

HB 138 -- SIMON'S LAW

SPONSOR: Kidd

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Health and Mental Health Policy by a vote of 17 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 8 to 0.

This bill establishes Simon's Law that adds one new section to the law relating to life-sustaining treatment policies of health care facilities. The bill prohibits a health care facility, nursing home, physician, nurse, or medical staff from instituting a do-not-recusitate order, or similar physician's order for any child who is not emancipated or under juvenile or family court jurisdiction without oral or written permission of at least one parent or legal guardian.

The bill includes provisions for exceptions when parents or legal guardians are not successfully contacted after diligent efforts, for children under court jurisdiction, and those with relative caretakers.

Permission previously given under the provisions of the bill may be revoked in writing by the legal guardian or either parent of the patient.

The provisions do not require any treatment to be continued if it is medically inappropriate or would not result in further benefit or recovery of the patient.

This bill is the same as HCS HB 1361 (2018).

PROPONENTS: Supporters say that this bill is a parental rights bill to make sure that only the parents of a child can make the final decision to implement a do-not-recusitate order

Testifying for the bill were Representative Kidd; Concerned Women for America of Missouri; Campaign Life Missouri; and Missouri Right To Life.

OPPONENTS: There was no opposition voiced to the committee.