

SECOND REGULAR SESSION

HOUSE BILL NO. 2361

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANKLIN.

4432H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

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

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Section A. Sections 191.1100 and 191.1110, RSMo, are repealed and three new sections
2 enacted in lieu thereof, to be known as sections 191.1100, 191.1110, and 191.1116, to read as
3 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 who engages in the voluntary
2 provision of health care services within the limits of the person's license, certificate, or
3 authorization to any patient of a sponsoring organization shall be liable for any civil damages for
4 any act or omission resulting from the rendering of such services, unless the act or omission was
5 the result of such person's gross deviation from the ordinary standard of care or willful
6 misconduct.

7 (2) The volunteer licensee who is providing free care shall not receive compensation of
8 any type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of
9 any nature, from any person for the free care. Nor shall such service be a part of the provider's
10 training or assignment, **except as provided under section 191.1116.**

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

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

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

**191.1116. For every hour of volunteer service performed by a health care provider,
2 the appropriate licensing body shall credit such health care provider one hour of
3 continuing education credit, up to a maximum of eight credit hours per licensure period.
4 The sponsoring organization 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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