

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1015

102ND GENERAL ASSEMBLY

2287S.04C

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 67.145, 105.500, 168.133, 190.100, 190.103, 190.142, 190.147, 190.600, 190.603, 190.606, 190.612, 192.2405, 208.1032, 285.040, 300.100, 304.022, 321.225, 321.620, 537.037, 590.040, 590.080, and 610.021, RSMo, and to enact in lieu thereof twenty-seven new sections relating to public safety, with penalty provisions.

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

Section A. Sections 67.145, 105.500, 168.133, 190.100,
2 190.103, 190.142, 190.147, 190.600, 190.603, 190.606, 190.612,
3 192.2405, 208.1032, 285.040, 300.100, 304.022, 321.225,
4 321.620, 537.037, 590.040, 590.080, and 610.021, RSMo, are
5 repealed and twenty-seven new sections enacted in lieu thereof,
6 to be known as sections 43.253, 44.087, 67.145, 105.500,
7 168.133, 190.100, 190.103, 190.142, 190.147, 190.600, 190.603,
8 190.606, 190.612, 190.613, 192.2405, 208.1032, 285.040,
9 300.100, 304.022, 321.225, 321.620, 537.037, 571.031, 590.033,
10 590.040, 590.080, and 610.021, to read as follows:

43.253. 1. Notwithstanding any other provision of law
2 **to the contrary, a minimum fee of six dollars may be charged**
3 **by the Missouri state highway patrol for a records request**
4 **for a Missouri Uniform Crash Report or Marine Accident**
5 **Investigation Report where there are allowable fees of less**
6 **than six dollars under this chapter or chapter 610. Such**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

7 six-dollar fee shall be in place of any allowable fee of
8 less than six dollars.

9 2. The superintendent of the Missouri state highway
10 patrol may increase the minimum fee described in this
11 section by no more than one dollar every other year
12 beginning August 28, 2024; however, the minimum fee
13 described in this section shall not exceed ten dollars.

44.087. 1. The chief law enforcement executive for
2 any law enforcement agency, or such executive's designee,
3 may request assistance from a law enforcement agency of
4 another jurisdiction, including a jurisdiction outside the
5 state of Missouri but within the United States.

6 2. If a law enforcement officer makes an arrest or
7 apprehension outside such officer's jurisdiction, the
8 offender shall be delivered to the first available law
9 enforcement officer who is commissioned in the jurisdiction
10 in which the arrest was made. The officer making the
11 initial arrest or apprehension shall assist in the
12 preparation of any affidavits filed with the complaint or
13 based on other evidence that there is probable cause to
14 believe that both a crime has been committed and the
15 defendant has committed such crime.

16 3. For the purpose of liability, workers'
17 compensation, and any other employment-related matter, law
18 enforcement officers remain employees of their respective
19 law enforcement agency throughout any request for
20 assistance. Qualified immunity, sovereign immunity,
21 official immunity, and the public duty rule shall apply to
22 the provisions of this section as interpreted by the federal
23 and state courts of the responding agency.

24 4. Nothing in this section shall be construed to limit
25 the actions of law enforcement officers or agencies

26 conducted in accordance with section 44.095 or 44.098, or
27 any other mutual aid agreement made under this chapter.

28 5. The provisions of chapter 544 are applicable to any
29 law enforcement officers from jurisdictions located outside
30 the state of Missouri, but within the United States, who are
31 acting pursuant to a request made under this section.

67.145. 1. No political subdivision of this state
2 shall prohibit any first responder from engaging in any
3 political activity while off duty and not in uniform, being
4 a candidate for elected or appointed public office, or
5 holding such office unless such political activity or
6 candidacy is otherwise prohibited by state or federal law.

7 2. As used in this section, "first responder" means
8 any person trained and authorized by law or rule to render
9 emergency medical assistance or treatment. Such persons may
10 include, but shall not be limited to, emergency first
11 responders, police officers, sheriffs, deputy sheriffs,
12 firefighters, [ambulance attendants and attendant drivers,]
13 emergency medical technicians, [mobile emergency medical
14 technicians, emergency medical technician-paramedics,]
15 registered nurses, or physicians.

105.500. For purposes of sections 105.500 to 105.598,
2 unless the context otherwise requires, the following words
3 and phrases mean:

4 (1) "Bargaining unit", a unit of public employees at
5 any plant or installation or in a craft or in a function of
6 a public body that establishes a clear and identifiable
7 community of interest among the public employees concerned;

8 (2) "Board", the state board of mediation established
9 under section 295.030;

10 (3) "Department", the department of labor and
11 industrial relations established under section 286.010;

12 (4) "Exclusive bargaining representative", an
13 organization that has been designated or selected, as
14 provided in section 105.575, by a majority of the public
15 employees in a bargaining unit as the representative of such
16 public employees in such unit for purposes of collective
17 bargaining;

18 (5) "Labor organization", any organization, agency, or
19 public employee representation committee or plan, in which
20 public employees participate and that exists for the
21 purpose, in whole or in part, of dealing with a public body
22 or public bodies concerning collective bargaining,
23 grievances, labor disputes, wages, rates of pay, hours of
24 employment, or conditions of work;

25 (6) "Public body", the state of Missouri, or any
26 officer, agency, department, bureau, division, board or
27 commission of the state, or any other political subdivision
28 or special district of or within the state. Public body
29 shall not include the department of corrections;

30 (7) "Public employee", any person employed by a public
31 body;

32 (8) "Public safety labor organization", a labor
33 organization wholly or primarily representing persons
34 trained or authorized by law or rule to render emergency
35 medical assistance or treatment, including, but not limited
36 to, firefighters, [ambulance attendants, attendant drivers,]
37 emergency medical technicians, [emergency medical technician
38 paramedics,] dispatchers, registered nurses and physicians,
39 and persons who are vested with the power of arrest for
40 criminal code violations including, but not limited to,
41 police officers, sheriffs, and deputy sheriffs.

168.133. 1. As used in this section, "screened
2 volunteer" shall mean any person who assists a school by

3 providing uncompensated service and who may periodically be
4 left alone with students. The school district shall ensure
5 that a criminal background check is conducted for all
6 screened volunteers, who shall complete the criminal
7 background check prior to being left alone with a student.

8 [Screened volunteers include, but are not limited to,
9 persons who regularly assist in the office or library,
10 mentor or tutor students, coach or supervise a school-
11 sponsored activity before or after school, or chaperone
12 students on an overnight trip.] Screened volunteers may
13 only access student education records when necessary to
14 assist the district and while supervised by staff members.
15 Volunteers that are not screened shall not be left alone
16 with a student or have access to student records.

17 2. The school district shall ensure that a criminal
18 background check is conducted on any [person employed after
19 January 1, 2005,] **applicant for employment as defined in**
20 **section 43.540** authorized to have contact with pupils
21 [and]. **The criminal background check shall be conducted**
22 prior to the [individual] **applicant for employment** having
23 contact with any pupil. [Such persons include, but are not
24 limited to, administrators, teachers, aides,
25 paraprofessionals, assistants, secretaries, custodians,
26 cooks, screened volunteers, and nurses.] The school
27 district shall also ensure that a criminal background check
28 is conducted for school bus drivers. The district may allow
29 such drivers to operate buses pending the result of the
30 criminal background check. For bus drivers, the school
31 district shall be responsible for conducting the criminal
32 background check on drivers employed by the school
33 district. For drivers employed by a pupil transportation
34 company under contract with the school district, the

35 criminal background check shall be conducted pursuant to
36 section [43.540] **43.539** and conform to the requirements
37 established in the National Child Protection Act of 1993, as
38 amended by the Volunteers for Children Act. Personnel who
39 have successfully undergone a criminal background check and
40 a check of the family care safety registry as part of the
41 professional license application process under section
42 168.021 and who have received clearance on the checks within
43 one prior year of employment shall be considered to have
44 completed the background check requirement. A criminal
45 background check under this section shall include a search
46 of any information publicly available in an electronic
47 format through a public index or single case display.

48 3. In order to facilitate the criminal history
49 background check, the applicant shall submit a set of
50 fingerprints collected pursuant to standards determined by
51 the Missouri highway patrol. The fingerprints shall be used
52 by the highway patrol to search the criminal history
53 repository and shall be forwarded to the Federal Bureau of
54 Investigation for searching the federal criminal history
55 files **under section 43.540.**

56 4. The applicant shall pay the fee for the state
57 criminal history record information pursuant to section
58 43.530 and sections 210.900 to 210.936 and pay the
59 appropriate fee determined by the Federal Bureau of
60 Investigation for the federal criminal history record when
61 he or she applies for a position authorized to have contact
62 with pupils pursuant to this section. The department shall
63 distribute the fees collected for the state and federal
64 criminal histories to the Missouri highway patrol.

65 5. The department of elementary and secondary
66 education shall facilitate an annual check of employed

67 persons holding current active certificates under section
68 168.021 against criminal history records in the central
69 repository under section 43.530, the sexual offender
70 registry under sections 589.400 to 589.426, and child abuse
71 central registry under sections 210.109 to 210.183. The
72 department of elementary and secondary education shall
73 facilitate procedures for school districts to submit
74 personnel information annually for persons employed by the
75 school districts who do not hold a current valid certificate
76 who are required by subsection 1 of this section to undergo
77 a criminal background check, sexual offender registry check,
78 and child abuse central registry check. The Missouri state
79 highway patrol shall provide ongoing electronic updates to
80 criminal history background checks of those persons
81 previously submitted, both those who have an active
82 certificate and those who do not have an active certificate,
83 by the department of elementary and secondary education.
84 This shall fulfill the annual check against the criminal
85 history records in the central repository under section
86 43.530.

87 6. The school district may adopt a policy to provide
88 for reimbursement of expenses incurred by an employee for
89 state and federal criminal history information pursuant to
90 section 43.530.

91 7. If, as a result of the criminal history background
92 check mandated by this section, it is determined that the
93 holder of a certificate issued pursuant to section 168.021
94 has pled guilty or nolo contendere to, or been found guilty
95 of a crime or offense listed in section 168.071, or a
96 similar crime or offense committed in another state, the
97 United States, or any other country, regardless of

98 imposition of sentence, such information shall be reported
99 to the department of elementary and secondary education.

100 8. Any school official making a report to the
101 department of elementary and secondary education in
102 conformity with this section shall not be subject to civil
103 liability for such action.

104 9. For any teacher who is employed by a school
105 district on a substitute or part-time basis within one year
106 of such teacher's retirement from a Missouri school, the
107 state of Missouri shall not require such teacher to be
108 subject to any additional background checks prior to having
109 contact with pupils. Nothing in this subsection shall be
110 construed as prohibiting or otherwise restricting a school
111 district from requiring additional background checks for
112 such teachers employed by the school district.

113 10. A criminal background check and fingerprint
114 collection conducted under subsections 1 to 3 of this
115 section shall be valid for at least a period of one year and
116 transferrable from one school district to another district.
117 A school district may, in its discretion, conduct a new
118 criminal background check and fingerprint collection under
119 subsections 1 to 3 for a newly hired employee at the
120 district's expense. A teacher's change in type of
121 certification shall have no effect on the transferability or
122 validity of such records.

