

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 275, Pages 1 to 2, Section 21.790, Lines 1 to 33,
2 by deleting said lines and inserting in lieu thereof the following:
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4 "21.790. 1. There is hereby established the "Task Force on Substance Abuse Prevention and
5 Treatment". The task force shall be composed of six members from the house of representatives, six
6 members from the senate, and four members appointed by the governor. The senate members of the task
7 force shall be appointed by the president pro tempore of the senate and the house members by the speaker of
8 the house of representatives. There shall be at least two members from the minority party of the senate and at
9 least two members from the minority party of the house of representatives. The members appointed by the
10 governor shall include one member from the health care industry, one member who is a first responder or law
11 enforcement officer, one member who is a member of the judiciary or a prosecuting attorney, and one
12 member representing a substance abuse prevention advocacy group.

13 2. The task force shall select a chairperson and a vice-chairperson, one of whom shall be a member
14 of the senate and one a member of the house of representatives. A majority of the members shall constitute a
15 quorum. The task force shall meet at least once during each legislative session and at all other times as the
16 chairperson may designate.

17 3. The task force shall:

18 (1) Conduct hearings on current and estimated future drug and substance use and abuse within the
19 state;

20 (2) Explore solutions to substance abuse issues; and

21 (3) Draft or modify legislation as necessary to effectuate the goals of finding and funding education
22 and treatment solutions to curb drug and substance use and abuse.

23 4. The task force may make reasonable requests for staff assistance from the research and
24 appropriations staffs of the senate and house of representatives and the joint committee on legislative
25 research. In the performance of its duties, the task force may request assistance or information from all
26 branches of government and state departments, agencies, boards, commissions, and offices.

27 5. The task force shall report annually to the general assembly and the governor. The report shall
28 include recommendations for legislation pertaining to substance abuse prevention and treatment."; and
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30 Further amend said bill, Page 5, Section 191.1168, Line 5, by inserting after all of said section and line the
31 following:
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33 "192.067. 1. The department of health and senior services, for purposes of conducting
34 epidemiological studies to be used in promoting and safeguarding the health of the citizens of Missouri under
35 the authority of this chapter is authorized to receive information from patient medical records. The
36 provisions of this section shall also apply to the collection, analysis, and disclosure of nosocomial infection
37 data from patient records collected pursuant to section 192.667 and to the collection of data under section
38 192.990.

39 2. The department shall maintain the confidentiality of all medical record information abstracted by
40 or reported to the department. Medical information secured pursuant to the provisions of subsection 1 of this

Action Taken _____ Date _____

1 section may be released by the department only in a statistical aggregate form that precludes and prevents the
 2 identification of patient, physician, or medical facility except that medical information may be shared with
 3 other public health authorities and coinvestigators of a health study if they abide by the same confidentiality
 4 restrictions required of the department of health and senior services and except as otherwise authorized by the
 5 provisions of sections 192.665 to 192.667, or section 192.990. The department of health and senior services,
 6 public health authorities and coinvestigators shall use the information collected only for the purposes
 7 provided for in this section ~~and~~, section 192.667, or section 192.990.

8 3. No individual or organization providing information to the department in accordance with this
 9 section shall be deemed to be or be held liable, either civilly or criminally, for divulging confidential
 10 information unless such individual organization acted in bad faith or with malicious purpose.

11 4. The department of health and senior services is authorized to reimburse medical care facilities,
 12 within the limits of appropriations made for that purpose, for the costs associated with abstracting data for
 13 special studies.

14 5. Any department of health and senior services employee, public health authority or coinvestigator
 15 of a study who knowingly releases information which violates the provisions of this section shall be guilty of
 16 a class A misdemeanor and, upon conviction, shall be punished as provided by law."; and
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18 Further amend said bill, Pages 10 to 16, Section 192.990, Lines 1 to 215, by deleting said lines and inserting
 19 in lieu thereof the following:
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21 "192.990. 1. There is hereby established within the department of health and senior services the
 22 "Pregnancy-Associated Mortality Review Board" to improve data collection and reporting with respect to
 23 maternal deaths. The department may collaborate with localities and with other states to meet the goals of the
 24 initiative.

25 2. For purposes of this section, the following terms shall mean:

26 (1) "Department", the Missouri department of health and senior services;

27 (2) "Maternal death", the death of a woman while pregnant or during the one-year period following
 28 the date of the end of pregnancy, regardless of the cause of death and regardless of whether a delivery,
 29 miscarriage, or death occurs inside or outside of a hospital.

30 3. The board shall be composed of no more than eighteen members, with a chair elected from among
 31 its membership. The board shall meet at least twice per year and shall approve the strategic priorities, work
 32 processes, and products of the board. Members of the board shall be appointed by the director of the
 33 department. Members shall serve four-year terms, except that the initial terms shall be staggered so that
 34 approximately one-third serve three, four, and five-year terms.

35 4. The board shall have a multidisciplinary and diverse membership that represents a variety of
 36 medical and nursing specialties, including, but not limited to, obstetrics and maternal-fetal care, as well as
 37 state or local public health officials, epidemiologists, statisticians, community organizations, geographic
 38 regions, and other individuals or organizations that are most affected by maternal deaths and lack of access to
 39 maternal health care services.

