

FIRST REGULAR SESSION

HOUSE BILL NO. 1187

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SEITZ.

2536H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 167.181, 302.181, and 338.010, RSMo, and to enact in lieu thereof ten new sections relating to immunizations, with penalty provisions.

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

Section A. Sections 167.181, 302.181, and 338.010, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 167.181, 191.716, 192.026, 192.073, 213.069, 292.644, 302.181, 324.1700, 338.010, and 376.456, to read as follows:

167.181. 1. The department of health and senior services, after consultation with the department of elementary and secondary education, shall promulgate rules and regulations governing the immunization against poliomyelitis, rubella, rubeola, mumps, tetanus, pertussis, diphtheria, and hepatitis B, to be required of children attending public, private, parochial or parish schools. Such rules and regulations may modify the immunizations that are required of children in this subsection. The immunizations required and the manner and frequency of their administration shall conform to recognized standards of medical practice. The department of health and senior services shall supervise and secure the enforcement of the required immunization program.

2. It is unlawful for any student to attend school unless he **or she** has been immunized as required under the rules and regulations of the department of health and senior services, and can provide satisfactory evidence of such immunization; except that if he **or she** produces satisfactory evidence of having begun the process of immunization, he **or she** may continue to attend school as long as the immunization process is being accomplished in the prescribed manner. It is unlawful for any parent or guardian to refuse or neglect to have his **or her** child immunized as required by this section, unless the child is properly exempted.

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

17 3. This section shall not apply to any child if one parent or guardian objects in writing
18 to his **or her** school administrator against the immunization of the child, because of religious
19 beliefs or medical contraindications. **If the required immunizations in subsection 1 of this**
20 **section are modified to include immunization against COVID-19, immunization against**
21 **COVID-19 shall not be required for a child if one parent or guardian of the child objects**
22 **in writing to his or her school administrator against such immunization because of**
23 **religious or conscientious beliefs or medical contraindications.** In cases where any such
24 objection is for reasons of medical contraindications, a statement from a duly licensed
25 physician must also be provided to the school administrator.

26 4. Each school superintendent, whether of a public, private, parochial or parish
27 school, shall cause to be prepared a record showing the immunization status of every child
28 enrolled in or attending a school under his **or her** jurisdiction. The name of any parent or
29 guardian who neglects or refuses to permit a nonexempted child to be immunized against
30 diseases as required by the rules and regulations promulgated pursuant to the provisions of
31 this section shall be reported by the school superintendent to the department of health and
32 senior services.

33 5. The immunization required may be done by any duly licensed physician or by
34 someone under his **or her** direction. If the parent or guardian is unable to pay, the child shall
35 be immunized at public expense by a physician or nurse at or from the county, district, city
36 public health center or a school nurse or by a nurse or physician in the private office or clinic
37 of the child's personal physician with the costs of immunization paid through the state
38 Medicaid program, private insurance or in a manner to be determined by the department of
39 health and senior services subject to state and federal appropriations, and after consultation
40 with the school superintendent and the advisory committee established in section 192.630.
41 When a child receives his or her immunization, the treating physician may also administer the
42 appropriate fluoride treatment to the child's teeth.

43 6. Funds for the administration of this section and for the purchase of vaccines for
44 children of families unable to afford them shall be appropriated to the department of health
45 and senior services from general revenue or from federal funds if available.

46 7. No rule or portion of a rule promulgated under the authority of this section shall
47 become effective unless it has been promulgated pursuant to the provisions of chapter 536.
48 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under
49 the authority delegated in this section shall become effective only if it complies with and is
50 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
51 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
52 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule

53 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
54 proposed or adopted after August 28, 2001, shall be invalid and void.

**191.716. 1. For purposes of this section, unless the context clearly requires
2 otherwise, the following terms mean:**

3 (1) "Assisted living facility", the same meaning given to the term in section
4 **198.006;**

5 (2) "Health care facility", any residential care facility, intermediate care facility,
6 or skilled nursing facility, as those terms are defined in section 198.006;

7 (3) "Health care professional", the same meaning given to the term in section
8 **376.1350;**

9 (4) "Hospital", the same meaning given to the term in section 197.020;

10 (5) "Patient", a person who has received or is receiving professional health care
11 services from a health care facility, health care professional, or hospital;

12 (6) "Resident", a resident of a health care facility;

13 (7) "Tenant", a tenant of an assisted living facility.

