

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 11,
2 Section 190.600, Line 53, by deleting the words "or her" and inserting in lieu thereof the words "[~~or~~
3 ~~her~~]"; and

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5 Further amend said bill, page and section, Line 59, by deleting the words "or her"; and

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7 Further amend said bill, Page 12, Section 190.603, Line 8, by deleting the words "or her"; and

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9 Further amend said bill, Page 14, Section 190.613, Line 12, by deleting the number "190.615" and
10 inserting in lieu thereof the number "190.621"; and

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12 Further amend said bill, Page 15, Section 191.240, Lines 5-20, by deleting all of said lines and
13 inserting in lieu thereof the following:

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15 "2. A health care provider, or any student or trainee under the supervision of a health care
16 provider, shall not knowingly perform a patient examination upon an anesthetized or unconscious
17 patient in a health care facility unless:

18 (1) The patient or a person authorized to make health care decisions for the patient has given
19 specific informed consent to the patient examination for nonmedical purposes;

20 (2) The patient examination is necessary for diagnostic or treatment purposes;

21 (3) The collection of evidence through a forensic examination, as defined under subsection
22 8 of section 595.220, for a suspected sexual assault on the anesthetized or unconscious patient is
23 necessary because the evidence will be lost or the patient is unable to give informed consent due to a
24 medical condition; or

25 (4) Circumstances are present which imply consent, as described in section 431.063.

26 3. A health care provider shall notify a patient of any patient examination performed under
27 subdivisions (2) to (4) of subsection 2 of this section if the patient is unable to give verbal or written
28 consent.

29 4. A health care provider who violates the provisions of this section, or who supervises a
30 student or trainee who violates the provisions of this section, shall be subject to discipline by any
31 licensing board that licenses the health care provider."; and
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Action Taken _____ Date _____

Further amend said bill, Page 16, Section 191.1825, Line 15, by deleting the word "forced" and inserting in lieu thereof the word "required"; and

Further amend said bill, Pages 16-17, Section 191.1835, Lines 1-33, by deleting all of said section and lines and inserting in lieu thereof the following:

"191.1835. 1. The medical university shall establish, with the advice of the advisory committee, a system for the collection and dissemination of information determining the incidence and prevalence of Parkinson's disease and parkinsonism.

2. (1) Parkinson's disease and parkinsonism shall be designated as diseases required to be reported to the registry. Beginning August 28, 2024, all cases of Parkinson's disease and parkinsonism diagnosed or treated in this state shall be reported to the registry.

(2) Notwithstanding the provisions of subdivision (1) of this subsection to the contrary, the mere incidence of a patient with Parkinson's disease or parkinsonism shall be the sole required information for the registry for any patient who chooses not to participate as described in section 191.1825. No further data shall be reported to the registry for patients who choose not to participate.

3. The medical university may create, review, and revise a list of data points required to be collected as part of the mandated reporting of Parkinson's disease and parkinsonism under this section. Any such list shall include, but not be limited to, necessary triggering diagnostic conditions consistent with the latest International Statistical Classification of Diseases and Related Health Problems and resulting case data on issues including, but not limited to, diagnosis, treatment, and survival.

4. At least ninety days before reporting to the registry is required under this section, the medical university shall publish on its website a notice about the mandatory reporting of Parkinson's disease and parkinsonism and may also provide such notice to professional associations representing physicians, nurse practitioners, and hospitals.

5. Beginning August 28, 2024, any hospital, facility, physician, surgeon, physician assistant, or nurse practitioner diagnosing or responsible for providing primary treatment to patients with Parkinson's disease or patients with parkinsonism shall report each case of Parkinson's disease and each case of parkinsonism to the registry in a format prescribed by the medical university.

6. The medical university shall be authorized to enter into data-sharing contracts with data-reporting entities and their associated electronic medical record system vendors to securely and confidentially receive information related to Parkinson's disease testing, diagnosis, and treatment.

7. The medical university may implement and administer this section through a bulletin or similar instruction to providers without the need for regulatory action."; and

Further amend said bill, Page 18, Section 191.1845, Lines 1-31, by deleting all of said section and lines and inserting in lieu thereof the following:

"191.1845. 1. Except as otherwise provided in sections 191.1820 to 191.1855, all

1 information collected under sections 191.1820 to 191.1855 shall be confidential. For purposes of
 2 sections 191.1820 to 191.1855, this information shall be referred to as confidential information.

3 2. To ensure privacy, the medical university shall use a coding system for the registry that
 4 removes any identifying information about patients.

5 3. Notwithstanding any other provision of law to the contrary, a disclosure authorized under
 6 sections 191.1820 to 191.1855 shall include only the information necessary for the stated purpose of
 7 the requested disclosure, shall be used for the approved purpose, and shall not be further disclosed.

8 4. Provided the security of confidential information has been documented, the furnishing of
 9 confidential information to the medical university or its authorized representatives in accordance
 10 with sections 191.1820 to 191.1855 shall not expose any person, agency, or entity furnishing the
 11 confidential information to liability and shall not be considered a waiver of any privilege or a
 12 violation of a confidential relationship.

13 5. The medical university shall maintain an accurate record of all persons given access to
 14 confidential information. The record shall include the name of the person authorizing access; the
 15 name, title, address, and organizational affiliation of the person given access; dates of access; and
 16 the specific purpose for which the confidential information is to be used. The record of access shall
 17 be open to public inspection during normal operating hours of the medical university.

18 6. (1) Notwithstanding any other provision of law to the contrary, confidential information
 19 shall not be available for subpoena and shall not be disclosed, discoverable, or compelled to be
 20 produced in any civil, criminal, administrative, or other proceeding. Confidential information shall
 21 not be deemed admissible as evidence in any civil, criminal, administrative, or other tribunal or
 22 court for any reason.

23 (2) The provisions of this subsection shall not be construed to prohibit the publication by the
 24 medical university of reports and statistical compilations that do not in any way identify individual
 25 cases or individual sources of information.

26 (3) Notwithstanding the restrictions in this subsection to the contrary, the individual to
 27 whom the information pertains shall have access to his or her own information."; and

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 29 Further amend said bill, Page 32, Section 210.1360, Lines 1-9, by deleting all of said section and
 30 lines and inserting in lieu thereof the following:

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 32 "210.1360. 1. Any personally identifiable information regarding any child under eighteen
 33 years of age receiving child care from any provider or applying for or receiving any services through
 34 a state program shall not be subject to disclosure except as otherwise provided by law.

35 2. This section shall not prohibit any state agency from disclosing personally identifiable
 36 information to governmental entities or its agents, vendors, grantees, and contractors in connection
 37 to matters relating to its official duties. The provisions of this section shall not apply to any state,
 38 county, or municipal law enforcement agency acting in its official capacity.

39 3. This section shall not prevent a parent or legal guardian from accessing the parent's or
 40 legal guardian's child's records."; and

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- 2 Further amend said bill by amending the title, enacting clause, and intersectional references
- 3 accordingly.