

FIRST REGULAR SESSION

# HOUSE BILL NO. 1099

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BAKER.

1888H.02I

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 191.305, 192.745, and 194.300, RSMo, and to enact in lieu thereof three new sections relating to advisory bodies for the department of health and senior services.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 191.305, 192.745, and 194.300, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 191.305, 192.745, and 194.300, to read as follows:

191.305. 1. The "Missouri Genetic Advisory Committee", consisting of fifteen members, is hereby created to advise the department in all genetic programs including metabolic disease screening programs, hemophilia, sickle cell anemia, and cystic fibrosis programs. Members of the committee shall be appointed by the ~~[governor, by and with the advice and consent of the senate]~~ **director of the department of health and senior services**. The first appointments to the committee shall consist of five members to serve three-year terms, five members to serve two-year terms, and five members to serve one-year terms as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.

2. The committee shall be composed of persons who reside in the state of Missouri, and a majority shall be licensed physicians. At least one member shall be a specialist in genetics; at least one member shall be a licensed obstetrician/gynecologist; at least one member shall be a licensed pediatrician in private practice; at least one member shall be a consumer, family member of a consumer or representative of a consumer group; at least one member shall be a licensed physician experienced in the study and treatment of hemophilia; at

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 least one member shall be a specialist in sickle cell anemia; and at least one member shall be a  
17 specialist in cystic fibrosis.

18 3. Members of the committee shall not receive any compensation for their services,  
19 but they shall, subject to appropriations, be reimbursed for actual and necessary expenses  
20 incurred in the performance of their duties from funds appropriated for that purpose.

192.745. 1. The "Missouri Brain Injury Advisory Council" is hereby established in  
2 the department of health and senior services. The members of the council [~~that are serving on~~  
3 ~~February 2, 2005, shall continue to fulfill their current terms. Through attrition, the council~~  
4 ~~shall decrease from the present twenty-five members to fifteen members. Thereafter, the~~  
5 ~~successors to each of these members]~~ shall serve a three-year term and until the member's  
6 successor is appointed by the [~~governor with the advice and consent of the senate]~~ **director of**  
7 **the department of health and senior services.** The members appointed by the [~~governor]~~  
8 **director** shall include: four people with brain injuries or relatives of persons with brain  
9 injuries, and eleven other individuals from professional groups, health institutions,  
10 community groups, and private industry. In addition to the fifteen council members,  
11 individuals representing state agencies with services that impact brain injury survivors and  
12 their families shall participate on the council in an ex officio nonvoting capacity. These  
13 individuals shall be appointed by the respective agency.

14 2. The Missouri brain injury advisory council is assigned to the department of health  
15 and senior services. The department shall submit estimates of requirements for  
16 appropriations on behalf of the council for the necessary staff and expenses to carry out  
17 the duties and responsibilities assigned by the council.

18 3. Meetings of the full council shall be held at least four times a year or at the call of  
19 the council chairperson, who shall be elected by the council. Subcommittees may meet on an  
20 as-needed basis.

21 4. Members of the council shall not receive any compensation for their services, but  
22 they shall, subject to appropriations, be reimbursed for actual and necessary expenses  
23 incurred in the performance of their duties from funds appropriated for this purpose.

24 5. The council shall adopt written procedures to govern its activities.

25 6. The council, under the direction of the department, shall make recommendations to  
26 the department director for developing and administering a state plan to provide services for  
27 brain-injured persons.

28 7. No member of the council may participate in or seek to influence a decision or vote  
29 of the council if the member would be directly involved with the matter or if the member  
30 would derive income from it. A violation of the prohibition contained herein shall be grounds  
31 for a person to be removed as a member of the council by the department director.

32 8. The council shall be advisory and shall:

33 (1) Promote meetings and programs for the discussion of reducing the debilitating  
34 effects of brain injuries and disseminate information in cooperation with any other  
35 department, agency or entity on the prevention, evaluation, care, treatment and rehabilitation  
36 of persons affected by brain injuries;

37 (2) Study and review current prevention, evaluation, care, treatment and rehabilitation  
38 technologies and recommend appropriate preparation, training, retraining and distribution of  
39 manpower and resources in the provision of services to brain-injured persons through private  
40 and public residential facilities, day programs and other specialized services;

41 (3) Recommend specific methods, means and procedures to improve and upgrade the  
42 state's service delivery system for brain-injured citizens of this state;

43 (4) Participate in developing and disseminating criteria and standards which may be  
44 required for future funding or licensing of facilities, day programs and other specialized  
45 services for brain-injured persons in this state; **and**

46 (5) Report annually to the department director on its activities, and on the results of  
47 its studies and the recommendations of the council.

48 9. The department may accept on behalf of the council federal funds, gifts and  
49 donations from individuals, private organizations and foundations, and any other funds that  
50 may become available.

194.300. 1. There is established within the department of health and senior services  
2 the "Organ Donation Advisory Committee", which shall consist of the following members  
3 appointed by the ~~[governor with the advice and consent of the senate]~~ **director of the**  
4 **department of health and senior services:**

5 (1) Four representatives of organ and tissue procurement organizations;

6 (2) Four members representative of organ recipients, families of organ recipients,  
7 organ donors and families of organ donors;

8 (3) One health care representative from a hospital located in Missouri; and

9 (4) One representative of the department of health and senior services.

10 2. Members of the advisory committee shall receive no compensation for their  
11 services, but may be reimbursed for the reasonable and necessary expenses incurred in the  
12 performance of their duties out of appropriations made for that purpose. Members shall serve  
13 for five year terms and shall serve at the pleasure of the governor.

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