14 **2. A hospital or health care facility shall not:**

15 (1) **Require a health care professional, staff member, employee, or applicant for**
16 **one of these positions to be immunized against COVID-19; or**

17 (2) **Discriminate against or terminate the employment of a health care**
18 **professional, staff member, employee, or applicant for one of these positions based on**
19 **the person's refusal to receive an immunization against COVID-19.**

20 **3. A hospital, a health care facility, or a health care professional, staff member,**
21 **or employee of a hospital or health care facility shall not discriminate against or**
22 **terminate treatment of a patient based upon the patient's refusal to receive an**
23 **immunization against COVID-19.**

24 **4. A health care facility or assisted living facility shall not discriminate against or**
25 **terminate treatment of a resident or tenant solely on the basis of the resident or tenant**
26 **not having received, or refusing to receive, an immunization against COVID-19.**

27 **5. A hospital, health care facility, or educational institution providing clinical**
28 **experience to satisfy the professional degree requirements of a student, intern, or**
29 **resident shall not discriminate against the student, intern, or resident or prohibit**
30 **admission, enrollment, or employment as a student, intern, or resident based on the**
31 **COVID-19 immunization status of the student, intern, or resident.**

32 **6. A person aggrieved under this section may petition the circuit court in the**
33 **county where the hospital, health care facility, assisted living facility, or educational**
34 **institution is located for any of the following:**

35 (1) **Injunctive relief against any further violation;**

36 **(2) Affirmative relief, including reinstatement of employment with back pay and**
37 **interest, or any other equitable relief the court deems appropriate; or**

38 **(3) Other appropriate relief necessary to ensure compliance with this section.**

39 **7. A hospital, health care facility, health care professional, educational**
40 **institution, or assisted living facility that violates this section is not eligible to receive**
41 **state funding for reimbursement of services provided to patients, residents, or tenants.**

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

2 **(1) "COVID-19 vaccination status", an individual's status with regard to**
3 **whether the individual has received a vaccination against COVID-19;**

4 **(2) "Government entity":**

5 **(a) Any agency or instrumentality of the state government; or**

6 **(b) Any political subdivision or agency or instrumentality thereof;**

7 **(3) "Political subdivision", any municipality, school district, special district,**
8 **local governmental body, county, city, town, or village;**

9 **(4) "Vaccine passport", any standardized documentation of vaccination against**
10 **COVID-19.**

11 **2. No government entity shall issue vaccine passports for the purpose of**
12 **certifying an individual's COVID-19 vaccination status to a third party or to otherwise**
13 **publish or share any individual's COVID-19 vaccination record or similar health**
14 **information without the individual's consent.**

192.073. 1. The department of health and senior services shall require that a
2 **health care professional who administers vaccines and immunizations and is required to**
3 **consult and review or enter the administration of vaccines or immunizations into the**
4 **ShowMeVax system obtain written informed consent from a patient or, if the patient is a**
5 **minor, the patient's parent or legal guardian before entering the administration of a**
6 **COVID-19 vaccine into the ShowMeVax system. The written informed consent shall**
7 **also provide the patient with the option of consenting to the sharing of the patient's**
8 **information with any entity with access to the information contained in the ShowMeVax**
9 **system. The health care professional shall submit a copy of the completed written**
10 **informed consent form to the ShowMeVax system.**

11 **2. A patient or, if the patient is a minor, the patient's parent or legal guardian**
12 **may withdraw or amend the written informed consent at any time. If informed consent**
13 **is subsequently withdrawn, the patient's information shall be deleted from the**
14 **ShowMeVax system.**

15 **3. No information, report, or record relating to the administration of a COVID-**
16 **19 vaccine to a person from whom written informed consent has not been obtained shall**

17 be maintained by the department of health and senior services or included in the
18 ShowMeVax system.

