

FIRST REGULAR SESSION

HOUSE BILL NO. 287

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BRANDOM.

1070L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 197.705, RSMo, and to enact in lieu thereof one new section relating to health care professional identification badges.

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

Section A. Section 197.705, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 197.705, to read as follows:

197.705. **1. Except as otherwise provided in subsection 2 of this section**, all hospitals and health care facilities, defined in sections 197.020 and 197.305, shall require all personnel providing services in such facilities to wear identification badges while acting within the scope of their employment. The identification badges of all personnel shall prominently display the licensure status of such personnel **and shall include the following:**

(1) **A recent photograph of the employee, the employee's name, the employee's title, and the name of the health care facility or home health agency;**

(2) **The title of the employee shall be as large as possible in block type and shall occupy a one-half inch tall strip as close as practicable to the bottom edge of the badge;**

(3) **Titles shall be as follows:**

(a) **A medical doctor shall have the title "Physician";**

(b) **A doctor of osteopathy shall have the title "Physician";**

(c) **A registered nurse shall have the title "Registered Nurse";**

(d) **A licensed practical nurse shall have the title "Licensed Practical Nurse"; and**

(e) **All other titles shall be determined by rule by 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.

17 **2. (1) Personnel shall not be required to wear an identification badge while**
18 **delivering direct care to a consumer if not clinically feasible.**

19 **(2) The last name of personnel may be omitted or concealed when delivering direct**
20 **care to a consumer who exhibits symptoms of irrationality or violence.**

21 **3. The department of health and senior services may promulgate rules to implement**
22 **the provisions of this section. Any rule or portion of a rule, as that term is defined in**
23 **section 536.010, that is created under the authority delegated in this section shall become**
24 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
25 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
26 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
27 **the effective date, or to disapprove and annul a rule are subsequently held**
28 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
29 **after August 28, 2011, shall be invalid and void.**

30 **4. (1) For all personnel employed by a hospital or health care facility after the**
31 **effective date of the amendments to this section, all identification badges issued under this**
32 **section shall comply with the amendments to this section.**

33 **(2) For all current personnel required to wear identification badges under this**
34 **section, any identification badges issued or replaced after the effective date of the**
35 **amendments to this section shall comply with the amendments to this section. Nothing in**
36 **this section shall require the immediate replacement of identification badges worn by**
37 **personnel on the effective date of the amendments to this section. Such identification**
38 **badges shall be replaced within a reasonable time after the effective date of the**
39 **amendments to this section, such as at a regularly scheduled interval of reissuance; except**
40 **that, all identification badges worn by personnel of hospitals and health care facilities shall**
41 **comply with the amendments to this section within five years from the effective date of the**
42 **amendments to this section.**