

SECOND REGULAR SESSION

HOUSE BILL NO. 2430

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE THOMPSON.

6176H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the boarding of certain individuals at hospitals.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.1900, to read as follows:

191.1900. 1. The provisions of this section shall be known and may be cited as the "End Hospital Institutionalization Act".

2. As used in this section, the following terms mean:

(1) "Boarding" or "boarded", any continued stay of a medically stable patient in a hospital or emergency room that occurs without medical justification because the patient's caretaker is unable or unwilling to ensure:

(a) The safety, well-being, and necessary ongoing medical, behavioral, or psychological care of the patient outside the hospital; or

(b) The safety of the public with respect to the patient's behaviors in the community outside the hospital;

(2) "Hospital", the same meaning given to the term in section 197.020.

3. Upon notification by a hospital that a child under the jurisdiction of a juvenile court is being boarded, the juvenile court shall immediately intervene to ensure that such child is placed in an appropriate setting and afforded proper treatment.

4. Upon notification by a hospital that a child who is not under the jurisdiction of a juvenile court is being boarded, the juvenile court of the county in which the hospital

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 is located shall immediately take custody of the child to ensure that such child is placed
18 in an appropriate setting and afforded proper treatment.

19 5. Upon notification by a hospital that an individual who has been diagnosed
20 with a developmental disability, serious mental illness, or substance use disorder is being
21 boarded, the department of mental health shall provide case management and
22 treatment, including residential or inpatient treatment as appropriate, without delay
23 and in the least restrictive environment possible.

24 6. The state shall reimburse the hospital the actual costs for boarding, or the
25 hospital's full allowable costs under MO HealthNet rules, whichever is greater, for each
26 day an individual is boarded after the juvenile court or the department of mental health
27 has been notified of the boarding of such individual.

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