

FIRST REGULAR SESSION

HOUSE BILL NO. 1234

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON (12).

1968H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to health advocates.

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

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be
2 known as section 192.378, to read as follows:

192.378. 1. For purposes of this section, the following terms mean:

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

3 (2) "Health advocate", an employee or contractor of the department who works
4 with pregnant patients on their behalf by assisting the patients in navigating the health
5 care system and communicating with the health care professionals providing care for
6 the patients;

7 (3) "Program", the health advocate program established in subsection 2 of this
8 section.

9 2. Subject to appropriation, the department shall establish a health advocate
10 program in which the department provides a health advocate to any eligible pregnant
11 patient who requests a health advocate.

12 3. Any resident of this state who is pregnant may request a health advocate
13 through the program. The department shall assign a health advocate to the resident
14 within twenty days of any such request. The assignment shall continue for the duration
15 of the pregnancy.

16 4. A health advocate for the program may be licensed or certified as a health
17 care professional or patient advocate, but licensure or certification shall not be required
18 to serve as a health advocate in the program.

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.

19 **5. The department shall determine the duties the health advocate shall perform**
20 **for the patients in the program during their pregnancy. The duties shall include, but not**
21 **be limited to, the following:**

22 **(1) Assessing the needs, culture, and medical background of the patient and the**
23 **patient's family;**

24 **(2) Preparing a birthing plan for the family;**

25 **(3) Being present in the birthing room with the family or on call during the**
26 **birthing process;**

27 **(4) Advocating for the patient if any conflict occurs between or among the**
28 **patient, the health care professionals caring for the patient, and the family members of**
29 **the patient; and**

30 **(5) Documenting any conflict described in subdivision (4) of this subsection and**
31 **monitoring and documenting the outcome of the conflict.**

32 **6. Every licensed physician who provides obstetrical or gynecological care to a**
33 **pregnant patient in this state shall inform the patient about the availability of the**
34 **program.**

35 **7. To raise awareness and educate the public, the department shall:**

36 **(1) Collect and distribute resource materials to educate the public about the**
37 **program;**

38 **(2) Develop and distribute educational materials, including, but not limited to,**
39 **videos, brochures, and other media, as part of a comprehensive public awareness**
40 **campaign about the program;**

41 **(3) Make such educational materials available through state and local public**
42 **health clinics, public hospitals, and private physicians for distribution to their patients.**
43 **Such materials shall also be available to the public on the department's website; and**

44 **(4) Establish a toll-free telephone number to provide information on the**
45 **program and receive requests from patients for health advocates.**

46 **8. (1) There is hereby created in the state treasury the "Health Advocate**
47 **Program Fund", which shall consist of moneys appropriated to it by the general**
48 **assembly and any gifts, contributions, grants, or bequests received from federal, private,**
49 **or other sources. The state treasurer shall be custodian of the fund. In accordance with**
50 **sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund**
51 **shall be a dedicated fund and, upon appropriation, moneys in this fund shall be used**
52 **solely as provided in this section.**

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

56 **(3) The state treasurer shall invest moneys in the fund in the same manner as**
57 **other funds are invested. Any interest and moneys earned on such investments shall be**
58 **credited to the fund.**

59 **9. The department shall promulgate all necessary rules and regulations for the**
60 **administration of this section. Any rule or portion of a rule, as that term is defined in**
61 **section 536.010, that is created under the authority delegated in this section shall**
62 **become effective only if it complies with and is subject to all of the provisions of chapter**
63 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
64 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
65 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
66 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
67 **adopted after August 28, 2023, shall be invalid and void.**

68 **10. The provisions of sections 23.250 to 23.298 shall not apply to the provisions of**
69 **this section.**

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