123 11. Nothing in this section shall be construed to
124 alter the standards for suspension, denial, or revocation of
125 a certificate issued pursuant to this chapter.

126 12. The state board of education may promulgate rules
127 for criminal history background checks made pursuant to this
128 section. Any rule or portion of a rule, as that term is
129 defined in section 536.010, that is created under the

130 authority delegated in this section shall become effective
131 only if it complies with and is subject to all of the
132 provisions of chapter 536 and, if applicable, section
133 536.028. This section and chapter 536 are nonseverable and
134 if any of the powers vested with the general assembly
135 pursuant to chapter 536 to review, to delay the effective
136 date, or to disapprove and annul a rule are subsequently
137 held unconstitutional, then the grant of rulemaking
138 authority and any rule proposed or adopted after January 1,
139 2005, shall be invalid and void.

190.100. As used in sections 190.001 to 190.245 and
2 section 190.257, the following words and terms mean:

3 (1) "Advanced emergency medical technician" or "AEMT",
4 a person who has successfully completed a course of
5 instruction in certain aspects of advanced life support care
6 as prescribed by the department and is licensed by the
7 department in accordance with sections 190.001 to 190.245
8 and rules and regulations adopted by the department pursuant
9 to sections 190.001 to 190.245;

10 (2) "Advanced life support (ALS)", an advanced level
11 of care as provided to the adult and pediatric patient such
12 as defined by national curricula, and any modifications to
13 that curricula specified in rules adopted by the department
14 pursuant to sections 190.001 to 190.245;

15 (3) "Ambulance", any privately or publicly owned
16 vehicle or craft that is specially designed, constructed or
17 modified, staffed or equipped for, and is intended or used,
18 maintained or operated for the transportation of persons who
19 are sick, injured, wounded or otherwise incapacitated or
20 helpless, or who require the presence of medical equipment
21 being used on such individuals, but the term does not
22 include any motor vehicle specially designed, constructed or

23 converted for the regular transportation of persons who are
24 disabled, handicapped, normally using a wheelchair, or
25 otherwise not acutely ill, or emergency vehicles used within
26 airports;

27 (4) "Ambulance service", a person or entity that
28 provides emergency or nonemergency ambulance transportation
29 and services, or both, in compliance with sections 190.001
30 to 190.245, and the rules promulgated by the department
31 pursuant to sections 190.001 to 190.245;

32 (5) "Ambulance service area", a specific geographic
33 area in which an ambulance service has been authorized to
34 operate;

35 (6) "Basic life support (BLS)", a basic level of care,
36 as provided to the adult and pediatric patient as defined by
37 national curricula, and any modifications to that curricula
38 specified in rules adopted by the department pursuant to
39 sections 190.001 to 190.245;

40 (7) "Council", the state advisory council on emergency
41 medical services;

42 (8) "Department", the department of health and senior
43 services, state of Missouri;

44 (9) "Director", the director of the department of
45 health and senior services or the director's duly authorized
46 representative;

47 (10) "Dispatch agency", any person or organization
48 that receives requests for emergency medical services from
49 the public, by telephone or other means, and is responsible
50 for dispatching emergency medical services;

51 (11) "Emergency", the sudden and, at the time,
52 unexpected onset of a health condition that manifests itself
53 by symptoms of sufficient severity that would lead a prudent
54 layperson, possessing an average knowledge of health and

55 medicine, to believe that the absence of immediate medical
56 care could result in:

57 (a) Placing the person's health, or with respect to a
58 pregnant woman, the health of the woman or her unborn child,
59 in significant jeopardy;

60 (b) Serious impairment to a bodily function;

61 (c) Serious dysfunction of any bodily organ or part;

62 (d) Inadequately controlled pain;

63 (12) "Emergency medical dispatcher", a person who
64 receives emergency calls from the public and has
65 successfully completed an emergency medical dispatcher
66 course, meeting or exceeding the national curriculum of the
67 United States Department of Transportation and any
68 modifications to such curricula specified by the department
69 through rules adopted pursuant to sections 190.001 to
70 190.245;

71 (13) "Emergency medical responder", a person who has
72 successfully completed an emergency first response course
73 meeting or exceeding the national curriculum of the U.S.
74 Department of Transportation and any modifications to such
75 curricula specified by the department through rules adopted
76 under sections 190.001 to 190.245 and who provides emergency
77 medical care through employment by or in association with an
78 emergency medical response agency;

79 (14) "Emergency medical response agency", any person
80 that regularly provides a level of care that includes first
81 response, basic life support or advanced life support,
82 exclusive of patient transportation;

83 (15) "Emergency medical services for children (EMS-C)
84 system", the arrangement of personnel, facilities and
85 equipment for effective and coordinated delivery of
86 pediatric emergency medical services required in prevention

87 and management of incidents which occur as a result of a
88 medical emergency or of an injury event, natural disaster or
89 similar situation;

90 (16) "Emergency medical services (EMS) system", the
91 arrangement of personnel, facilities and equipment for the
92 effective and coordinated delivery of emergency medical
93 services required in prevention and management of incidents
94 occurring as a result of an illness, injury, natural
95 disaster or similar situation;

96 (17) "Emergency medical technician", a person licensed
97 in emergency medical care in accordance with standards
98 prescribed by sections 190.001 to 190.245, and by rules
99 adopted by the department pursuant to sections 190.001 to
100 190.245;

101 [(18) ["Emergency medical technician-basic" or "EMT-B",
102 a person who has successfully completed a course of
103 instruction in basic life support as prescribed by the
104 department and is licensed by the department in accordance
105 with standards prescribed by sections 190.001 to 190.245 and
106 rules adopted by the department pursuant to sections 190.001
107 to 190.245;

108 (19)] "Emergency medical technician-community
109 paramedic", "community paramedic", or "EMT-CP", a person who
110 is certified as an emergency medical technician-paramedic
111 and is certified by the department in accordance with
112 standards prescribed in section 190.098;

113 [(20) "Emergency medical technician-paramedic" or "EMT-
114 P", a person who has successfully completed a course of
115 instruction in advanced life support care as prescribed by
116 the department and is licensed by the department in
117 accordance with sections 190.001 to 190.245 and rules

118 adopted by the department pursuant to sections 190.001 to
119 190.245;

120 [(21)] (19) "Emergency services", health care items and
121 services furnished or required to screen and stabilize an
122 emergency which may include, but shall not be limited to,
123 health care services that are provided in a licensed
124 hospital's emergency facility by an appropriate provider or
125 by an ambulance service or emergency medical response agency;

126 [(22)] (20) "Health care facility", a hospital,
127 nursing home, physician's office or other fixed location at
128 which medical and health care services are performed;

129 [(23)] (21) "Hospital", an establishment as defined in
130 the hospital licensing law, subsection 2 of section 197.020,
131 or a hospital operated by the state;

132 [(24)] (22) "Medical control", supervision provided by
133 or under the direction of physicians, or their designated
134 registered nurse, including both online medical control,
135 instructions by radio, telephone, or other means of direct
136 communications, and offline medical control through
137 supervision by treatment protocols, case review, training,
138 and standing orders for treatment;

139 [(25)] (23) "Medical direction", medical guidance and
140 supervision provided by a physician to an emergency services
141 provider or emergency medical services system;

142 [(26)] (24) "Medical director", a physician licensed
143 pursuant to chapter 334 designated by the ambulance service
144 or emergency medical response agency and who meets criteria
145 specified by the department by rules pursuant to sections
146 190.001 to 190.245;

147 [(27)] (25) "Memorandum of understanding", an
148 agreement between an emergency medical response agency or
149 dispatch agency and an ambulance service or services within

150 whose territory the agency operates, in order to coordinate
151 emergency medical services;

152 **(26) "Paramedic", a person who has successfully**
153 **completed a course of instruction in advanced life support**
154 **care as prescribed by the department and is licensed by the**
155 **department in accordance with sections 190.001 to 190.245**
156 **and rules adopted by the department pursuant to sections**
157 **190.001 to 190.245;**

158 [(28)] **(27) "Patient", an individual who is sick,**
159 **injured, wounded, diseased, or otherwise incapacitated or**
160 **helpless, or dead, excluding deceased individuals being**
161 **transported from or between private or public institutions,**
162 **homes or cemeteries, and individuals declared dead prior to**
163 **the time an ambulance is called for assistance;**

164 [(29)] **(28) "Person", as used in these definitions and**
165 **elsewhere in sections 190.001 to 190.245, any individual,**
166 **firm, partnership, copartnership, joint venture,**
167 **association, cooperative organization, corporation,**
168 **municipal or private, and whether organized for profit or**
169 **not, state, county, political subdivision, state department,**
170 **commission, board, bureau or fraternal organization, estate,**
171 **public trust, business or common law trust, receiver,**
172 **assignee for the benefit of creditors, trustee or trustee in**
173 **bankruptcy, or any other service user or provider;**

174 [(30)] **(29) "Physician", a person licensed as a**
175 **physician pursuant to chapter 334;**

176 [(31)] **(30) "Political subdivision", any municipality,**
177 **city, county, city not within a county, ambulance district**
178 **or fire protection district located in this state which**
179 **provides or has authority to provide ambulance service;**

180 [(32)] **(31) "Professional organization", any organized**
181 **group or association with an ongoing interest regarding**

182 emergency medical services. Such groups and associations
183 could include those representing volunteers, labor,
184 management, firefighters, [EMT-B's,] **EMTs**, nurses, [EMT-
185 P's,] **paramedics**, physicians, communications specialists and
186 instructors. Organizations could also represent the
187 interests of ground ambulance services, air ambulance
188 services, fire service organizations, law enforcement,
189 hospitals, trauma centers, communication centers, pediatric
190 services, labor unions and poison control services;

191 [(33)] **(32)** "Proof of financial responsibility", proof
192 of ability to respond to damages for liability, on account
193 of accidents occurring subsequent to the effective date of
194 such proof, arising out of the ownership, maintenance or use
195 of a motor vehicle in the financial amount set in rules
196 promulgated by the department, but in no event less than the
197 statutory minimum required for motor vehicles. Proof of
198 financial responsibility shall be used as proof of self-
199 insurance;

200 [(34)] **(33)** "Protocol", a predetermined, written
201 medical care guideline, which may include standing orders;

202 [(35)] **(34)** "Regional EMS advisory committee", a
203 committee formed within an emergency medical services (EMS)
204 region to advise ambulance services, the state advisory
205 council on EMS and the department;

206 [(36)] **(35)** "Specialty care transportation", the
207 transportation of a patient requiring the services of an
208 emergency medical technician-paramedic who has received
209 additional training beyond the training prescribed by the
210 department. Specialty care transportation services shall be
211 defined in writing in the appropriate local protocols for
212 ground and air ambulance services and approved by the local
213 physician medical director. The protocols shall be

214 maintained by the local ambulance service and shall define
215 the additional training required of the emergency medical
216 technician-paramedic;

