

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 90 & 68, Page 4, Section 195.456, Line
2 41, by inserting after all of said line the following:

3
4 "8. Any person harmed or damaged by any violation of this section may bring a civil action
5 for damages, including non-economic and punitive damages, as well as injunctive relief, in the
6 circuit court where that person resided at the time of the violation or in the circuit court of Cole
7 County to recover such damages from the department of health and senior services and any persons
8 participating in such violation. Sovereign immunity shall not be available as a defense for the
9 department of health and senior services in such an action. In the event the plaintiff prevails on any
10 count of his or her claim, the plaintiff shall be entitled to recover reasonable attorney fees from the
11 defendants."; and

12
13 Further amend said bill, Page 5, Section 195.468, Line 6, by deleting the word "twelve" and
14 inserting in lieu thereof the word, "six"; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.

Action Taken _____ Date _____