

FIRST REGULAR SESSION

HOUSE BILL NO. 770

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHNEIDER (Sponsor), JOHNSON (47), FAITH, DEEKEN, SMITH (118), DEMPSEY, JONES, MOORE, SELF, DENISON, BRUNS, MEINERS, WALSH, BIVINS, MEADOWS, GEORGE, McGHEE, NOLTE, WALLACE, RICHARD, PARKER, CHINN, NANCE, BLACK, ERVIN, BYRD, RECTOR, WRIGHT (159), KRAUS, VIEBROCK, SALVA, BROWN (50), DARROUGH AND CORCORAN (Co-sponsors).

Read 1st time March 10, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1636L.011

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to medical and laboratory test results.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.234, to read as follows:

191.234. 1. Every patient of a health care provider or the designated representative of such patient shall have the right to receive copies of the results of any medical or laboratory tests ordered or authorized by the health care provider. The health care provider shall, within five business days of receipt of such test results, forward a copy of the results to the patient.

2. The board of healing arts shall promulgate rules to implement the provisions of this section, including but not limited to, a form to be used by health care providers to allow patients to request receipt of medical and laboratory test results. Such form shall be in compliance with all state and federal laws and rules regarding disclosure and release of medical information and shall provide the patient with the following options:

(1) A one-time completion of the form for all current and future medical and laboratory tests ordered or authorized by such health care provider;

(2) Completion of the form for each specific medical or laboratory test ordered by

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.

14 such health care provider; and

15 (3) Waiver of receipt of test results for each specific medical and laboratory test
16 ordered or authorized by such health care provider. Such waiver shall be obtained for
17 each instance for which the health care provider orders or authorizes medical or
18 laboratory tests.

19 3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
20 that is created under the authority delegated in this section shall become effective only if
21 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
22 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
23 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
24 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
25 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
26 adopted after August 28, 2005, shall be invalid and void.