217 [(37)] (36) "Stabilize", with respect to an emergency,
218 the provision of such medical treatment as may be necessary
219 to attempt to assure within reasonable medical probability
220 that no material deterioration of an individual's medical
221 condition is likely to result from or occur during ambulance
222 transportation unless the likely benefits of such
223 transportation outweigh the risks;

224 [(38)] (37) "State advisory council on emergency
225 medical services", a committee formed to advise the
226 department on policy affecting emergency medical service
227 throughout the state;

228 [(39)] (38) "State EMS medical directors advisory
229 committee", a subcommittee of the state advisory council on
230 emergency medical services formed to advise the state
231 advisory council on emergency medical services and the
232 department on medical issues;

233 [(40)] (39) "STEMI" or "ST-elevation myocardial
234 infarction", a type of heart attack in which impaired blood
235 flow to the patient's heart muscle is evidenced by ST-
236 segment elevation in electrocardiogram analysis, and as
237 further defined in rules promulgated by the department under
238 sections 190.001 to 190.250;

239 [(41)] (40) "STEMI care", includes education and
240 prevention, emergency transport, triage, and acute care and
241 rehabilitative services for STEMI that requires immediate
242 medical or surgical intervention or treatment;

243 [(42)] (41) "STEMI center", a hospital that is
244 currently designated as such by the department to care for
245 patients with ST-segment elevation myocardial infarctions;

246 [(43)] (42) "Stroke", a condition of impaired blood
247 flow to a patient's brain as defined by the department;

248 [(44)] (43) "Stroke care", includes emergency
249 transport, triage, and acute intervention and other acute
250 care services for stroke that potentially require immediate
251 medical or surgical intervention or treatment, and may
252 include education, primary prevention, acute intervention,
253 acute and subacute management, prevention of complications,
254 secondary stroke prevention, and rehabilitative services;

255 [(45)] (44) "Stroke center", a hospital that is
256 currently designated as such by the department;

257 [(46)] (45) "Time-critical diagnosis", trauma care,
258 stroke care, and STEMI care occurring either outside of a
259 hospital or in a center designated under section 190.241;

260 [(47)] (46) "Time-critical diagnosis advisory
261 committee", a committee formed under section 190.257 to
262 advise the department on policies impacting trauma, stroke,
263 and STEMI center designations; regulations on trauma care,
264 stroke care, and STEMI care; and the transport of trauma,
265 stroke, and STEMI patients;

266 [(48)] (47) "Trauma", an injury to human tissues and
267 organs resulting from the transfer of energy from the
268 environment;

269 [(49)] (48) "Trauma care" includes injury prevention,
270 triage, acute care and rehabilitative services for major
271 single system or multisystem injuries that potentially
272 require immediate medical or surgical intervention or
273 treatment;

274 [(50)] (49) "Trauma center", a hospital that is
275 currently designated as such by the department.

190.103. 1. One physician with expertise in emergency
2 medical services from each of the EMS regions shall be

3 elected by that region's EMS medical directors to serve as a
4 regional EMS medical director. The regional EMS medical
5 directors shall constitute the state EMS medical director's
6 advisory committee and shall advise the department and their
7 region's ambulance services on matters relating to medical
8 control and medical direction in accordance with sections
9 190.001 to 190.245 and rules adopted by the department
10 pursuant to sections 190.001 to 190.245. The regional EMS
11 medical director shall serve a term of four years. The
12 southwest, northwest, and Kansas City regional EMS medical
13 directors shall be elected to an initial two-year term. The
14 central, east central, and southeast regional EMS medical
15 directors shall be elected to an initial four-year term.
16 All subsequent terms following the initial terms shall be
17 four years. The state EMS medical director shall be the
18 chair of the state EMS medical director's advisory
19 committee, and shall be elected by the members of the
20 regional EMS medical director's advisory committee, shall
21 serve a term of four years, and shall seek to coordinate EMS
22 services between the EMS regions, promote educational
23 efforts for agency medical directors, represent Missouri EMS
24 nationally in the role of the state EMS medical director,
25 and seek to incorporate the EMS system into the health care
26 system serving Missouri.

27 2. A medical director is required for all ambulance
28 services and emergency medical response agencies that
29 provide: advanced life support services; basic life support
30 services utilizing medications or providing assistance with
31 patients' medications; or basic life support services
32 performing invasive procedures including invasive airway
33 procedures. The medical director shall provide medical
34 direction to these services and agencies in these instances.

35 3. The medical director, in cooperation with the
36 ambulance service or emergency medical response agency
37 administrator, shall have the responsibility and the
38 authority to ensure that the personnel working under their
39 supervision are able to provide care meeting established
40 standards of care with consideration for state and national
41 standards as well as local area needs and resources. The
42 medical director, in cooperation with the ambulance service
43 or emergency medical response agency administrator, shall
44 establish and develop triage, treatment and transport
45 protocols, which may include authorization for standing
46 orders. Emergency medical technicians shall only perform
47 those medical procedures as directed by treatment protocols
48 approved by the local medical director or when authorized
49 through direct communication with online medical control.

50 4. All ambulance services and emergency medical
51 response agencies that are required to have a medical
52 director shall establish an agreement between the service or
53 agency and their medical director. The agreement will
54 include the roles, responsibilities and authority of the
55 medical director beyond what is granted in accordance with
56 sections 190.001 to 190.245 and rules adopted by the
57 department pursuant to sections 190.001 to 190.245. The
58 agreement shall also include grievance procedures regarding
59 the emergency medical response agency or ambulance service,
60 personnel and the medical director.

61 5. Regional EMS medical directors and the state EMS
62 medical director elected as provided under subsection 1 of
63 this section shall be considered public officials for
64 purposes of sovereign immunity, official immunity, and the
65 Missouri public duty doctrine defenses.

66 6. The state EMS medical director's advisory committee
67 shall be considered a peer review committee under section
68 537.035.

69 7. Regional EMS medical directors may act to provide
70 online telecommunication medical direction to AEMTs, [EMT-
71 Bs, EMT-Ps] **EMTs, paramedics**, and community paramedics and
72 provide offline medical direction per standardized
73 treatment, triage, and transport protocols when EMS
74 personnel, including AEMTs, [EMT-Bs, EMT-Ps] **EMTs,**
75 **paramedics**, and community paramedics, are providing care to
76 special needs patients or at the request of a local EMS
77 agency or medical director.

78 8. When developing treatment protocols for special
79 needs patients, regional EMS medical directors may
80 promulgate such protocols on a regional basis across
81 multiple political subdivisions' jurisdictional boundaries,
82 and such protocols may be used by multiple agencies
83 including, but not limited to, ambulance services, emergency
84 response agencies, and public health departments. Treatment
85 protocols shall include steps to ensure the receiving
86 hospital is informed of the pending arrival of the special
87 needs patient, the condition of the patient, and the
88 treatment instituted.

89 9. Multiple EMS agencies including, but not limited
90 to, ambulance services, emergency response agencies, and
91 public health departments shall take necessary steps to
92 follow the regional EMS protocols established as provided
93 under subsection 8 of this section in cases of mass casualty
94 or state-declared disaster incidents.

95 10. When regional EMS medical directors develop and
96 implement treatment protocols for patients or provide online
97 medical direction for patients, such activity shall not be

98 construed as having usurped local medical direction
99 authority in any manner.

100 11. The state EMS medical directors advisory committee
101 shall review and make recommendations regarding all proposed
102 community and regional time-critical diagnosis plans.

103 12. Notwithstanding any other provision of law to the
104 contrary, when regional EMS medical directors are providing
105 either online telecommunication medical direction to AEMTs,
106 **[EMT-Bs, EMT-Ps] EMTs, paramedics,** and community paramedics,
107 or offline medical direction per standardized EMS treatment,
108 triage, and transport protocols for patients, those medical
109 directions or treatment protocols may include the
110 administration of the patient's own prescription medications.

190.142. 1. (1) For applications submitted before
2 the recognition of EMS personnel licensure interstate
3 compact under sections 190.900 to 190.939 takes effect, the
4 department shall, within a reasonable time after receipt of
5 an application, cause such investigation as it deems
6 necessary to be made of the applicant for an emergency
7 medical technician's license.

8 (2) For applications submitted after the recognition
9 of EMS personnel licensure interstate compact under sections
10 190.900 to 190.939 takes effect, an applicant for initial
11 licensure as an emergency medical technician in this state
12 shall submit to a background check by the Missouri state
13 highway patrol and the Federal Bureau of Investigation
14 through a process approved by the department of health and
15 senior services. Such processes may include the use of
16 vendors or systems administered by the Missouri state
17 highway patrol. The department may share the results of
18 such a criminal background check with any emergency services
19 licensing agency in any member state, as that term is

20 defined under section 190.900, in recognition of the EMS
21 personnel licensure interstate compact. The department
22 shall not issue a license until the department receives the
23 results of an applicant's criminal background check from the
24 Missouri state highway patrol and the Federal Bureau of
25 Investigation, but, notwithstanding this subsection, the
26 department may issue a temporary license as provided under
27 section 190.143. Any fees due for a criminal background
28 check shall be paid by the applicant.

29 (3) The director may authorize investigations into
30 criminal records in other states for any applicant.

31 2. The department shall issue a license to all levels
32 of emergency medical technicians, for a period of five
33 years, if the applicant meets the requirements established
34 pursuant to sections 190.001 to 190.245 and the rules
35 adopted by the department pursuant to sections 190.001 to
36 190.245. The department may promulgate rules relating to
37 the requirements for an emergency medical technician
38 including but not limited to:

39 (1) Age requirements;

40 (2) Emergency medical technician and paramedic
41 education and training requirements based on respective
42 National Emergency Medical Services Education Standards and
43 any modification to such curricula specified by the
44 department through rules adopted pursuant to sections
45 190.001 to 190.245;

46 (3) Paramedic accreditation requirements. Paramedic
47 training programs shall be accredited by the Commission on
48 Accreditation of Allied Health Education Programs (CAAHEP)
49 or hold a CAAHEP letter of review;

50 (4) Initial licensure testing requirements. Initial
51 [EMT-P] **paramedic** licensure testing shall be through the
52 national registry of EMTs;

53 (5) Continuing education and relicensure requirements;
54 and

55 (6) Ability to speak, read and write the English
56 language.

57 3. Application for all levels of emergency medical
58 technician license shall be made upon such forms as
59 prescribed by the department in rules adopted pursuant to
60 sections 190.001 to 190.245. The application form shall
61 contain such information as the department deems necessary
62 to make a determination as to whether the emergency medical
63 technician meets all the requirements of sections 190.001 to
64 190.245 and rules promulgated pursuant to sections 190.001
65 to 190.245.

66 4. All levels of emergency medical technicians may
67 perform only that patient care which is:

68 (1) Consistent with the training, education and
69 experience of the particular emergency medical technician;
70 and

71 (2) Ordered by a physician or set forth in protocols
72 approved by the medical director.

73 5. No person shall hold themselves out as an emergency
74 medical technician or provide the services of an emergency
75 medical technician unless such person is licensed by the
76 department.

