

HB 826 -- FORENSIC EVIDENCE

SPONSOR: Doll

This bill requires the Department of Health and Senior Services to establish by January 1, 2024, a statewide telehealth network for forensic examinations of people with gunshot or nonaccidental stab wounds. The bill specifies the type of mentoring and educational training services the network will provide. Starting on October 1, 2024, all hospitals licensed under Chapter 197, RSMo, must report certain information to the Department annually. The reported information will not include any personally identifiable information of any victim or any appropriate medical provider performing a forensic examination on the victim. Starting January 1, 2026, the Department must annually make the reported information publicly available. The bill also creates the "Medical Evidence Collection Network Fund", which will be used by the Department to develop and maintain the telehealth network and for the training offered by the network.

The bill requires any entity that operates an emergency room to provide at least 30 minutes of training on the collection of forensic evidence to all personnel that assist in procedures that involve the collection of forensic evidence in the emergency room. Providers are not required to utilize the training offered by the telehealth network as long as the training provided is at least equivalent to the training provided by the network.

An appropriate medical provider, defined in the bill, must perform the forensic examination of any victim who presents at an emergency room with a gunshot or nonaccidental stabbing wound. After January 1, 2024, if a victim presents in an emergency room with such a wound and no appropriate medical provider is available, the treating provider must utilize the statewide telehealth service network. Such requirement is waived if there is a medical emergency. All appropriate medical provider charges for eligible forensic examinations will be billed to and paid by the Department of Public Safety.

The bill requires a person licensed under Chapter 334 or 335 who treats a person for a nonaccidental stabbing wound to report the wound to local law enforcement. Failure to do so is an infraction.

The Department of Public Safety will develop forms and procedures for gathering, transmitting, and storing evidence during and after any forensic examination conducted under the provisions of the bill. The Department will also develop evidentiary collection kits and make them available to emergency rooms along with the forms.

This bill is similar to HB 1866 (2022).