

HB 374 -- DISCLOSURE OF HEALTH SERVICES

SPONSOR: Newman

This bill creates the "Truth in Medicine Act" that prohibits a government health care agency or any organization that receives government health care funding from endorsing five specific lies about abortion, as specified in the bill.

The bill changes the law regarding entities that provide pregnancy-related services without the employment and supervision of a physician, nurse practitioner, physician assistant, registered nurse, or nurse midwife.

The provisions of this bill apply to any entity that primarily provides pregnancy-related services and advertises or solicits patrons with offers to provide prenatal sonography, pregnancy tests, or pregnancy options counseling unless all of the public locations of the entity employs one or more specified health professionals that must be present when medical services or treatment is provided.

Each entity must provide a written notice of specified services provided. The notice must be conspicuously placed at all of the entrances where the specified services are provided, in all waiting areas, on any website maintained by the entity that refers to the services, and in all advertisements promoting the services or entity providing the services.

The bill prohibits an entity that collects health information from a patron from disclosing the patron's health information without the written authorization of the patron. Upon receipt of a written request from a patron of the entity to examine or obtain a copy of the patron's health information, an entity must take action as specified in the bill.

If any person violates these provisions, the department must serve a written notice informing the person of the violation and stating that the person may avoid an administrative penalty by curing the violation within five days of the service of the notice. If the person fails to cure the violation within five days of the date of service of the notice, the department must impose an administrative penalty as specified in the bill.

A person is entitled to a contested case hearing to dispute any administrative penalty imposed under these provisions. Any administrative decision must be subject to judicial review in accordance with Chapter 536, RSMo. All administrative penalties recovered under these provisions must be deposited in the state

General Revenue Fund and available for general governmental expenses. Nothing in these provisions must be construed to prohibit the department from maintaining an action in the name of the state for injunction or other process against any person to restrain or prevent a violation of a requirement or prohibition under these provisions.

This bill is similar to HB 1906 (2016).