40 5. The duties of the board shall be limited to:

41 (1) Conducting ongoing comprehensive, multidisciplinary reviews of all maternal deaths;

42 (2) Identifying factors associated with maternal deaths;

43 (3) Reviewing medical records and other relevant data, which shall include, to the extent available:

44 (a) A description of the maternal deaths determined by matching each death record of a maternal
 45 death to a birth certificate of an infant or fetal death record, as applicable, and an indication of whether the
 46 delivery, miscarriage, or death occurred inside or outside of a hospital;

47 (b) Data collected from medical examiner and coroner reports, as appropriate; and

48 (c) Using other appropriate methods or information to identify maternal deaths, including deaths
 49 from pregnancy outcomes not identified under paragraph (a) of this subdivision;

50 (4) Consulting with relevant experts, as needed;

51 (5) Analyzing cases to produce recommendations for reducing maternal mortality;

52 (6) Disseminating recommendations to policy makers, health care providers and facilities, and the
 53 general public;

1 (7) Recommending and promoting preventative strategies and making recommendations for systems
 2 changes;

3 (8) Protecting the confidentiality of the hospitals and individuals involved in any maternal deaths;

4 (9) Examining racial and social disparities in maternal deaths;

5 (10) Subject to appropriation, providing for voluntary and confidential case reporting of maternal
 6 deaths to the appropriate state health agency by family members of the deceased, and other appropriate
 7 individuals, for purposes of review by the board;

8 (11) Making publicly available the contact information of the board for use in such reporting;

9 (12) Conducting outreach to local professional organizations, community organizations, and social
 10 services agencies regarding the availability of the review board; and

11 (13) Ensuring that data collected under this section is made available, as appropriate and practicable,
 12 for research purposes, in a manner that protects individually identifiable or potentially identifiable
 13 information and that is consistent with state and federal privacy laws.

14 6. The board may contract with other entities consistent with the duties of the board.

15 7. (1) Before June 30, 2020, and annually thereafter, the board shall submit to the Director of the
 16 Centers for Disease Control and Prevention, the director of the department, the governor, and the general
 17 assembly a report on maternal mortality in the state based on data collected through ongoing comprehensive,
 18 multidisciplinary reviews of all maternal deaths, and any other projects or efforts of the board. The data shall
 19 be collected using best practices to reliably determine and include all maternal deaths, regardless of the
 20 outcome of the pregnancy and shall include data, findings, and recommendations of the committee, and, as
 21 applicable, information on the implementation during such year of any recommendations submitted by the
 22 board in a previous year.

23 (2) The report shall be made available to the public on the department's website and the director shall
 24 disseminate the report to all health care providers and facilities that provide women's health services in the
 25 state.

26 8. The director of the department, or his or her designee, shall provide the board with the copy of the
 27 death certificate and any linked birth or fetal death certificate for any maternal death occurring within the
 28 state.

29 9. Upon request by the department, health care providers, health care facilities, clinics, laboratories,
 30 medical examiners, coroners, law enforcement agencies, driver's license bureaus, other state agencies, and
 31 facilities licensed by the department shall provide to the department data related to maternal deaths from
 32 sources such as medical records, autopsy reports, medical examiner's reports, coroner's reports, law
 33 enforcement reports, motor vehicle records, social services records, and other sources as appropriate. Such
 34 data requests shall be limited to maternal deaths which have occurred within the previous twenty-four
 35 months. No entity shall be held liable for civil damages or be subject to any criminal or disciplinary action
 36 when complying in good faith with a request from the department for information under the provisions of this
 37 subsection.

38 10. (1) The board shall protect the privacy and confidentiality of all patients, decedents, providers,
 39 hospitals, or any other participants involved in any maternal deaths. In no case shall any individually
 40 identifiable health information be provided to the public or submitted to an information clearinghouse.

41 (2) Nothing in this subsection shall prohibit the board or department from publishing statistical
 42 compilations and research reports that:

43 (a) Are based on confidential information relating to mortality reviews under this section; and

44 (b) Do not contain identifying information or any other information that could be used to ultimately
 45 identify the individuals concerned.

46 (3) Information, records, reports, statements, notes, memoranda, or other data collected under this
 47 section shall not be admissible as evidence in any action of any kind in any court or before any other tribunal,
 48 board, agency, or person. Such information, records, reports, notes, memoranda, data obtained by the
 49 department or any other person, statements, notes, memoranda, or other data shall not be exhibited nor their
 50 contents disclosed in any way, in whole or in part, by any officer or representative of the department or any
 51 other person. No person participating in such review shall disclose, in any manner, the information so
 52 obtained except in strict conformity with such review project. Such information shall not be subject to
 53 disclosure under chapter 610.

1 (4) All information, records of interviews, written reports, statements, notes, memoranda, or other
2 data obtained by the department, the board, and other persons, agencies, or organizations so authorized by the
3 department under this section shall be confidential.

4 (5) All proceedings and activities of the board, opinions of members of such board formed as a result
5 of such proceedings and activities, and records obtained, created, or maintained under this section, including
6 records of interviews, written reports, statements, notes, memoranda, or other data obtained by the
7 department or any other person, agency, or organization acting jointly or under contract with the department
8 in connection with the requirements of this section, shall be confidential and shall not be subject to subpoena,
9 discovery, or introduction into evidence in any civil or criminal proceeding; provided, however, that nothing
10 in this section shall be construed to limit or restrict the right to discover or use in any civil or criminal
11 proceeding anything that is available from another source and entirely independent of the board's
12 proceedings.

13 (6) Members of the board shall not be questioned in any civil or criminal proceeding regarding the
14 information presented in or opinions formed as a result of a meeting or communication of the board;
15 provided, however, that nothing in this section shall be construed to prevent a member of the board from
16 testifying to information obtained independently of the board or which is public information.

17 11. The department may use grant program funds to support the efforts of the board and may apply
18 for additional federal government and private foundation grants as needed. The department may also accept
19 private, foundation, city, county, or federal moneys to implement the provisions of this section."; and
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21 Further amend said bill, Pages 54 and 55, Section 376.1578, Lines 1 to 24, by deleting said section and lines
22 from the bill; and
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24 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.