

SECOND REGULAR SESSION

# HOUSE BILL NO. 2556

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LOY.

3916H.01I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To amend chapter 334, RSMo, by adding thereto one new section relating to titles or designations reserved for the use of licensed physicians.

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

Section A. Chapter 334, RSMo, is amended by adding thereto one new section, to be known as section 334.071, to read as follows:

**334.071. 1. At a health care facility, as the term "facility" is defined in section 354.600, or in a telehealth setting as described in section 191.1145, only physicians licensed under this chapter shall use the following medical titles or specialty designations:**

(1) "Physician", except that individuals licensed under chapter 331 may use the term "chiropractic physician", individuals licensed under section 334.036 may use the term "assistant physician", and individuals licensed under sections 334.735 to 334.749 may use the term "physician assistant";

(2) "Doctor of medicine";

(3) "Medical doctor";

(4) "MD";

(5) "Doctor of osteopathic medicine";

(6) "Doctor of osteopathy";

(7) "DO";

(8) "Osteopath";

(9) "Osteopathic physician";

(10) "Osteopathic surgeon";

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.

- 18       **(11) "Surgeon";**
- 19       **(12) "Allergist";**
- 20       **(13) "Anesthesiologist";**
- 21       **(14) "Cardiologist";**
- 22       **(15) "Dermatologist";**
- 23       **(16) "Endocrinologist";**
- 24       **(17) "Emergency physician";**
- 25       **(18) "Family practice physician";**
- 26       **(19) "Gastroenterologist";**
- 27       **(20) "Gynecologist";**
- 28       **(21) "Hematologist";**
- 29       **(22) "Internist";**
- 30       **(23) "Laryngologist";**
- 31       **(24) "Nephrologist";**
- 32       **(25) "Neurologist";**
- 33       **(26) "Neurosurgeon";**
- 34       **(27) "Obstetrician";**
- 35       **(28) "Oncologist";**
- 36       **(29) "Ophthalmologist";**
- 37       **(30) "Orthopedic surgeon";**
- 38       **(31) "Orthopedist";**
- 39       **(32) "Otologist";**
- 40       **(33) "Otolaryngologist";**
- 41       **(34) "Otorhinolaryngologist";**
- 42       **(35) "Pathologist", except that individuals licensed under section 345.020 in**
- 43 **speech-language pathology may use the term "speech-language pathologist" or "speech**
- 44 **pathologist" in accordance with section 345.020;**
- 45       **(36) "Pediatrician";**
- 46       **(37) "Physiatrist";**
- 47       **(38) "Primary care physician";**
- 48       **(39) "Proctologist";**
- 49       **(40) "Psychiatrist";**
- 50       **(41) "Radiologist";**
- 51       **(42) "Rheumatologist";**
- 52       **(43) "Rhinologist"; and**
- 53       **(44) "Urologist".**

54           **2. In addition to any other remedy provided by state law, any patient who**  
55 **receives health care services from a nonphysician health care provider who uses a**  
56 **medical title or specialty designation reserved for physicians in violation of this section**  
57 **shall have a private cause of action against the nonphysician health care provider. The**  
58 **patient may seek:**

- 59           **(1) Actual damages sustained as a result of the violation;**  
60           **(2) Injunctive relief to prevent future violations;**  
61           **(3) Punitive damages if the violation was willful and reckless; and**  
62           **(4) Reasonable attorney's fees and court costs.**

63           **3. Any individual licensed by a board within the division of professional**  
64 **registration of the department of commerce and insurance who violates this section may**  
65 **be subject to discipline by the relevant licensing board.**

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