77 6. Any rule or portion of a rule, as that term is
78 defined in section 536.010, that is created under the
79 authority delegated in this section shall become effective
80 only if it complies with and is subject to all of the
81 provisions of chapter 536 and, if applicable, section

82 536.028. This section and chapter 536 are nonseverable and
83 if any of the powers vested with the general assembly
84 pursuant to chapter 536 to review, to delay the effective
85 date, or to disapprove and annul a rule are subsequently
86 held unconstitutional, then the grant of rulemaking
87 authority and any rule proposed or adopted after August 28,
88 2002, shall be invalid and void.

190.147. 1. [An emergency medical technician
2 paramedic (EMT-P)] **A paramedic** may make a good faith
3 determination that such behavioral health patients who
4 present a likelihood of serious harm to themselves or
5 others, as the term "likelihood of serious harm" is defined
6 under section 632.005, or who are significantly
7 incapacitated by alcohol or drugs shall be placed into a
8 temporary hold for the sole purpose of transport to the
9 nearest appropriate facility; provided that, such
10 determination shall be made in cooperation with at least one
11 other [EMT-P] **paramedic** or other health care professional
12 involved in the transport. Once in a temporary hold, the
13 patient shall be treated with humane care in a manner that
14 preserves human dignity, consistent with applicable federal
15 regulations and nationally recognized guidelines regarding
16 the appropriate use of temporary holds and restraints in
17 medical transport. Prior to making such a determination:

18 (1) The [EMT-P] **paramedic** shall have completed a
19 standard crisis intervention training course as endorsed and
20 developed by the state EMS medical director's advisory
21 committee;

22 (2) The [EMT-P] **paramedic** shall have been authorized
23 by his or her ground or air ambulance service's
24 administration and medical director under subsection 3 of
25 section 190.103; and

26 (3) The **[EMT-P's] paramedic** ground or air ambulance
27 service has developed and adopted standardized triage,
28 treatment, and transport protocols under subsection 3 of
29 section 190.103, which address the challenge of treating and
30 transporting such patients. Provided:

31 (a) That such protocols shall be reviewed and approved
32 by the state EMS medical director's advisory committee; and

33 (b) That such protocols shall direct the **[EMT-P]**
34 **paramedic** regarding the proper use of patient restraint and
35 coordination with area law enforcement; and

36 (c) Patient restraint protocols shall be based upon
37 current applicable national guidelines.

38 2. In any instance in which a good faith determination
39 for a temporary hold of a patient has been made, such hold
40 shall be made in a clinically appropriate and adequately
41 justified manner, and shall be documented and attested to in
42 writing. The writing shall be retained by the ambulance
43 service and included as part of the patient's medical file.

44 3. **[EMT-Ps] Paramedics** who have made a good faith
45 decision for a temporary hold of a patient as authorized by
46 this section shall no longer have to rely on the common law
47 doctrine of implied consent and therefore shall not be
48 civilly liable for a good faith determination made in
49 accordance with this section and shall not have waived any
50 sovereign immunity defense, official immunity defense, or
51 Missouri public duty doctrine defense if employed at the
52 time of the good faith determination by a government
53 employer.

54 4. Any ground or air ambulance service that adopts the
55 authority and protocols provided for by this section shall
56 have a memorandum of understanding with applicable local law
57 enforcement agencies in order to achieve a collaborative and

58 coordinated response to patients displaying symptoms of
59 either a likelihood of serious harm to themselves or others
60 or significant incapacitation by alcohol or drugs, which
61 require a crisis intervention response. The memorandum of
62 understanding shall include, but not be limited to, the
63 following:

64 (1) Administrative oversight, including coordination
65 between ambulance services and law enforcement agencies;

66 (2) Patient restraint techniques and coordination of
67 agency responses to situations in which patient restraint
68 may be required;

69 (3) Field interaction between paramedics and law
70 enforcement, including patient destination and
71 transportation; and

72 (4) Coordination of program quality assurance.

73 5. The physical restraint of a patient by an emergency
74 medical technician under the authority of this section shall
75 be permitted only in order to provide for the safety of
76 bystanders, the patient, or emergency personnel due to an
77 imminent or immediate danger, or upon approval by local
78 medical control through direct communications. Restraint
79 shall also be permitted through cooperation with on-scene
80 law enforcement officers. All incidents involving patient
81 restraint used under the authority of this section shall be
82 reviewed by the ambulance service physician medical director.

190.600. 1. Sections 190.600 to 190.621 shall be
2 known and may be cited as the "Outside the Hospital Do-Not-
3 Resuscitate Act".

4 2. As used in sections 190.600 to 190.621, unless the
5 context clearly requires otherwise, the following terms
6 shall mean:

7 (1) "Attending physician":

8 (a) A physician licensed under chapter 334 selected by
9 or assigned to a patient who has primary responsibility for
10 treatment and care of the patient; or

11 (b) If more than one physician shares responsibility
12 for the treatment and care of a patient, one such physician
13 who has been designated the attending physician by the
14 patient or the patient's representative shall serve as the
15 attending physician;

16 (2) "Cardiopulmonary resuscitation" or "CPR",
17 emergency medical treatment administered to a patient in the
18 event of the patient's cardiac or respiratory arrest, and
19 shall include cardiac compression, endotracheal intubation
20 and other advanced airway management, artificial
21 ventilation, defibrillation, administration of cardiac
22 resuscitation medications, and related procedures;

23 (3) "Department", the department of health and senior
24 services;

25 (4) "Emergency medical services personnel", paid or
26 volunteer firefighters, law enforcement officers, first
27 responders, emergency medical technicians, or other
28 emergency service personnel acting within the ordinary
29 course and scope of their professions, but excluding
30 physicians;

31 (5) "Health care facility", any institution, building,
32 or agency or portion thereof, private or public, excluding
33 federal facilities and hospitals, whether organized for
34 profit or not, used, operated, or designed to provide health
35 services, medical treatment, or nursing, rehabilitative, or
36 preventive care to any person or persons. Health care
37 facility includes but is not limited to ambulatory surgical
38 facilities, health maintenance organizations, home health
39 agencies, hospices, infirmaries, renal dialysis centers,

40 long-term care facilities licensed under sections 198.003 to
41 198.186, medical assistance facilities, mental health
42 centers, outpatient facilities, public health centers,
43 rehabilitation facilities, and residential treatment
44 facilities;

45 (6) "Hospital", a place devoted primarily to the
46 maintenance and operation of facilities for the diagnosis,
47 treatment, or care for not less than twenty-four consecutive
48 hours in any week of three or more nonrelated individuals
49 suffering from illness, disease, injury, deformity, or other
50 abnormal physical conditions; or a place devoted primarily
51 to provide for not less than twenty-four consecutive hours
52 in any week medical or nursing care for three or more
53 nonrelated individuals. Hospital does not include any long-
54 term care facility licensed under sections 198.003 to
55 198.186;

56 (7) "Outside the hospital do-not-resuscitate
57 identification" or "outside the hospital DNR
58 identification", a standardized identification card,
59 bracelet, or necklace of a single color, form, and design as
60 described by rule of the department that signifies that the
61 patient's attending physician has issued an outside the
62 hospital do-not-resuscitate order for the patient and has
63 documented the grounds for the order in the patient's
64 medical file;

65 (8) "Outside the hospital do-not-resuscitate order" or
66 "outside the hospital DNR order", a written physician's
67 order signed by the patient and the attending physician, or
68 the patient's representative and the attending physician, in
69 a form promulgated by rule of the department which
70 authorizes emergency medical services personnel to withhold

71 or withdraw cardiopulmonary resuscitation from the patient
72 in the event of cardiac or respiratory arrest;

73 (9) "Outside the hospital do-not-resuscitate protocol"
74 or "outside the hospital DNR protocol", a standardized
75 method or procedure promulgated by rule of the department
76 for the withholding or withdrawal of cardiopulmonary
77 resuscitation by emergency medical services personnel from a
78 patient in the event of cardiac or respiratory arrest;

79 (10) "Patient", a person eighteen years of age or
80 older who is not incapacitated, as defined in section
81 475.010, and who is otherwise competent to give informed
82 consent to an outside the hospital do-not-resuscitate order
83 at the time such order is issued, and who, with his [or her]
84 attending physician, has executed an outside the hospital do-
85 not-resuscitate order under sections 190.600 to 190.621. A
86 person who has a patient's representative shall also be a
87 patient for the purposes of sections 190.600 to 190.621, if
88 the person or the person's patient's representative has
89 executed an outside the hospital do-not-resuscitate order
90 under sections 190.600 to 190.621. **A person under eighteen**
91 **years of age shall also be a patient for purposes of**
92 **sections 190.600 to 190.621 if the person has had a do-not-**
93 **resuscitate order issued on his behalf under the provisions**
94 **of section 191.250;**

95 (11) "Patient's representative":

96 (a) An attorney in fact designated in a durable power
97 of attorney for health care for a patient determined to be
98 incapacitated under sections 404.800 to 404.872; or

99 (b) A guardian or limited guardian appointed under
100 chapter 475 to have responsibility for an incapacitated
101 patient.

190.603. 1. A patient or patient's representative and the patient's attending physician may execute an outside the hospital do-not-resuscitate order. An outside the hospital do-not-resuscitate order shall not be effective unless it is executed by the patient or patient's representative and the patient's attending physician, and it is in the form promulgated by rule of the department.

2. **A patient under eighteen years of age is not authorized to execute an outside the hospital do-not-resuscitate order for himself but may have a do-not-resuscitate order issued on his behalf by one parent or legal guardian or by a juvenile or family court under the provisions of section 191.250. Such do-not-resuscitate order shall also function as an outside the hospital do-not-resuscitate order for the purposes of sections 190.600 to 190.621 unless such do-not-resuscitate order authorized under the provisions of section 191.250 states otherwise.**

3. If an outside the hospital do-not-resuscitate order has been executed, it shall be maintained as the first page of a patient's medical record in a health care facility unless otherwise specified in the health care facility's policies and procedures.

[3.] 4. An outside the hospital do-not-resuscitate order shall be transferred with the patient when the patient is transferred from one health care facility to another health care facility. If the patient is transferred outside of a hospital, the outside the hospital DNR form shall be provided to any other facility, person, or agency responsible for the medical care of the patient or to the patient or patient's representative.

190.606. The following persons and entities shall not be subject to civil, criminal, or administrative liability

3 and are not guilty of unprofessional conduct for the
4 following acts or omissions that follow discovery of an
5 outside the hospital do-not-resuscitate identification upon
6 a patient **or a do-not-resuscitate order functioning as an**
7 **outside the hospital do-not-resuscitate order for a patient**
8 **under eighteen years of age**, or upon being presented with an
9 outside the hospital do-not-resuscitate order [from
10 Missouri, another state, the District of Columbia, or a
11 territory of the United States]; provided that the acts or
12 omissions are done in good faith and in accordance with the
13 provisions of sections 190.600 to 190.621 and the provisions
14 of an outside the hospital do-not-resuscitate order executed
15 under sections 190.600 to 190.621:

16 (1) Physicians, persons under the direction or
17 authorization of a physician, emergency medical services
18 personnel, or health care facilities that cause or
19 participate in the withholding or withdrawal of
20 cardiopulmonary resuscitation from such patient; and

21 (2) Physicians, persons under the direction or
22 authorization of a physician, emergency medical services
23 personnel, or health care facilities that provide
24 cardiopulmonary resuscitation to such patient under an oral
25 or written request communicated to them by the patient or
26 the patient's representative.