213.069. It shall be an unlawful discriminatory practice for any owner, lessee,
2 sublessee, proprietor, manager, or superintendent of any place of public accommodation
3 or any agent or employee thereof to do any of the following on the basis of a person's
4 status with regard to whether the person has been vaccinated against COVID-19:

5 (1) Provide any disposition, service, financial aid, or benefit to the person that is
6 different, or provided in a different manner, from that provided to other members of the
7 general public;

8 (2) Subject the person to segregation or separate treatment in any matter related
9 to that person's receipt of any disposition, service, financial aid, or benefit provided to
10 other members of the general public;

11 (3) Restrict the person in any way in the enjoyment of any advantage or privilege
12 enjoyed by other persons receiving any disposition, service, financial aid, or benefit
13 provided to other members of the general public;

14 (4) Treat the person differently from other persons in determining whether that
15 person satisfies any admission, enrollment, quota, eligibility, membership, or other
16 requirement or condition that a person is required to meet in order to be provided any
17 disposition, service, financial aid, function, or benefit available to other members of the
18 general public; or

19 (5) Deny the person an opportunity to participate in a program through the
20 provision of service or otherwise afford that person an opportunity to do so that is
21 different from that afforded to other members of the general public.

292.644. 1. For purposes of this section, unless the context clearly requires
2 otherwise, the following terms mean:

3 (1) "Employee", a natural person who is employed in this state for wages by an
4 employer;

5 (2) "Employer", an individual, corporation, limited liability company,
6 government or governmental subdivision or agency, business trust, estate, trust,
7 partnership or association, or any other legal entity that in this state employs natural
8 persons for wages.

9 2. An employer shall not fail or refuse to hire, discharge, penalize, or otherwise
10 discriminate against an employee with respect to compensation or the terms, conditions,
11 or privileges of employment based on:

12 (1) The employee's vaccination history with respect to COVID-19 vaccines; or

13 (2) The refusal of the employee to receive a COVID-19 vaccine or provide proof
14 of immunity against COVID-19.

15 **3. An employee whose rights are violated under this section may bring a civil**
16 **action against an employer in the circuit court in the county where the employer is**
17 **located for injunctive relief, actual damages, admission or reinstatement of the employee**
18 **with back pay, plus ten percent interest, or any other appropriate relief necessary to**
19 **ensure compliance with this section.**

 302.181. 1. The license issued pursuant to the provisions of sections 302.010 to
2 302.340 shall be in such form as the director shall prescribe, but the license shall be a card
3 made of plastic or other comparable material. All licenses shall be manufactured of materials
4 and processes that will prohibit, as nearly as possible, the ability to reproduce, alter,
5 counterfeit, forge, or duplicate any license without ready detection. The license shall also
6 bear the expiration date of the license, the classification of the license, the name, date of birth,
7 residence address including the county of residence or a code number corresponding to such
8 county established by the department, and brief description and colored digitized image of the
9 licensee, and a facsimile of the signature of the licensee. **The license shall not include the**
10 **COVID-19 immunization status, COVID-19 immunity status, or COVID-19 test results**
11 **of the holder of the license.** The director shall provide by administrative rule the procedure
12 and format for a licensee to indicate on the back of the license together with the designation
13 for an anatomical gift as provided in section 194.240 the name and address of the person
14 designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the
15 purposes of a durable power of attorney for health care decisions. No license shall be valid
16 until it has been so signed by the licensee. If any portion of the license is prepared by a
17 private firm, any contract with such firm shall be made in accordance with the competitive
18 purchasing procedures as established by the state director of the division of purchasing.

19 2. All digital images produced for licenses shall become the property of the
20 department of revenue.

21 3. The license issued shall be carried at all times by the holder thereof while driving a
22 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or
23 any police officer or peace officer, or any other duly authorized person, for inspection when
24 demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her
25 license to any duly authorized officer shall be presumptive evidence that such person is not a
26 duly licensed operator.

27 4. The director of revenue shall not issue a license without a facial digital image of
28 the license applicant, except as provided pursuant to subsection 7 of this section. A digital
29 image of the applicant's full facial features shall be taken in a manner prescribed by the
30 director. No digital image shall be taken wearing anything which cloaks the facial features of
31 the individual.

32 5. The department of revenue may issue a temporary license or a full license without
33 the photograph or with the last photograph or digital image in the department's records to
34 members of the Armed Forces, except that where such temporary license is issued it shall be
35 valid only until the applicant shall have had time to appear and have his or her picture taken
36 and a license with his or her photograph issued.

