

SECOND REGULAR SESSION

HOUSE BILL NO. 3323

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ANDERSON.

6272H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 191.950, RSMo, and to enact in lieu thereof one new section relating to prostate cancer programs.

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

Section A. Section 191.950, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 191.950, to read as follows:

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

(1) "Department", the department of health and senior services;

(2) "Economically challenged men", men who have a gross income up to one hundred fifty percent of the federal poverty level;

(3) "Program", the prostate cancer ~~[pilot]~~ program established in this section;

(4) "Rural area", a rural area which is in either any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants, any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants, or any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(5) "Uninsured men", men for whom services provided by the program are not covered by private insurance, MO HealthNet or Medicare;

(6) "Urban area", an urban area which is located in a city not within a county.

2. Subject to securing a cooperative agreement with a nonprofit entity for funding of the program, there is hereby established within the department of health and senior services

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 two "Prostate Cancer [~~Pilot~~] Programs" to fund prostate cancer screening and treatment
19 services and to provide education to men residing in this state. One prostate cancer [~~pilot~~]
20 program shall be located in an urban area and one prostate cancer [~~pilot~~] program shall be
21 located in a rural area. The department may directly contract with the Missouri Foundation
22 for Health, or a successor entity, in the delivery of the [~~pilot~~] program. For purposes of this
23 section, the contracting process of the department with these entities need not be governed by
24 the provisions of chapter 34.

25 3. The program shall be open to:

26 (1) Uninsured men or economically challenged men who are at least fifty years old;
27 and

28 (2) On the advice of a physician or at the request of the individual, uninsured men or
29 economically challenged men who are at least thirty-five years of age but less than fifty years
30 of age and who are at high risk for prostate cancer.

31 4. The program [~~shall~~] **may** provide:

32 (1) Prostate cancer screening **and prostate-specific antigen testing;**

33 (2) Referral services, including services necessary for diagnosis **and referrals for**
34 **mental health assessments;**

35 (3) Treatment services for individuals who are diagnosed with prostate cancer after
36 being screened; [~~and~~]

37 (4) **Support group services through the establishment of support groups for men**
38 **suffering from prostate cancer; and**

39 (5) Outreach and education activities to ensure awareness and utilization of program
40 services by uninsured men and economically challenged men.

41 5. Upon appropriation, the department shall distribute grants to administer the
42 program to:

43 (1) Local health departments; and

44 (2) Federally qualified health centers.

45 6. Three years from the date on which the grants were first administered under this
46 section, the department shall report to the governor and general assembly:

47 (1) The number of individuals screened and treated under the program, including
48 racial and ethnic data on the individuals who were screened and treated; and

49 (2) To the extent possible, any cost savings achieved by the program as a result of
50 early detection of prostate cancer.

51 7. The department shall promulgate rules to establish guidelines regarding eligibility
52 for the program and to implement the provisions of this section. Any rule or portion of a rule,
53 as that term is defined in section 536.010, that is created under the authority delegated in this
54 section shall become effective only if it complies with and is subject to all of the provisions of

55 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
56 nonseverable and if any of the powers vested with the general assembly pursuant to chapter
57 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
58 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
59 adopted after August 28, 2011, shall be invalid and void.

60 8. ~~Under and pursuant to section 23.253 of the Missouri sunset act:~~

61 ~~(1) The provisions of the new program authorized under this section shall~~
62 ~~automatically sunset six years after August 28, 2011, unless reauthorized by an act of the~~
63 ~~general assembly; and~~

64 ~~(2) If such program is reauthorized, the program authorized under this section shall~~
65 ~~automatically sunset six years after the effective date of the reauthorization of this section;~~
66 ~~and~~

67 ~~(3) This section shall terminate on September first of the calendar year immediately~~
68 ~~following the calendar year in which the program authorized under this section is sunset] This~~
69 **section shall not be subject to the provisions of the Missouri sunset act under sections**
70 **23.250 to 23.298.**

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