

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 508
94TH GENERAL ASSEMBLY

Reported from the Special Committee on Healthcare Facilities March 14, 2007 with recommendation that House Committee Substitute for House Bill No. 508 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

1255L.03C

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to hospital complaint procedures, with a penalty provision.

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

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be known as section 197.145, to read as follows:

197.145. 1. As used in this section, "case review" means an investigation of the medical record and patient-specific facts regarding the care delivered to the individual on whose behalf a complaint is made by the complainant whose identity and contact information are known, with results to include a determination on whether the care was appropriate and, if not appropriate, a plan of correction to prevent a similar problem from occurring with another patient.

2. Any hospital, peer review organization, or the joint commission on accreditation of healthcare organizations or its successor organization that receives a complaint regarding the care delivered in a hospital licensed in this state shall, after performing its usual investigation of such complaint, report to the complainant, if such report does not violate laws regarding such disclosure, the results of case review, if done. If such investigation does not include case review, the investigating entity shall:

(1) Notify the complainant of the fact that no patient-specific investigation was conducted;

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.

15 **(2) Provide the complainant with the address and telephone number of the**
16 **appropriate state review agency for the complaint; and**

17 **(3) Forward such complaint received to the section for health standards and**
18 **licensure within the division of regulation and licensure within the department of health**
19 **and senior services.**

20 **3. The section for health standards and licensure shall investigate any complaints**
21 **received under this section. The results of such investigations shall be reported to the**
22 **complainant. All investigations conducted and reports to complainants made under this**
23 **subsection shall be done in the same manner as other similar investigations conducted and**
24 **reports to complainants made by the section for health standards and licensure.**

25 **4. Any entity subject to this section that violates the provisions of this section shall**
26 **be subject to a fine of not more than five thousand dollars. Any second or subsequent**
27 **violation of this section shall increase the fine by one thousand dollars for each successive**
28 **violation.**

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