37 6. The department of revenue shall issue upon request a nondriver's license card
38 containing essentially the same information and photograph or digital image, except as
39 provided pursuant to subsection 7 of this section, as the driver's license upon payment of six
40 dollars. **An applicant for a nondriver's license card shall not be required to undergo or**
41 **prove receipt of a vaccination against COVID-19 in order to be issued the card, and the**
42 **card shall not include the COVID-19 immunization status, COVID-19 immunity status,**
43 **or COVID-19 test results of the holder of the card.** All nondriver's licenses shall expire on
44 the applicant's birthday in the sixth year after issuance. A person who has passed his or her
45 seventieth birthday shall upon application be issued a nonexpiring nondriver's license card.
46 Notwithstanding any other provision of this chapter, a nondriver's license containing a
47 concealed carry endorsement shall expire three years from the date the certificate of
48 qualification was issued pursuant to section 571.101, as section 571.101 existed prior to
49 August 28, 2013. The fee for nondriver's licenses issued for a period exceeding three years is
50 six dollars or three dollars for nondriver's licenses issued for a period of three years or less.
51 The nondriver's license card shall be used for identification purposes only and shall not be
52 valid as a license.

53 7. If otherwise eligible, an applicant may receive a driver's license or nondriver's
54 license without a photograph or digital image of the applicant's full facial features except that
55 such applicant's photograph or digital image shall be taken and maintained by the director and
56 not printed on such license. In order to qualify for a license without a photograph or digital
57 image pursuant to this section the applicant must:

58 (1) Present a form provided by the department of revenue requesting the applicant's
59 photograph be omitted from the license or nondriver's license due to religious affiliations.
60 The form shall be signed by the applicant and another member of the religious tenant
61 verifying the photograph or digital image exemption on the license or nondriver's license is
62 required as part of their religious affiliation. The required signatures on the prescribed form
63 shall be properly notarized;

64 (2) Provide satisfactory proof to the director that the applicant has been a United
65 States citizen for at least five years and a resident of this state for at least one year, except that
66 an applicant moving to this state possessing a valid driver's license from another state without
67 a photograph shall be exempt from the one-year state residency requirement. The director

68 may establish rules necessary to determine satisfactory proof of citizenship and residency
69 pursuant to this section;

70 (3) Applications for a driver's license or nondriver's license without a photograph or
71 digital image must be made in person at a license office determined by the director. The
72 director is authorized to limit the number of offices that may issue a driver's or nondriver's
73 license without a photograph or digital image pursuant to this section.

74 8. The department of revenue shall make available, at one or more locations within
75 the state, an opportunity for individuals to have their full facial photograph taken by an
76 employee of the department of revenue, or their designee, who is of the same sex as the
77 individual being photographed, in a segregated location.

78 9. Beginning July 1, 2005, the director shall not issue a driver's license or a
79 nondriver's license for a period that exceeds an applicant's lawful presence in the United
80 States. The director may, by rule or regulation, establish procedures to verify the lawful
81 presence of the applicant and establish the duration of any driver's license or nondriver's
82 license issued under this section.

83 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170,
84 the department of revenue is hereby authorized to design and implement a secure digital
85 driver's license program that allows applicants applying for a driver's license in accordance
86 with this chapter to obtain a secure digital driver's license in addition to the physical card-
87 based license specified in this section.

88 (2) A digital driver's license as described in this subsection shall be accepted for all
89 purposes for which a license, as defined in section 302.010, is used.

90 (3) The department may contract with one or more entities to develop the secure
91 digital driver's license system. The department or entity may develop a mobile software
92 application capable of being utilized through a person's electronic device to access the
93 person's secure digital driver's license.

94 (4) The department shall suspend, disable, or terminate a person's participation in the
95 secure digital driver's license program if:

96 (a) The person's driving privilege is suspended, revoked, denied, withdrawn, or
97 cancelled as provided in this chapter; or

98 (b) The person reports that the person's electronic device has been lost, stolen, or
99 compromised.

100 11. The director of the department of revenue may promulgate rules as necessary for
101 the implementation of this section. Any rule or portion of a rule, as that term is defined in
102 section 536.010 that is created under the authority delegated in this section shall become
103 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
104 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the

105 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
106 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
107 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020,
108 shall be invalid and void.

