the patient and if the services are provided in a rural area of need. Telehealth providers shall be
 4 required to obtain patient consent before telehealth services are initiated and ensure confidentiality of medical
 5 information.

6 2. As used in this section, "telehealth" shall have the same meaning as such term is defined in section
 7 191.1145.

8 3. (1) The boards shall jointly promulgate rules governing the practice of telehealth under this
 9 section. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth.

10 (2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
 11 authority delegated in this section shall become effective only if it complies with and is subject to all of the
 12 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
 13 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
 14 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
 15 rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

16 4. For purposes of this section, "rural area of need" means any rural area of this state which is
 17 located in a health professional shortage area as defined in section 354.650.

18 ~~[5. Under section 23.253 of the Missouri sunset act:~~

19 ~~—— (1) The provisions of the new program authorized under this section shall automatically sunset six~~
 20 ~~years after August 28, 2013, unless reauthorized by an act of the general assembly; and~~

21 ~~—— (2) If such program is reauthorized, the program authorized under this section shall automatically~~
 22 ~~sunset twelve years after the effective date of the reauthorization of this section; and~~

23 ~~—— (3) This section shall terminate on September first of the calendar year immediately following the~~
 24 ~~calendar year in which the program authorized under this section is sunset.]"~~; and

25
 26 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.