

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Committee Substitute for Senate Bill No. 229, Page 1, Section A, Line 2, by  
2 inserting after all of said line the following:

3  
4 "334.010. 1. It shall be unlawful for any person not now a registered physician within the  
5 meaning of the law to practice medicine or surgery in any of its departments, to engage in the  
6 practice of medicine across state lines or to profess to cure and attempt to treat the sick and others  
7 afflicted with bodily or mental infirmities, or engage in the practice of midwifery in this state,  
8 except as herein provided.

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

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

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

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

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 the  
20 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.

25 4. This section shall not apply to a person who holds a current, unrestricted license to  
26 practice medicine in another state when the person, under a written agreement with an athletic team  
27 located in the state in which the person is licensed, provides sports-related medical services to any  
28 of the following individuals if the team is traveling to or from, or participating in, a sporting event  
29 in this state:

30 (1) A member of an athletic team;

31 (2) A member of an athletic team's coaching, communications, equipment, or sports  
32 medicine staff;

33 (3) A member of a band, dance team, or cheerleading squad accompanying an athletic team;

34 or

35 (4) An athletic team's mascot.

36 5. In providing sports-related medical services under subsection 4 of this section, the person

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 shall not provide medical services at a health care facility, including a hospital, ambulatory surgical  
2 center, or any other facility in which medical care, diagnosis, or treatment is provided on an  
3 inpatient or outpatient basis."; and  
4

5 Further amend said bill by amending the title, enacting clause, and intersectional references  
6 accordingly.