190.612. 1. Emergency medical services personnel are
2 authorized to comply with the outside the hospital do-not-
3 resuscitate protocol when presented with an outside the
4 hospital do-not-resuscitate identification or an outside the
5 hospital do-not-resuscitate order. However, emergency
6 medical services personnel shall not comply with an outside
7 the hospital do-not-resuscitate order or the outside the
8 hospital do-not-resuscitate protocol when the patient or

9 patient's representative expresses to such personnel in any
10 manner, before or after the onset of a cardiac or
11 respiratory arrest, the desire to be resuscitated.

12 2. [Emergency medical services personnel are
13 authorized to comply with the outside the hospital do-not-
14 resuscitate protocol when presented with an outside the
15 hospital do-not-resuscitate order from another state, the
16 District of Columbia, or a territory of the United States if
17 such order is on a standardized written form:

18 (1) Signed by the patient or the patient's
19 representative and a physician who is licensed to practice
20 in the other state, the District of Columbia, or the
21 territory of the United States; and

22 (2) Such form has been previously reviewed and
23 approved by the department of health and senior services to
24 authorize emergency medical services personnel to withhold
25 or withdraw cardiopulmonary resuscitation from the patient
26 in the event of a cardiac or respiratory arrest.

27 Emergency medical services personnel shall not comply with
28 an outside the hospital do-not-resuscitate order from
29 another state, the District of Columbia, or a territory of
30 the United States or the outside the hospital do-not-
31 resuscitate protocol when the patient or patient's
32 representative expresses to such personnel in any manner,
33 before or after the onset of a cardiac or respiratory
34 arrest, the desire to be resuscitated.]

35 (1) **Except as provided in subdivision (2) of this**
36 **subsection, emergency medical services personnel are**
37 **authorized to comply with the outside the hospital do-not-**
38 **resuscitate protocol when presented with a do-not-**
39 **resuscitate order functioning as an outside the hospital do-**

40 not-resuscitate order for a patient under eighteen years of
41 age if such do-not-resuscitate order has been authorized by
42 one parent or legal guardian or by a juvenile or family
43 court under the provisions of section 191.250.

44 (2) Emergency medical services personnel shall not
45 comply with a do-not-resuscitate order or the outside the
46 hospital do-not-resuscitate protocol when the patient under
47 eighteen years of age, either parent of such patient, the
48 patient's legal guardian, or the juvenile or family court
49 expresses to such personnel in any manner, before or after
50 the onset of a cardiac or respiratory arrest, the desire for
51 the patient to be resuscitated.

52 3. If a physician or a health care facility other than
53 a hospital admits or receives a patient with an outside the
54 hospital do-not-resuscitate identification or an outside the
55 hospital do-not-resuscitate order, and the patient or
56 patient's representative has not expressed or does not
57 express to the physician or health care facility the desire
58 to be resuscitated, and the physician or health care
59 facility is unwilling or unable to comply with the outside
60 the hospital do-not-resuscitate order, the physician or
61 health care facility shall take all reasonable steps to
62 transfer the patient to another physician or health care
63 facility where the outside the hospital do-not-resuscitate
64 order will be complied with.

190.613. 1. A patient or patient's representative and
2 the patient's attending physician may execute an outside the
3 hospital do-not-resuscitate order through the presentation
4 of a properly executed outside the hospital do-not-
5 resuscitate order from another state, the District of
6 Columbia, or a territory of the United States, or a
7 Transportable Physician Orders for Patient Preferences

8 (TPOPP)/Physician Orders for Life-Sustaining Treatment
9 (POLST) form containing a specific do-not-resuscitate
10 section.

11 2. Any outside the hospital do-not-resuscitate form
12 identified from another state, the District of Columbia, or
13 a territory of the United States, or a TPOPP/POLST form
14 shall:

15 (1) Have been previously reviewed and approved by the
16 department as in compliance with the provision of sections
17 190.600 to 190.621;

18 (2) Not be accepted for a patient under eighteen years
19 of age, except as allowed under section 191.250; and

20 (3) Not be effective during such time as the patient
21 is pregnant as set forth in section 190.609.

22 A patient or patient's representative may express to
23 emergency medical services personnel, at any time and by any
24 means, the intent to revoke the outside the hospital do-not-
25 resuscitate order.

26 3. The provisions of section 190.606 shall apply to
27 the good faith acts or omissions of emergency medical
28 services personnel under this section.

192.2405. 1. The following persons shall be required
2 to immediately report or cause a report to be made to the
3 department under sections 192.2400 to 192.2470:

4 (1) Any person having reasonable cause to suspect that
5 an eligible adult presents a likelihood of suffering serious
6 physical harm, or bullying as defined in subdivision (2) of
7 section 192.2400, and is in need of protective services; and

8 (2) Any adult day care worker, chiropractor, Christian
9 Science practitioner, coroner, dentist, embalmer, employee
10 of the departments of social services, mental health, or

11 health and senior services, employee of a local area agency
12 on aging or an organized area agency on aging program,
13 emergency medical technician, firefighter, first responder,
14 funeral director, home health agency, home health agency
15 employee, hospital and clinic personnel engaged in the care
16 or treatment of others, in-home services owner or provider,
17 in-home services operator or employee, law enforcement
18 officer, long-term care facility administrator or employee,
19 medical examiner, medical resident or intern, mental health
20 professional, minister, nurse, nurse practitioner,
21 optometrist, other health practitioner, peace officer,
22 pharmacist, physical therapist, physician, physician's
23 assistant, podiatrist, probation or parole officer,
24 psychologist, social worker, or other person with the
25 responsibility for the care of an eligible adult who has
26 reasonable cause to suspect that the eligible adult has been
27 subjected to abuse or neglect or observes the eligible adult
28 being subjected to conditions or circumstances which would
29 reasonably result in abuse or neglect. Notwithstanding any
30 other provision of this section, a duly ordained minister,
31 clergy, religious worker, or Christian Science practitioner
32 while functioning in his or her ministerial capacity shall
33 not be required to report concerning a privileged
34 communication made to him or her in his or her professional
35 capacity.

36 2. Any other person who becomes aware of circumstances
37 that may reasonably be expected to be the result of, or
38 result in, abuse or neglect of an eligible adult may report
39 to the department.

40 3. The penalty for failing to report as required under
41 subdivision (2) of subsection 1 of this section is provided
42 under section 565.188.

43 4. As used in this section, "first responder" means
44 any person trained and authorized by law or rule to render
45 emergency medical assistance or treatment. Such persons may
46 include, but shall not be limited to, emergency first
47 responders, police officers, sheriffs, deputy sheriffs,
48 firefighters, **or** emergency medical technicians[, **or**
49 **emergency medical technician-paramedics**].

 208.1032. 1. The department of social services shall
2 be authorized to design and implement in consultation and
3 coordination with eligible providers as described in
4 subsection 2 of this section an intergovernmental transfer
5 program relating to ground emergency medical transport
6 services, including those services provided at the emergency
7 medical responder, emergency medical technician (EMT),
8 advanced EMT, **[EMT intermediate,]** or paramedic levels in the
9 prestabilization and preparation for transport, in order to
10 increase capitation payments for the purpose of increasing
11 reimbursement to eligible providers.

 2. A provider shall be eligible for increased
13 reimbursement under this section only if the provider meets
14 the following conditions in an applicable state fiscal year:

15 (1) Provides ground emergency medical transportation
16 services to MO HealthNet participants;

17 (2) Is enrolled as a MO HealthNet provider for the
18 period being claimed; and

19 (3) Is owned, operated, or contracted by the state or
20 a political subdivision.

21 3. (1) To the extent intergovernmental transfers are
22 voluntarily made by and accepted from an eligible provider
23 described in subsection 2 of this section or a governmental
24 entity affiliated with an eligible provider, the department
25 of social services shall make increased capitation payments

26 to applicable MO HealthNet eligible providers for covered
27 ground emergency medical transportation services.

28 (2) The increased capitation payments made under this
29 section shall be in amounts at least actuarially equivalent
30 to the supplemental fee-for-service payments and up to
31 equivalent of commercial reimbursement rates available for
32 eligible providers to the extent permissible under federal
33 law.

34 (3) Except as provided in subsection 6 of this
35 section, all funds associated with intergovernmental
36 transfers made and accepted under this section shall be used
37 to fund additional payments to eligible providers.

38 (4) MO HealthNet managed care plans and coordinated
39 care organizations shall pay one hundred percent of any
40 amount of increased capitation payments made under this
41 section to eligible providers for providing and making
42 available ground emergency medical transportation and
43 prestabilization services pursuant to a contract or other
44 arrangement with a MO HealthNet managed care plan or
45 coordinated care organization.

46 4. The intergovernmental transfer program developed
47 under this section shall be implemented on the date federal
48 approval is obtained, and only to the extent
49 intergovernmental transfers from the eligible provider, or
50 the governmental entity with which it is affiliated, are
51 provided for this purpose. The department of social
52 services shall implement the intergovernmental transfer
53 program and increased capitation payments under this section
54 on a retroactive basis as permitted by federal law.

55 5. Participation in the intergovernmental transfers
56 under this section is voluntary on the part of the

57 transferring entities for purposes of all applicable federal
58 laws.

59 6. As a condition of participation under this section,
60 each eligible provider as described in subsection 2 of this
61 section or the governmental entity affiliated with an
62 eligible provider shall agree to reimburse the department of
63 social services for any costs associated with implementing
64 this section. Intergovernmental transfers described in this
65 section are subject to an administration fee of up to twenty
66 percent of the nonfederal share paid to the department of
67 social services and shall be allowed to count as a cost of
68 providing the services not to exceed one hundred twenty
69 percent of the total amount.

70 7. As a condition of participation under this section,
71 MO HealthNet managed care plans, coordinated care
72 organizations, eligible providers as described in subsection
73 2 of this section, and governmental entities affiliated with
74 eligible providers shall agree to comply with any requests
75 for information or similar data requirements imposed by the
76 department of social services for purposes of obtaining
77 supporting documentation necessary to claim federal funds or
78 to obtain federal approvals.

79 8. This section shall be implemented only if and to
80 the extent federal financial participation is available and
81 is not otherwise jeopardized, and any necessary federal
82 approvals have been obtained.

83 9. To the extent that the director of the department
84 of social services determines that the payments made under
85 this section do not comply with federal Medicaid
86 requirements, the director retains the discretion to return
87 or not accept an intergovernmental transfer, and may adjust

88 payments under this section as necessary to comply with
89 federal Medicaid requirements.

285.040. 1. As used in this section, "public safety
2 employee" shall mean a person trained or authorized by law
3 or rule to render emergency medical assistance or treatment,
4 including, but not limited to, firefighters, [ambulance
5 attendants and attendant drivers,] emergency medical
6 technicians, [emergency medical technician paramedics,]
7 dispatchers, registered nurses, physicians, and sheriffs and
8 deputy sheriffs.

