

HB 1286 -- NON-OPIOID DIRECTIVE FORM

SPONSOR: Stephens

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Health and Mental Health Policy by a vote of 10-1, with 2 present.

This bill requires the Department of Health and Senior Services to develop and publish a voluntary nonopioid directive form, which can be used by a patient to deny or refuse administration or prescription of a controlled substance containing an opioid. The form will tell a health care provider that the patient cannot be offered or prescribed a controlled substance containing an opioid.

A patient can file a voluntary nonopioid directive form with a health care provider by signing and dating the form in the presence of the provider or a designee. A patient can revoke the form for any reason.

A provider who acts in good faith to comply with the nonopioid directive form and does not offer or administer a prescription for a controlled substance is not subject to criminal or civil liability and cannot be considered to have engaged in unprofessional conduct. However, a professional licensing board may take action against a health care provider who recklessly or negligently fails to comply with a patient's directive form.

PROPONENTS: Supporters say that this bill intends to provide consumers with the ability to take charge of their healthcare decisions, and allow for holistic approaches to pain management.

Testifying in person for the bill were Representative Stephens; and Haleon.

OPPONENTS: Those who oppose the bill say that the bill as written requires a few carve-outs to ensure that health care providers are not left in the dark on standards of care, and that there are a number of moving parts that seem to contradict patient autonomy with the required provision of care if, for example, the patient is not of a sound mindset and revokes their directives otherwise.

Testifying in person against the bill were Missouri Academy of Family Physicians; and Missouri State Medical Association.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.