

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 403,
2 Page 5, Section 192.028, Line 23, by inserting after all of said section and line the following:

3
4 "192.990. 1. There is hereby established within the department of health and senior services
5 the "Pregnancy-Associated Mortality Review Board" to improve data collection and reporting with
6 respect to maternal deaths. The department may collaborate with localities and with other states to
7 meet the goals of the initiative.

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

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

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

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

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

24 5. The duties of the board shall include, but not be limited to:

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

26 (2) Identifying factors associated with maternal deaths;

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

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

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

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

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

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

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- 1 (6) Disseminating recommendations to policy makers, health care providers and facilities,
2 and the general public;
- 3 (7) Recommending and promoting preventative strategies and making recommendations for
4 systems changes;
- 5 (8) Protecting the confidentiality of the hospitals and individuals involved in any maternal
6 deaths;
- 7 (9) Examining racial and social disparities in maternal deaths;
- 8 (10) Subject to appropriation, providing for voluntary and confidential case reporting of
9 maternal deaths to the appropriate state health agency by family members of the deceased, and other
10 appropriate individuals, for purposes of review by the board;
- 11 (11) Making publicly available the contact information of the board for use in such
12 reporting;
- 13 (12) Conducting outreach to local professional organizations, community organizations, and
14 social services agencies regarding the availability of the review board; ~~and~~
- 15 (13) Ensuring that data collected under this section is made available, as appropriate and
16 practicable, for research purposes, in a manner that protects individually identifiable or potentially
17 identifiable information and that is consistent with state and federal privacy laws; and
- 18 (14) Considering the role of race, ethnicity, language, poverty, literacy, and other social
19 determinants of health, including racism at the interpersonal and system levels, when conducting
20 multidisciplinary reviews of severe maternal morbidity, mortality, and other clinically important
21 metrics.
- 22 6. The board may contract with other entities consistent with the duties of the board.
- 23 7. (1) Before June 30, 2020, and annually thereafter, the board shall submit to the Director
24 of the Centers for Disease Control and Prevention, the director of the department, the governor, and
25 the general assembly a report on maternal mortality in the state based on data collected through
26 ongoing comprehensive, multidisciplinary reviews of all maternal deaths, and any other projects or
27 efforts funded by the board. The data shall be collected using best practices to reliably determine
28 and include all maternal deaths, regardless of the outcome of the pregnancy and shall include data,
29 findings, and recommendations of the committee, and, as applicable, information on the
30 implementation during such year of any recommendations submitted by the board in a previous
31 year.
- 32 (2) The report shall be made available to the public on the department's website and the
33 director shall disseminate the report to all health care providers and facilities that provide women's
34 health services in the state.
- 35 8. The director of the department, or his or her designee, shall provide the board with the
36 copy of the death certificate and any linked birth or fetal death certificate for any maternal death
37 occurring within the state.
- 38 9. Upon request by the department, health care providers, health care facilities, clinics,
39 laboratories, medical examiners, coroners, law enforcement agencies, driver's license bureaus, other
40 state agencies, and facilities licensed by the department shall provide to the department data related
41 to maternal deaths from sources such as medical records, autopsy reports, medical examiner's
42 reports, coroner's reports, law enforcement reports, motor vehicle records, social services records,
43 and other sources as appropriate. Such data requests shall be limited to maternal deaths which have
44 occurred within the previous twenty-four months. No entity shall be held liable for civil damages or
45 be subject to any criminal or disciplinary action when complying in good faith with a request from
46 the department for information under the provisions of this subsection.
- 47 10. (1) The board shall protect the privacy and confidentiality of all patients, decedents,
48 providers, hospitals, or any other participants involved in any maternal deaths. In no case shall any
49 individually identifiable health information be provided to the public or submitted to an information

1 clearinghouse.

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

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

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

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

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

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

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

33 11. The department may use grant program funds to support the efforts of the board and may
34 apply for additional federal government and private foundation grants as needed. The department
35 may also accept private, foundation, city, county, or federal moneys to implement the provisions of
36 this section."; and

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