9 2. No public safety employee of a city not within a
10 county who is hired prior to September 1, 2023, shall be
11 subject to a residency requirement of retaining a primary
12 residence in a city not within a county but may be required
13 to maintain a primary residence located within a one-hour
14 response time.

15 3. Public safety employees of a city not within a
16 county who are hired after August 31, 2023, may be subject
17 to a residency rule no more restrictive than a requirement
18 of retaining a primary residence in a city not within a
19 county for a total of seven years and of then allowing the
20 public safety employee to maintain a primary residence
21 outside the city not within a county so long as the primary
22 residence is located within a one-hour response time.

300.100. 1. The driver of an authorized emergency
2 vehicle, when responding to an emergency call or when in the
3 pursuit of an actual or suspected violator of the law or
4 when responding to but not upon returning from a fire alarm,
5 may exercise the privileges set forth in this section, but
6 subject to the conditions herein stated.

7 2. The driver of an authorized emergency vehicle may:

8 (1) Park or stand, irrespective of the provisions of
9 this ordinance;

10 (2) Proceed past a red or stop signal or stop sign,
11 but only after slowing down as may be necessary for safe
12 operation;

13 (3) Exceed the maximum speed limits so long as he does
14 not endanger life or property;

15 (4) Disregard regulations governing direction of
16 movement or turning in specified directions.

17 3. The exemptions herein granted to an authorized
18 emergency vehicle shall apply only when the driver of any
19 said vehicle while in motion sounds audible signal by siren
20 or while having at least one lighted lamp exhibiting a red
21 light visible under normal atmospheric conditions from a
22 distance of five hundred feet to the front of such vehicle
23 or a flashing blue light authorized by section 307.175,
24 **except that an authorized emergency vehicle operated as a**
25 **police vehicle is not required to use an audible signal or**
26 **display a visual signal when the vehicle is being used to:**

27 (1) Obtain evidence of a speeding violation;

28 (2) Respond to a suspected crime in progress when use
29 of an audible or visual signal, or both, could reasonably
30 result in the destruction of evidence or escape of a
31 suspect; or

32 (3) Conduct surveillance of a vehicle or the
33 passengers of a vehicle who are suspected of involvement in
34 a crime.

35 4. The foregoing provisions shall not relieve the
36 driver of an authorized emergency vehicle from the duty to
37 drive with due regard for the safety of all persons, nor
38 shall such provisions protect the driver from the

39 consequences of his reckless disregard for the safety of
40 others.

304.022. 1. Upon the immediate approach of an
2 emergency vehicle giving audible signal by siren or while
3 having at least one lighted lamp exhibiting red light
4 visible under normal atmospheric conditions from a distance
5 of five hundred feet to the front of such vehicle or a
6 flashing blue light authorized by section 307.175, the
7 driver of every other vehicle shall yield the right-of-way
8 and shall immediately drive to a position parallel to, and
9 as far as possible to the right of, the traveled portion of
10 the highway and thereupon stop and remain in such position
11 until such emergency vehicle has passed, except when
12 otherwise directed by a police or traffic officer.

13 2. Upon approaching a stationary vehicle displaying
14 lighted red or red and blue lights, or a stationary vehicle
15 displaying lighted amber or amber and white lights, the
16 driver of every motor vehicle shall:

17 (1) Proceed with caution and yield the right-of-way,
18 if possible with due regard to safety and traffic
19 conditions, by making a lane change into a lane not adjacent
20 to that of the stationary vehicle, if on a roadway having at
21 least four lanes with not less than two lanes proceeding in
22 the same direction as the approaching vehicle; or

23 (2) Proceed with due caution and reduce the speed of
24 the vehicle, maintaining a safe speed for road conditions,
25 if changing lanes would be unsafe or impossible.

26 3. The motorman of every streetcar shall immediately
27 stop such car clear of any intersection and keep it in such
28 position until the emergency vehicle has passed, except as
29 otherwise directed by a police or traffic officer.

30 4. An "emergency vehicle" is a vehicle of any of the
31 following types:

32 (1) A vehicle operated by the state highway patrol,
33 the state water patrol, the Missouri capitol police, a
34 conservation agent, or a state or a county or municipal park
35 ranger, those vehicles operated by enforcement personnel of
36 the state highways and transportation commission, police or
37 fire department, sheriff, constable or deputy sheriff,
38 federal law enforcement officer authorized to carry firearms
39 and to make arrests for violations of the laws of the United
40 States, traffic officer, coroner, medical examiner, or
41 forensic investigator of the county medical examiner's
42 office, or by a privately owned emergency vehicle company;

43 (2) A vehicle operated as an ambulance or operated
44 commercially for the purpose of transporting emergency
45 medical supplies or organs;

46 (3) Any vehicle qualifying as an emergency vehicle
47 pursuant to section 307.175;

48 (4) Any wrecker, or tow truck or a vehicle owned and
49 operated by a public utility or public service corporation
50 while performing emergency service;

51 (5) Any vehicle transporting equipment designed to
52 extricate human beings from the wreckage of a motor vehicle;

53 (6) Any vehicle designated to perform emergency
54 functions for a civil defense or emergency management agency
55 established pursuant to the provisions of chapter 44;

56 (7) Any vehicle operated by an authorized employee of
57 the department of corrections who, as part of the employee's
58 official duties, is responding to a riot, disturbance,
59 hostage incident, escape or other critical situation where
60 there is the threat of serious physical injury or death,
61 responding to mutual aid call from another criminal justice

62 agency, or in accompanying an ambulance which is
63 transporting an offender to a medical facility;

64 (8) Any vehicle designated to perform hazardous
65 substance emergency functions established pursuant to the
66 provisions of sections 260.500 to 260.550;

67 (9) Any vehicle owned by the state highways and
68 transportation commission and operated by an authorized
69 employee of the department of transportation that is marked
70 as a department of transportation emergency response or
71 motorist assistance vehicle; or

72 (10) Any vehicle owned and operated by the civil
73 support team of the Missouri National Guard while in
74 response to or during operations involving chemical,
75 biological, or radioactive materials or in support of
76 official requests from the state of Missouri involving
77 unknown substances, hazardous materials, or as may be
78 requested by the appropriate state agency acting on behalf
79 of the governor.

80 5. (1) The driver of any vehicle referred to in
81 subsection 4 of this section shall not sound the siren
82 thereon or have the front red lights or blue lights on
83 except when such vehicle is responding to an emergency call
84 or when in pursuit of an actual or suspected law violator,
85 or when responding to, but not upon returning from, a fire.

86 (2) The driver of an emergency vehicle may:

87 (a) Park or stand irrespective of the provisions of
88 sections 304.014 to 304.025;

89 (b) Proceed past a red or stop signal or stop sign,
90 but only after slowing down as may be necessary for safe
91 operation;

92 (c) Exceed the prima facie speed limit so long as the
93 driver does not endanger life or property;

94 (d) Disregard regulations governing direction of
95 movement or turning in specified directions.

96 (3) The exemptions granted to an emergency vehicle
97 pursuant to subdivision (2) of this subsection shall apply
98 only when the driver of any such vehicle while in motion
99 sounds audible signal by bell, siren, or exhaust whistle as
100 may be reasonably necessary, and when the vehicle is
101 equipped with at least one lighted lamp displaying a red
102 light or blue light visible under normal atmospheric
103 conditions from a distance of five hundred feet to the front
104 of such vehicle, **except that an authorized emergency vehicle**
105 **operated as a police vehicle is not required to use an**
106 **audible signal or display a visual signal when the vehicle**
107 **is being used to:**

108 (a) Obtain evidence of a speeding violation;

109 (b) Respond to a suspected crime in progress when use
110 of an audible or visual signal, or both, could reasonably
111 result in the destruction of evidence or escape of a
112 suspect; or

113 (c) Conduct surveillance of a vehicle or the
114 passengers of a vehicle who are suspected of involvement in
115 a crime.

116 6. No person shall purchase an emergency light as
117 described in this section without furnishing the seller of
118 such light an affidavit stating that the light will be used
119 exclusively for emergency vehicle purposes.

120 7. Violation of this section shall be deemed a class A
121 misdemeanor.

321.225. 1. A fire protection district may, in
2 addition to its other powers and duties, provide emergency
3 ambulance service within its district if a majority of the
4 voters voting thereon approve a proposition to furnish such

5 service and to levy a tax not to exceed thirty cents on the
6 one hundred dollars assessed valuation to be used
7 exclusively to supply funds for the operation of an
8 emergency ambulance service. The district shall exercise
9 the same powers and duties in operating an emergency
10 ambulance service as it does in operating its fire
11 protection service.

12 2. The proposition to furnish emergency ambulance
13 service may be submitted by the board of directors at any
14 municipal general, primary or general election or at any
15 election of the members of the board.

16 3. The question shall be submitted in substantially
17 the following form:

18 Shall the board of directors of _____ Fire
19 Protection District be authorized to provide
20 emergency ambulance service within the district
21 and be authorized to levy a tax not to exceed
22 thirty cents on the one hundred dollars assessed
23 valuation to provide funds for such service?

24 4. If a majority of the voters casting votes thereon
25 be in favor of emergency ambulance service and the levy, the
26 district shall forthwith commence such service.

27 5. As used in this section "emergency" means a
28 situation resulting from a sudden or unforeseen situation or
29 occurrence that requires immediate action to save life or
30 prevent suffering or disability.

31 6. In addition to all other taxes authorized on or
32 before September 1, 1990, the board of directors of any fire
33 protection district may, if a majority of the voters of the
34 district voting thereon approve, levy an additional tax of
35 not more than forty cents per one hundred dollars of
36 assessed valuation to be used for the support of the

69 subsection, any levy previously authorized shall remain in
70 effect.

321.620. 1. Fire protection districts in first class
2 counties may, in addition to their other powers and duties,
3 provide ambulance service within their district if a
4 majority of the voters voting thereon approve a proposition
5 to furnish such service and to levy a tax not to exceed
6 thirty cents on the one hundred dollars assessed valuation
7 to be used exclusively to supply funds for the operation of
8 an emergency ambulance service. The district shall exercise
9 the same powers and duties in operating an ambulance service
10 as it does in operating its fire protection service. As
11 used in this section "emergency" means a situation resulting
12 from a sudden or unforeseen situation or occurrence that
13 requires immediate action to save life or prevent suffering
14 or disability.

15 2. The proposition to furnish ambulance service may be
16 submitted by the board of directors at any municipal
17 general, primary or general election or at any election of
18 the members of the board or upon petition by five hundred
19 voters of such district.

20 3. The question shall be submitted in substantially
21 the following form:

22 Shall the board of directors of _____ Fire
23 Protection District be authorized to provide
24 ambulance service within the district and be
25 authorized to levy a tax not to exceed thirty
26 cents on the one hundred dollars assessed
27 valuation to provide funds for such service?

28 4. If a majority of the voters casting votes thereon
29 be in favor of ambulance service and the levy, the district
30 shall forthwith commence such service.