324.1700. 1. For purposes of this section, the following terms mean:

2 **(1) "Health care professional", the same meaning given to the term in section**
3 **376.1350;**

4 **(2) "Licensing authority", an agency, examining board, credentialing board, or**
5 **other office of the state with the authority to impose occupational fees or licensing**
6 **requirements on any health care profession.**

7 **2. The licensing authority for a health care professional shall not deny an**
8 **applicant for a license; suspend, revoke, or refuse to renew a license; or take**
9 **disciplinary action against a licensee based on the applicant's or licensee's immunization**
10 **history with respect to COVID-19 vaccines or refusal to submit to an immunization**
11 **against COVID-19.**

338.010. 1. The "practice of pharmacy" means the interpretation, implementation,
2 and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C.
3 Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of
4 such orders; the designing, initiating, implementing, and monitoring of a medication
5 therapeutic plan as defined by the prescription order so long as the prescription order is
6 specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and
7 administration of drugs and devices pursuant to medical prescription orders and
8 administration of viral influenza, pneumonia, shingles, hepatitis A, hepatitis B, diphtheria,
9 tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for
10 persons at least seven years of age or the age recommended by the Centers for Disease
11 Control and Prevention, whichever is higher, or the administration of pneumonia, shingles,
12 hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, meningitis, and viral influenza vaccines
13 by written protocol authorized by a physician for a specific patient as authorized by rule; the
14 participation in drug selection according to state law and participation in drug utilization
15 reviews; the proper and safe storage of drugs and devices and the maintenance of proper
16 records thereof; consultation with patients and other health care practitioners, and
17 veterinarians and their clients about legend drugs, about the safe and effective use of drugs
18 and devices; the prescribing and dispensing of any nicotine replacement therapy product
19 under section 338.665; the dispensing of HIV postexposure prophylaxis pursuant to section
20 338.730; and the offering or performing of those acts, services, operations, or transactions
21 necessary in the conduct, operation, management and control of a pharmacy. No person shall
22 engage in the practice of pharmacy unless he or she is licensed under the provisions of this

23 chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under
24 the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties.
25 This assistance in no way is intended to relieve the pharmacist from his or her responsibilities
26 for compliance with this chapter and he or she will be responsible for the actions of the
27 auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to
28 prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry,
29 or veterinary medicine only for use in animals, or the practice of optometry in accordance
30 with and as provided in sections 195.070 and 336.220 in the compounding, administering,
31 prescribing, or dispensing of his or her own prescriptions.

32 2. Any pharmacist who accepts a prescription order for a medication therapeutic plan
33 shall have a written protocol from the physician who refers the patient for medication therapy
34 services. The written protocol and the prescription order for a medication therapeutic plan
35 shall come from the physician only, and shall not come from a nurse engaged in a
36 collaborative practice arrangement under section 334.104, or from a physician assistant
37 engaged in a collaborative practice arrangement under section 334.735.

38 3. Nothing in this section shall be construed as to prevent any person, firm or
39 corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that
40 a licensed pharmacist is in charge of such pharmacy.

41 4. Nothing in this section shall be construed to apply to or interfere with the sale of
42 nonprescription drugs and the ordinary household remedies and such drugs or medicines as
43 are normally sold by those engaged in the sale of general merchandise.

44 5. No health carrier as defined in chapter 376 shall require any physician with which
45 they contract to enter into a written protocol with a pharmacist for medication therapeutic
46 services.

47 6. This section shall not be construed to allow a pharmacist to diagnose or
48 independently prescribe pharmaceuticals.

49 7. The state board of registration for the healing arts, under section 334.125, and the
50 state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the
51 use of protocols for prescription orders for medication therapy services and administration of
52 viral influenza vaccines. Such rules shall require protocols to include provisions allowing for
53 timely communication between the pharmacist and the referring physician, and any other
54 patient protection provisions deemed appropriate by both boards. In order to take effect, such
55 rules shall be approved by a majority vote of a quorum of each board. Neither board shall
56 separately promulgate rules regulating the use of protocols for prescription orders for
57 medication therapy services and administration of viral influenza vaccines. Any rule or
58 portion of a rule, as that term is defined in section 536.010, that is created under the authority
59 delegated in this section shall become effective only if it complies with and is subject to all of

60 the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
61 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
62 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
63 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
64 proposed or adopted after August 28, 2007, shall be invalid and void.

