

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 594, Page 46, Section 173.2712, Line 15, by inserting after said section and line the
3 following:
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5 "205.202.1. The governing body of any hospital district established under sections 205.160 to
6 205.379 in any county of the third classification without a township form of government and with
7 more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants
8 may, by resolution, abolish the property tax levied in such district under this chapter and impose a
9 sales tax on all retail sales made within the district which are subject to sales tax under chapter
10 144. The tax authorized in this section shall be not more than one percent, and shall be imposed
11 solely for the purpose of funding the hospital district. The tax authorized in this section shall be in
12 addition to all other sales taxes imposed by law, and shall be stated separately from all other charges
13 and taxes.

14 2. No such resolution adopted under this section shall become effective unless the governing
15 body of the hospital district submits to the voters residing within the district at a state general,
16 primary, or special election a proposal to authorize the governing body of the district to impose a tax
17 under this section. If a majority of the votes cast on the question by the qualified voters voting
18 thereon are in favor of the question, then the tax shall become effective on the first day of the second
19 calendar quarter after the director of revenue receives notification of adoption of the local sales
20 tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed
21 to the question, then the tax shall not become effective unless and until the question is resubmitted
22 under this section to the qualified voters and such question is approved by a majority of the qualified
23 voters voting on the question.

24 3. All revenue collected under this section by the director of the department of revenue on
25 behalf of the hospital district, except for one percent for the cost of collection which shall be
26 deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is
27 hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used
28 solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and
29 shall not be commingled with any funds of the state. The director may make refunds from the
30 amounts in the fund and credited to the district for erroneous payments and overpayments made, and
31 may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the
32 special fund which are not needed for current expenditures shall be invested in the same manner as
33 other funds are invested. Any interest and moneys earned on such investments shall be credited to
34 the fund.

35 4. The governing body of any hospital district that has adopted the sales tax authorized in this
36 section may submit the question of repeal of the tax to the voters on any date available for elections

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for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means other than by a dissolution of a hospital district as described in subsection 7 of this section, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Upon the dissolution of a hospital district levying a sales tax pursuant to this section, the sales tax shall be automatically repealed and all funds remaining in the special trust fund shall be distributed as follows:

(1) Twenty-five percent shall be distributed to the county public health center established pursuant to sections 205.010 to 205.150; and

(2) Seventy-five percent shall be distributed to a federally qualified health center, as defined in 42 U.S.C. Section 1396d(l)(1) and (2), located in the county."; and

Further amend said bill, Page 47, Section 262.760, Line 15, by inserting after all of said section and line the following:

"321.621. 1. For the purposes of this section, "qualified first responder" shall mean any state and local law enforcement agency staff, fire department personnel, fire district personnel, or licensed emergency medical technician who is acting under the directives and established protocols of a medical director of a local licensed ground ambulance service licensed under section 190.109 who comes in contact with a person suffering from an anaphylactic reaction and who has received training in recognizing and responding to anaphylactic reactions and the administration of epinephrine auto-injector devices to a person suffering from an apparent anaphylactic reaction. "Qualified first responder agencies" shall mean any state or local law enforcement agency, fire department, or ambulance service that provides documented training to its staff related to the administration of epinephrine auto-injector devices in an apparent anaphylactic reaction.

1 2. The department of health and senior services shall issue epinephrine auto-injector devices
2 for adult patients to fire protection districts in nonmetropolitan areas in Missouri as such areas are
3 determined according to the United States Census Bureau's American Community Survey, based on
4 the most recent of five-year period estimate data in which the final year of the estimate ends in
5 either zero or five.

6 3. Possession and use of epinephrine auto-injector devices for adult patients shall be limited
7 as follows:

8 (1) No person shall use an epinephrine auto-injector device unless such person has
9 successfully completed a training course in the use of epinephrine auto-injector devices for adult
10 patients approved by the director of the department of health and senior services. Nothing in this
11 section shall prohibit the use of an epinephrine auto-injector device:

12 (a) By a health care professional licensed or certified by this state who is acting within the
13 scope of his or her practice; or

14 (b) By a person acting pursuant to a lawful prescription;

15 (2) Every person, firm, organization and entity authorized to possess and use epinephrine
16 auto-injector devices for adult patients pursuant to this section shall use, maintain and dispose of
17 such devices for adult patients in accordance with the rules of the department;

18 (3) Every use of an epinephrine auto-injector device pursuant to this section shall
19 immediately be reported to the emergency health care provider as defined in section 190.246.

20 4. (1) Use of an epinephrine auto-injector device pursuant to this section shall be
21 considered first aid or emergency treatment for the purpose of any law relating to liability.

22 (2) Purchase, acquisition, possession or use of an epinephrine auto-injector device pursuant
23 to this section shall not constitute the unlawful practice of medicine or the unlawful practice of a
24 profession.

25 (3) Any person otherwise authorized to sell or provide an epinephrine auto-injector device
26 may sell or provide it to a person authorized to possess it pursuant to this section.

27 5. Any person, firm, organization or entity that violates the provisions of this section is
28 guilty of a class B misdemeanor.

29 6. (1) There is hereby created in the state treasury the "Epinephrine Auto-injector Devices
30 for Fire Personnel Fund", which shall consist of money collected under this section. The state
31 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
32 treasurer may approve disbursements. The moneys in the fund as set forth in this section shall be
33 subject to appropriation by the general assembly for the particular purpose for which collected. The
34 fund shall be a dedicated fund and money in the fund shall be used solely by the department of
35 health and senior services for the purposes of providing epinephrine auto-injector devices for adult
36 patients to qualified first responder agencies as used in this section.

37 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
38 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

39 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are
40 invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

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