

FIRST REGULAR SESSION

# HOUSE BILL NO. 122

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FREDERICK.

0454H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 334.010, RSMo, and to enact in lieu thereof one new section relating to physicians providing sports medicine services.

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

Section A. Section 334.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 334.010, to read as follows:

334.010. 1. It shall be unlawful for any person not now a registered physician within the meaning of the law to practice medicine or surgery in any of its departments, to engage in the practice of medicine across state lines or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, or engage in the practice of midwifery in this state, except as herein provided.

2. For the purposes of this chapter, the "practice of medicine across state lines" shall mean:

(1) The rendering of a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent; ~~or~~

(2) The rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent; **or**

**(3) The rendering of treatment within the physician's scope of practice to provide sports medicine services to an athletic team outside of the state of Missouri.**

3. A physician located outside of this state shall not be required to obtain a license when:

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 (1) In consultation with a physician licensed to practice medicine in this state; and  
19 (2) The physician licensed in this state retains ultimate authority and responsibility for  
20 the diagnosis or diagnoses and treatment in the care of the patient located within this state; or  
21 (3) Evaluating a patient or rendering an oral, written or otherwise documented medical  
22 opinion, or when providing testimony or records for the purpose of any civil or criminal action  
23 before any judicial or administrative proceeding of this state or other forum in this state; or  
24 (4) Participating in a utilization review pursuant to section 376.1350; or  
25 **(5) The physician travels into the state of Missouri with an athletic team to provide**  
26 **sports medicine services to such team so long as such services are within the physician's**  
27 **scope of practice.**
- 28 **4. As used in this section, the following terms shall mean:**
- 29 **(1) "Athletic team", a sports team:**
- 30 **(a) Composed of individuals who are paid to participate on the team;**  
31 **(b) Composed of individuals who are competing in a sporting event sponsored or**  
32 **sanctioned by a national governing body; or**  
33 **(c) For which an institution of higher education provides a physician for sports**  
34 **medicine services;**
- 35 **(2) "Sports medicine services", services provided by a physician who:**
- 36 **(a) Is legally authorized to practice in the state of Missouri;**  
37 **(b) Provides services, under a written agreement with an athletic team, national**  
38 **governing body, or institution of higher education, to an individual who is a member or**  
39 **staff of an athletic team.**

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