31 5. In addition to all other taxes authorized on or
 32 before September 1, 1990, the board of directors of any fire
 33 protection district may, if a majority of the voters of the
 34 district voting thereon approve, levy an additional tax of
 35 not more than forty cents per one hundred dollars of
 36 assessed valuation to be used for the support of the
 37 ambulance service, or partial or complete support of [an
 38 emergency medical technician defibrillator program or
 39 partial or complete support of an emergency medical
 40 technician] a paramedic first responder program. The
 41 proposition to levy the tax authorized by this subsection
 42 may be submitted by the board of directors at the next
 43 annual election of the members of the board or at any
 44 regular municipal or school election conducted by the county
 45 clerk or board of election commissioners in such district or
 46 at a special election called for the purpose, or upon
 47 petition of five hundred registered voters of the district.
 48 A separate ballot containing the question shall read as
 49 follows:

50 Shall the board of directors of the _____ Fire
 51 Protection District be authorized to levy an
 52 additional tax of not more than forty cents per
 53 one hundred dollars assessed valuation to provide
 54 funds for the support of an ambulance service or
 55 partial or complete support of an emergency
 56 medical technician defibrillator program or
 57 partial or complete support of an emergency
 58 medical technician paramedic first responder
 59 program?

60 FOR THE PROPOSITION

61 AGAINST THE PROPOSITION

62 (Place an X in the square opposite the one for
 63 which you wish to vote).

64 If a majority of the qualified voters casting votes thereon
65 be in favor of the question, the board of directors shall
66 accordingly levy a tax in accordance with the provisions of
67 this subsection, but if a majority of voters casting votes
68 thereon do not vote in favor of the levy authorized by this
69 subsection, any levy previously authorized shall remain in
70 effect.

537.037. 1. Any physician or surgeon, registered
2 professional nurse or licensed practical nurse licensed to
3 practice in this state under the provisions of chapter 334
4 or 335, or licensed to practice under the equivalent laws of
5 any other state and any person licensed as [a mobile] an
6 emergency medical technician under the provisions of chapter
7 190, may:

8 (1) In good faith render emergency care or assistance,
9 without compensation, at the scene of an emergency or
10 accident, and shall not be liable for any civil damages for
11 acts or omissions other than damages occasioned by gross
12 negligence or by willful or wanton acts or omissions by such
13 person in rendering such emergency care;

14 (2) In good faith render emergency care or assistance,
15 without compensation, to any minor involved in an accident,
16 or in competitive sports, or other emergency at the scene of
17 an accident, without first obtaining the consent of the
18 parent or guardian of the minor, and shall not be liable for
19 any civil damages other than damages occasioned by gross
20 negligence or by willful or wanton acts or omissions by such
21 person in rendering the emergency care.

22 2. Any other person who has been trained to provide
23 first aid in a standard recognized training program may,
24 without compensation, render emergency care or assistance to

25 the level for which he or she has been trained, at the scene
26 of an emergency or accident, and shall not be liable for
27 civil damages for acts or omissions other than damages
28 occasioned by gross negligence or by willful or wanton acts
29 or omissions by such person in rendering such emergency care.

30 3. Any mental health professional, as defined in
31 section 632.005, or qualified counselor, as defined in
32 section 631.005, or any practicing medical, osteopathic, or
33 chiropractic physician, or certified nurse practitioner, or
34 physicians' assistant may in good faith render suicide
35 prevention interventions at the scene of a threatened
36 suicide and shall not be liable for any civil damages for
37 acts or omissions other than damages occasioned by gross
38 negligence or by willful or wanton acts or omissions by such
39 person in rendering such suicide prevention interventions.

40 4. Any other person may, without compensation, render
41 suicide prevention interventions at the scene of a
42 threatened suicide and shall not be liable for civil damages
43 for acts or omissions other than damages occasioned by gross
44 negligence or by willful or wanton acts or omissions by such
45 person in rendering such suicide prevention interventions.

**571.031. 1. This section shall be known and may be
2 cited as "Blair's Law".**

**3 2. A person commits the offense of unlawful discharge
4 of a firearm if, with criminal negligence, he or she
5 discharges a firearm within or into the limits of any
6 municipality.**

**7 3. This section shall not apply if the firearm is
8 discharged:**

**9 (1) As allowed by a defense of justification under
10 chapter 563;**

11 (2) On a properly supervised shooting range;

12 (3) To lawfully take wildlife during an open season
13 established by the department of conservation. Nothing in
14 this subdivision shall prevent a municipality from adopting
15 an ordinance restricting the discharge of a firearm within
16 one-quarter mile of an occupied structure;

17 (4) For the control of nuisance wildlife as permitted
18 by the department of conservation or the United States Fish
19 and Wildlife Service;

20 (5) By special permit of the chief of police of the
21 municipality;

22 (6) As required by an animal control officer in the
23 performance of his or her duties;

24 (7) Using blanks;

25 (8) More than one mile from any occupied structure;

26 (9) In self-defense or defense of another person
27 against an animal attack if a reasonable person would
28 believe that deadly physical force against the animal is
29 immediately necessary and reasonable under the circumstances
30 to protect oneself or the other person; or

31 (10) By law enforcement personnel, as defined in
32 section 590.1040, or a member of the United States Armed
33 Forces if acting in an official capacity.

34 4. A person who commits the offense of discharge of a
35 firearm shall be guilty of:

36 (1) For a first offense, a class A misdemeanor;

37 (2) For a second offense, a class E felony; and

38 (3) For a third or subsequent offense, a class D
39 felony.

 590.033. 1. The POST commission shall establish
2 minimum standards for a chief of police training course
3 which shall include at least forty hours of training. All
4 police chiefs appointed after August 28, 2023, shall attend

5 a chief of police training course certified by the POST
6 commission not later than six months after the person's
7 appointment as a chief of police.

8 2. A chief of police may request an exemption from the
9 training in subsection 1 of this section by submitting to
10 the POST commission proof of completion of the Federal
11 Bureau of Investigation's national academy course or any
12 other equivalent training course within the previous ten
13 years or at least five years of experience as a police chief
14 in a Missouri law enforcement agency.

15 3. Any law enforcement agency who has a chief of
16 police appointed after August 28, 2023, that fails to
17 complete a chief of police training course within six months
18 of appointment shall be precluded from receiving any POST
19 commission training funds, state grant funds, or federal
20 grant funds until the police chief has completed the
21 training course.

22 4. While attending a chief of police training course,
23 the chief of police shall receive compensation in the same
24 manner and amount as if carrying out the powers and duties
25 of the chief of police. The cost of the chief of police
26 training course may be paid by moneys from the peace officer
27 standards and training commission fund created in section
28 590.178.

590.040. 1. The POST commission shall set the minimum
2 number of hours of basic training for licensure as a peace
3 officer no lower [than four hundred seventy and no higher]
4 than six hundred, with the following exceptions:

5 (1) Up to one thousand hours may be mandated for any
6 class of license required for commission by a state law
7 enforcement agency;

8 (2) As few as one hundred twenty hours may be mandated
9 for any class of license restricted to commission as a
10 reserve peace officer with police powers limited to the
11 commissioning political subdivision;

12 (3) Persons validly licensed on August 28, 2001, may
13 retain licensure without additional basic training;

14 (4) Persons licensed and commissioned within a county
15 of the third classification before July 1, 2002, may retain
16 licensure with one hundred twenty hours of basic training if
17 the commissioning political subdivision has adopted an order
18 or ordinance to that effect;

19 (5) Persons serving as a reserve officer on August 27,
20 2001, within a county of the first classification or a
21 county with a charter form of government and with more than
22 one million inhabitants on August 27, 2001, having
23 previously completed a minimum of one hundred sixty hours of
24 training, shall be granted a license necessary to function
25 as a reserve peace officer only within such county. For the
26 purposes of this subdivision, the term "reserve officer"
27 shall mean any person who serves in a less than full-time
28 law enforcement capacity, with or without pay and who,
29 without certification, has no power of arrest and who,
30 without certification, must be under the direct and
31 immediate accompaniment of a certified peace officer of the
32 same agency at all times while on duty; and

33 (6) The POST commission shall provide for the
34 recognition of basic training received at law enforcement
35 training centers of other states, the military, the federal
36 government and territories of the United States regardless
37 of the number of hours included in such training and shall
38 have authority to require supplemental training as a
39 condition of eligibility for licensure.

40 2. The director shall have the authority to limit any
41 exception provided in subsection 1 of this section to
42 persons remaining in the same commission or transferring to
43 a commission in a similar jurisdiction.

44 3. The basic training of every peace officer, except
45 agents of the conservation commission, shall include at
46 least thirty hours of training in the investigation and
47 management of cases involving domestic and family violence.
48 Such training shall include instruction, specific to
49 domestic and family violence cases, regarding: report
50 writing; physical abuse, sexual abuse, child fatalities and
51 child neglect; interviewing children and alleged
52 perpetrators; the nature, extent and causes of domestic and
53 family violence; the safety of victims, other family and
54 household members and investigating officers; legal rights
55 and remedies available to victims, including rights to
56 compensation and the enforcement of civil and criminal
57 remedies; services available to victims and their children;
58 the effects of cultural, racial and gender bias in law
59 enforcement; and state statutes. Said curriculum shall be
60 developed and presented in consultation with the department
61 of health and senior services, the children's division,
62 public and private providers of programs for victims of
63 domestic and family violence, persons who have demonstrated
64 expertise in training and education concerning domestic and
65 family violence, and the Missouri coalition against domestic
66 violence.

590.080. 1. **As used in this section, the following**
2 **terms shall mean:**

3 (1) **"Gross misconduct", includes any willful and**
4 **wanton or unlawful conduct motivated by premeditated or**

5 intentional purpose or by purposeful indifference to the
6 consequences of one's acts;

7 (2) "Moral turpitude", the wrongful quality shared by
8 acts of fraud, theft, bribery, illegal drug use, sexual
9 misconduct, and other similar acts as defined by the common
10 law of Missouri;

11 (3) "Reckless disregard", a conscious disregard of a
12 substantial risk that circumstances exist or that a result
13 will follow, and such failure constitutes a gross deviation
14 from the standard of care that a reasonable peace officer
15 would exercise in the situation.

