

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1050**  
**99TH GENERAL ASSEMBLY**

2149H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 191.1100 and 191.1110, RSMo, and to enact in lieu thereof four new sections relating to volunteer health care services.

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

Section A. Sections 191.1100 and 191.1110, RSMo, are repealed and four new sections  
2 enacted in lieu thereof, to be known as sections 191.1100, 191.1110, 191.1114, and 191.1116,  
3 to read as follows:

191.1100. 1. Sections 191.1100 to ~~[191.1112]~~ **191.1116** shall be known and may be  
2 cited as the "Volunteer Health Services Act".

3 2. As used in ~~[sections 191.1100 to 191.1112]~~ **the volunteer health services act**, the  
4 following terms shall mean:

5 (1) "Gross deviation", a conscious disregard of the safety of others;

6 (2) "Health care provider", any physician, surgeon, dentist, nurse, optometrist, mental  
7 health professional licensed under chapter 337, veterinarian, or other practitioner of a health care  
8 discipline, the professional practice of which requires licensure or certification under state law  
9 or under comparable laws of another state, territory, district, or possession of the United States;

10 (3) "Licensed health care provider", any health care provider holding a current license  
11 or certificate issued under:

12 (a) Missouri state law;

13 (b) Comparable laws of another state, territory, district, or possession of the United  
14 States;

15 (4) "Regularly practice", to practice more than sixty days within any ninety-day period;

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.

16 (5) "Sponsoring organization", any organization that organizes or arranges for the  
17 voluntary provision of health care services and registers with the department of health and senior  
18 services as a sponsoring organization in accordance with section 191.1106;

19 (6) "Voluntary provision of health care services", the providing of professional health  
20 care services by a health care provider without charge to a recipient of the services or a third  
21 party. The provision of such health care services under sections 191.1100 to 191.1112 shall be  
22 the provider's professional practice area in which the provider is licensed or certified.

191.1110. 1. (1) No licensed health care provider **working on behalf of a sponsoring**  
2 **organization or registered with the appropriate licensing body pursuant to section 191.1114**  
3 who engages in the voluntary provision of health care services within the limits of the person's  
4 license, certificate, or authorization to ~~[any]~~ a patient ~~[of a sponsoring organization]~~ shall be  
5 liable for any civil damages for any act or omission resulting from the rendering of such services,  
6 unless the act or omission was the result of such person's gross deviation from the ordinary  
7 standard of care or willful misconduct.

8 (2) The volunteer licensee who is providing free care shall not receive compensation of  
9 any type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of  
10 any nature, from any person for the free care. Nor shall such service be a part of the provider's  
11 training or assignment.

12 (3) The volunteer licensee shall be acting within the scope of such license, certification,  
13 or authority.

14 (4) A health care licensee providing free health care shall not engage in activities at a  
15 clinic, or at the health care licensee's office, if the activities are performed on behalf of the  
16 sponsoring organization, unless such activities are authorized by the appropriate authorities to  
17 be performed at the clinic or office and the clinic or office is in compliance with all applicable  
18 regulations.

19 2. For purposes of this section, any commissioned or contract medical officer or dentist  
20 serving on active duty in the United States Armed Forces and assigned to duty as a practicing,  
21 commissioned, or contract medical officer or dentist at any military hospital or medical facility  
22 owned and operated by the United States government shall be deemed to be licensed.

**191.1114. 1. To qualify for liability protection under subdivision (1) of subsection**  
2 **1 of section 191.1110, a health care provider who provides volunteer health care services**  
3 **without working on behalf of a sponsoring organization shall register with the appropriate**  
4 **licensing body before providing such services by submitting a registration fee of fifty**  
5 **dollars and filing a registration form. The registration and fee shall be submitted annually**  
6 **to the appropriate licensing body with the fee to be used for the administration of sections**  
7 **191.1100 to 191.1116. Such registration form shall contain:**

- 8           (1) The name of the health care provider;  
9           (2) The address, including street, city, zip code, and county, of the health care  
10 provider's principal office address;  
11           (3) Telephone numbers for the principal office listed under subdivision (2) of this  
12 subsection; and  
13           (4) Such additional information as the appropriate licensing body shall require.  
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15 Upon any change in the information required under this subsection, the health care  
16 provider shall notify the appropriate licensing body in writing of such change within thirty  
17 days of its occurrence.

18           2. The health care provider shall maintain on file for five years following the date  
19 of service the date, place, and type of services provided and shall furnish such records upon  
20 request to any regulatory board of any healing arts profession established under state law.

21           3. Adverse incidents and information on treatment outcomes shall be reported by  
22 any provider to the appropriate licensing body if the incidents and information pertain to  
23 a patient treated under the volunteer health services act. The appropriate licensing body  
24 shall review the incident to determine whether it involves conduct by the licensee that is  
25 subject to disciplinary action. All patient medical records and any identifying information  
26 contained in adverse incident reports and treatment outcomes which are obtained by  
27 governmental entities or licensing bodies under this subsection are confidential.

28           4. The appropriate licensing body may revoke the registration of any health care  
29 provider that fails to comply with the requirements of this section.

30           5. Nothing in the volunteer health services act shall prohibit a health care provider  
31 from providing health care services without charge or shall require a health care provider  
32 to register with an appropriate licensing body. However, a health care provider who does  
33 not register or who does not work on behalf of a sponsoring organization shall not be  
34 entitled to liability protection under subdivision (1) subsection 1 of section 191.1110 or to  
35 continuing education credits under section 191.1116.

191.1116. For every hour of volunteer service performed by a health care provider,  
2 the appropriate licensing body shall credit such health care professional one hour of  
3 continuing education credit, up to a maximum of eight credit hours per licensure period.  
4 The health care provider shall submit to the appropriate licensing body a voluntary  
5 services report that lists the dates of voluntary service provided, the type of service  
6 provided, and the amount of time spent with each patient.

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