65 8. The state board of pharmacy may grant a certificate of medication therapeutic plan
66 authority to a licensed pharmacist who submits proof of successful completion of a board-
67 approved course of academic clinical study beyond a bachelor of science in pharmacy,
68 including but not limited to clinical assessment skills, from a nationally accredited college or
69 university, or a certification of equivalence issued by a nationally recognized professional
70 organization and approved by the board of pharmacy.

71 9. Any pharmacist who has received a certificate of medication therapeutic plan
72 authority may engage in the designing, initiating, implementing, and monitoring of a
73 medication therapeutic plan as defined by a prescription order from a physician that is
74 specific to each patient for care by a pharmacist.

75 10. Nothing in this section shall be construed to allow a pharmacist to make a
76 therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by
77 the written protocol or the physician's prescription order.

78 11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary
79 medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or
80 an equivalent title means a person who has received a doctor's degree in veterinary medicine
81 from an accredited school of veterinary medicine or holds an Educational Commission for
82 Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary
83 Medical Association (AVMA).

84 12. In addition to other requirements established by the joint promulgation of rules by
85 the board of pharmacy and the state board of registration for the healing arts:

86 (1) A pharmacist shall administer vaccines by protocol in accordance with treatment
87 guidelines established by the Centers for Disease Control and Prevention (CDC);

88 (2) A pharmacist who is administering a vaccine shall request a patient to remain in
89 the pharmacy a safe amount of time after administering the vaccine to observe any adverse
90 reactions. Such pharmacist shall have adopted emergency treatment protocols;

91 (3) In addition to other requirements by the board, a pharmacist shall receive
92 additional training as required by the board and evidenced by receiving a certificate from the
93 board upon completion, and shall display the certification in his or her pharmacy where
94 vaccines are delivered.

95 13. A pharmacist shall inform the patient that the administration of the vaccine will
96 be entered into the ShowMeVax system, as administered by the department of health and

97 senior services. The patient shall attest to the inclusion of such information in the system by
98 signing a form provided by the pharmacist. **The administration of a COVID-19 vaccine**
99 **shall not be entered into the ShowMeVax system unless written informed consent is**
100 **obtained under section 192.073.** If the patient indicates that he or she does not want such
101 information entered into the ShowMeVax system, the pharmacist shall provide a written
102 report within fourteen days of administration of a vaccine to the patient's health care provider,
103 if provided by the patient, containing:

- 104 (1) The identity of the patient;
- 105 (2) The identity of the vaccine or vaccines administered;
- 106 (3) The route of administration;
- 107 (4) The anatomic site of the administration;
- 108 (5) The dose administered; and
- 109 (6) The date of administration.

376.456. 1. For purposes of this section, the terms "group health insurance
2 **coverage", "group health plan", and "insurer" shall have the same meaning given to**
3 **the terms in section 376.450, the term "health care professional" shall have the same**
4 **meaning given to the term in section 376.1350, and the term "COVID-19 vaccination**
5 **status" shall have the same meaning given to the term in section 192.026.**

6 **2. An insurer offering group health insurance coverage shall not use the COVID-**
7 **19 vaccination status of a person as a basis to reject; deny; limit; cancel; refuse to**
8 **renew; increase the premium for; limit the amount, extent, or kind of coverage**
9 **available; or otherwise adversely affect eligibility or coverage for the group health plan.**

10 **3. An insurer offering group health insurance coverage shall not use the COVID-**
11 **19 vaccination status of a person as a qualification or requirement for contracting with**
12 **the person's health care professional or as a basis for terminating a contract with the**
13 **person's health care professional.**

14 **4. An insurer offering group health insurance coverage shall not do any of the**
15 **following regarding the administration of COVID-19 vaccines to covered persons:**

16 (1) **Provide financial or other incentives to a participating health care**
17 **professional based upon attaining a certain COVID-19 vaccine administration rate; or**

18 (2) **Impose a financial or other penalty on a participating health care**
19 **professional who does not attain a certain COVID-19 vaccine administration rate.**

20 **5. The COVID-19 vaccination status of a person covered by a group health plan**
21 **shall not be used as a factor in the rating of a group health plan in this state.**

22 **6. An insurer issuing group health insurance coverage who violates this section is**
23 **subject to the provisions of section 374.046.**

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