16 2. The director shall have cause to discipline any
17 peace officer licensee who:

18 (1) Is unable to perform the functions of a peace
19 officer with reasonable competency or reasonable safety [as
20 a result of a mental condition, including alcohol or
21 substance abuse];

22 (2) Has committed any criminal offense, whether or not
23 a criminal charge has been filed, **has been convicted, or has**
24 **entered a plea of guilty or nolo contendere, in a criminal**
25 **prosecution under the laws of any state, or the United**
26 **States, or of any country, regardless of whether or not**
27 **sentence is imposed;**

28 (3) Has committed any act [while on active duty or
29 under color of law] that involves moral turpitude or a
30 reckless disregard for the safety of the public or any
31 person;

32 (4) Has caused a material fact to be misrepresented
33 for the purpose of obtaining or retaining a peace officer
34 commission or any license issued pursuant to this chapter;

35 (5) Has violated a condition of any order of probation
36 lawfully issued by the director; [or]

37 (6) Has violated a provision of this chapter or a rule
38 promulgated pursuant to this chapter;

39 **(7) Has tested positive for a controlled substance, as**
40 **defined in chapter 195, without a valid prescription for the**
41 **controlled substance;**

42 **(8) Is subject to an order of another state,**
43 **territory, the federal government, or any peace officer**
44 **licensing authority suspending or revoking a peace officer**
45 **license or certification; or**

46 **(9) Has committed any act of gross misconduct**
47 **indicating inability to function as a peace officer.**

48 [2.] 3. When the director has knowledge of cause to
49 discipline a peace officer license pursuant to this section,
50 the director may cause a complaint to be filed with the
51 administrative hearing commission, which shall conduct a
52 hearing to determine whether the director has cause for
53 discipline, and which shall issue findings of fact and
54 conclusions of law on the matter. The administrative
55 hearing commission shall not consider the relative severity
56 of the cause for discipline or any rehabilitation of the
57 licensee or otherwise impinge upon the discretion of the
58 director to determine appropriate discipline when cause
59 exists pursuant to this section.

60 [3.] 4. Upon a finding by the administrative hearing
61 commission that cause to discipline exists, the director
62 shall, within thirty days, hold a hearing to determine the
63 form of discipline to be imposed and thereafter shall
64 probate, suspend, or permanently revoke the license at
65 issue. If the licensee fails to appear at the director's
66 hearing, this shall constitute a waiver of the right to such
67 hearing.

68 [4.] 5. Notice of any hearing pursuant to this chapter
69 or section may be made by certified mail to the licensee's
70 address of record pursuant to subdivision (2) of subsection
71 3 of section 590.130. Proof of refusal of the licensee to
72 accept delivery or the inability of postal authorities to
73 deliver such certified mail shall be evidence that required
74 notice has been given. Notice may be given by publication.

75 [5.] 6. Nothing contained in this section shall
76 prevent a licensee from informally disposing of a cause for
77 discipline with the consent of the director by voluntarily
78 surrendering a license or by voluntarily submitting to
79 discipline.

80 [6.] 7. The provisions of chapter 621 and any
81 amendments thereto, except those provisions or amendments
82 that are in conflict with this chapter, shall apply to and
83 govern the proceedings of the administrative hearing
84 commission and pursuant to this section the rights and
85 duties of the parties involved.

610.021. Except to the extent disclosure is otherwise
2 required by law, a public governmental body is authorized to
3 close meetings, records and votes, to the extent they relate
4 to the following:

5 (1) Legal actions, causes of action or litigation
6 involving a public governmental body and any confidential or
7 privileged communications between a public governmental body
8 or its representatives and its attorneys. However, any
9 minutes, vote or settlement agreement relating to legal
10 actions, causes of action or litigation involving a public
11 governmental body or any agent or entity representing its
12 interests or acting on its behalf or with its authority,
13 including any insurance company acting on behalf of a public
14 government body as its insured, shall be made public upon

15 final disposition of the matter voted upon or upon the
16 signing by the parties of the settlement agreement, unless,
17 prior to final disposition, the settlement agreement is
18 ordered closed by a court after a written finding that the
19 adverse impact to a plaintiff or plaintiffs to the action
20 clearly outweighs the public policy considerations of
21 section 610.011, however, the amount of any moneys paid by,
22 or on behalf of, the public governmental body shall be
23 disclosed; provided, however, in matters involving the
24 exercise of the power of eminent domain, the vote shall be
25 announced or become public immediately following the action
26 on the motion to authorize institution of such a legal
27 action. Legal work product shall be considered a closed
28 record;

29 (2) Leasing, purchase or sale of real estate by a
30 public governmental body where public knowledge of the
31 transaction might adversely affect the legal consideration
32 therefor. However, any minutes, vote or public record
33 approving a contract relating to the leasing, purchase or
34 sale of real estate by a public governmental body shall be
35 made public upon execution of the lease, purchase or sale of
36 the real estate;

37 (3) Hiring, firing, disciplining or promoting of
38 particular employees by a public governmental body when
39 personal information about the employee is discussed or
40 recorded. However, any vote on a final decision, when taken
41 by a public governmental body, to hire, fire, promote or
42 discipline an employee of a public governmental body shall
43 be made available with a record of how each member voted to
44 the public within seventy-two hours of the close of the
45 meeting where such action occurs; provided, however, that
46 any employee so affected shall be entitled to prompt notice

47 of such decision during the seventy-two-hour period before
48 such decision is made available to the public. As used in
49 this subdivision, the term "personal information" means
50 information relating to the performance or merit of
51 individual employees;

52 (4) The state militia or national guard or any part
53 thereof;

54 (5) Nonjudicial mental or physical health proceedings
55 involving identifiable persons, including medical,
56 psychiatric, psychological, or alcoholism or drug dependency
57 diagnosis or treatment;

58 (6) Scholastic probation, expulsion, or graduation of
59 identifiable individuals, including records of individual
60 test or examination scores; however, personally identifiable
61 student records maintained by public educational
62 institutions shall be open for inspection by the parents,
63 guardian or other custodian of students under the age of
64 eighteen years and by the parents, guardian or other
65 custodian and the student if the student is over the age of
66 eighteen years;

67 (7) Testing and examination materials, before the test
68 or examination is given or, if it is to be given again,
69 before so given again;

70 (8) Welfare cases of identifiable individuals;

71 (9) Preparation, including any discussions or work
72 product, on behalf of a public governmental body or its
73 representatives for negotiations with employee groups;

74 (10) Software codes for electronic data processing and
75 documentation thereof;

76 (11) Specifications for competitive bidding, until
77 either the specifications are officially approved by the

78 public governmental body or the specifications are published
79 for bid;

80 (12) Sealed bids and related documents, until the bids
81 are opened; and sealed proposals and related documents or
82 any documents related to a negotiated contract until a
83 contract is executed, or all proposals are rejected;

84 (13) Individually identifiable personnel records,
85 performance ratings or records pertaining to employees or
86 applicants for employment, except that this exemption shall
87 not apply to the names, positions, salaries and lengths of
88 service of officers and employees of public agencies once
89 they are employed as such, and the names of private sources
90 donating or contributing money to the salary of a chancellor
91 or president at all public colleges and universities in the
92 state of Missouri and the amount of money contributed by the
93 source;

94 (14) Records which are protected from disclosure by
95 law;

96 (15) Meetings and public records relating to
97 scientific and technological innovations in which the owner
98 has a proprietary interest;

99 (16) Records relating to municipal hotlines
100 established for the reporting of abuse and wrongdoing;

101 (17) Confidential or privileged communications between
102 a public governmental body and its auditor, including all
103 auditor work product; however, all final audit reports
104 issued by the auditor are to be considered open records
105 pursuant to this chapter;

106 (18) **(a) Security measures, global positioning system**
107 **(GPS) data, investigative information, or investigative or**
108 **surveillance techniques of any public agency responsible for**
109 **law enforcement or public safety that, if disclosed, has the**

110 potential to endanger the health or safety of an individual
111 or the public.

112 (b) Any information or data provided to a tip line for
113 the purpose of safety or security at an educational
114 institution that, if disclosed, has the potential to
115 endanger the health or safety of an individual or the public.

116 (c) Any information contained in any suspicious
117 activity report provided to law enforcement that, if
118 disclosed, has the potential to endanger the health or
119 safety of an individual or the public.

120 (d) Operational guidelines, policies and specific
121 response plans developed, adopted, or maintained by any
122 public agency responsible for law enforcement, public
123 safety, first response, or public health for use in
124 responding to or preventing any critical incident which is
125 or appears to be terrorist in nature and which has the
126 potential to endanger individual or public safety or
127 health. Financial records related to the procurement of or
128 expenditures relating to operational guidelines, policies or
129 plans purchased with public funds shall be open. When
130 seeking to close information pursuant to this exception, the
131 public governmental body shall affirmatively state in
132 writing that disclosure would impair the public governmental
133 body's ability to protect the security or safety of persons
134 or real property, and shall in the same writing state that
135 the public interest in nondisclosure outweighs the public
136 interest in disclosure of the records;

137 (19) Existing or proposed security systems and
138 structural plans of real property owned or leased by a
139 public governmental body, and information that is
140 voluntarily submitted by a nonpublic entity owning or
141 operating an infrastructure to any public governmental body

142 for use by that body to devise plans for protection of that
143 infrastructure, the public disclosure of which would
144 threaten public safety:

145 (a) Records related to the procurement of or
146 expenditures relating to security systems purchased with
147 public funds shall be open;

148 (b) When seeking to close information pursuant to this
149 exception, the public governmental body shall affirmatively
150 state in writing that disclosure would impair the public
151 governmental body's ability to protect the security or
152 safety of persons or real property, and shall in the same
153 writing state that the public interest in nondisclosure
154 outweighs the public interest in disclosure of the records;

155 (c) Records that are voluntarily submitted by a
156 nonpublic entity shall be reviewed by the receiving agency
157 within ninety days of submission to determine if retention
158 of the document is necessary in furtherance of a state
159 security interest. If retention is not necessary, the
160 documents shall be returned to the nonpublic governmental
161 body or destroyed;

162 (20) The portion of a record that identifies security
163 systems or access codes or authorization codes for security
164 systems of real property;

165 (21) Records that identify the configuration of
166 components or the operation of a computer, computer system,
167 computer network, or telecommunications network, and would
168 allow unauthorized access to or unlawful disruption of a
169 computer, computer system, computer network, or
170 telecommunications network of a public governmental body.
171 This exception shall not be used to limit or deny access to
172 otherwise public records in a file, document, data file or
173 database containing public records. Records related to the

174 procurement of or expenditures relating to such computer,
175 computer system, computer network, or telecommunications
176 network, including the amount of moneys paid by, or on
177 behalf of, a public governmental body for such computer,
178 computer system, computer network, or telecommunications
179 network shall be open;

180 (22) Credit card numbers, personal identification
181 numbers, digital certificates, physical and virtual keys,
182 access codes or authorization codes that are used to protect
183 the security of electronic transactions between a public
184 governmental body and a person or entity doing business with
185 a public governmental body. Nothing in this section shall
186 be deemed to close the record of a person or entity using a
187 credit card held in the name of a public governmental body
188 or any record of a transaction made by a person using a
189 credit card or other method of payment for which
190 reimbursement is made by a public governmental body;

191 (23) Records submitted by an individual, corporation,
192 or other business entity to a public institution of higher
193 education in connection with a proposal to license
194 intellectual property or perform sponsored research and
195 which contains sales projections or other business plan
196 information the disclosure of which may endanger the
197 competitiveness of a business;

198 (24) Records relating to foster home or kinship
199 placements of children in foster care under section 210.498;
200 and

201 (25) Individually identifiable customer usage and
202 billing records for customers of a municipally owned
203 utility, unless the records are requested by the customer or
204 authorized for release by the customer, except that a
205 municipally owned utility shall make available to the public

206 the customer's name, billing address, location of service,
207 and dates of service provided for any commercial service
208 account.

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