

SECOND REGULAR SESSION

HOUSE BILL NO. 1479

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LADD BAKER.

Read 1st time January 16, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3830L.011

AN ACT

To amend chapter 190, RSMo, by adding thereto three new sections relating to the emergency preparedness resource act administered by the department of social services and the department of health and senior services.

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

Section A. Chapter 190, RSMo, is amended by adding thereto three new sections, to be known as sections 190.600, 190.605, and 190.610, to read as follows:

190.600. Sections 190.600 to 190.615 shall be known and may be cited as the "Emergency Preparedness Resource Act".

190.605. 1. There is hereby created in the state treasury the "Emergency Preparedness Resource Fund" to be administered by the department of social services and the departments of health and senior services. Moneys generated pursuant to sections 190.600 to 190.615, which are not otherwise allocated pursuant to article IV, section 30b of the Missouri Constitution shall be deposited in the fund. Moneys received from federal, state, or local funds appropriated, private or public grants, and gifts shall be deposited to the credit of the fund.

2. Moneys appropriated from the fund pursuant to section 190.610 shall constitute additional amounts in excess of the moneys appropriated for such purposes from the general revenue fund or other sources as of July 1, 2002. The state shall not reduce the level of funding in effect on July 1, 2002, for such purposes due to the appropriation of moneys for such purposes from the emergency preparedness resource fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

16 **4. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys**
17 **in the emergency preparedness resource fund shall not revert to the credit of the general**
18 **revenue fund at the end of the biennium.**

190.610. 1. Moneys in the emergency preparedness resource fund shall be
2 **appropriated solely for the following programs or services:**

3 **(1) The department of social services shall administer the following programs or**
4 **services:**

5 **(a) Providing supplemental Medicaid payments to hospitals for trauma treatment**
6 **services. Such payments shall be in addition to the hospital's Medicaid per diem**
7 **reimbursement rate. The reimbursement methodology shall include but is not limited to**
8 **the following criteria:**

9 **a. Scope and severity of the trauma on an established scale;**

10 **b. Services provided, including those provided by an emergency room to stabilize**
11 **a patient for transfer to a trauma center or a higher level trauma center;**

12 **c. Other funding reimbursement available in the trauma case, including but not**
13 **limited to automobile insurance, health insurance, and lawsuit settlements;**

14 **d. The disproportionate share of uncompensated and Medicaid trauma cases the**
15 **hospital handled in the past year; and**

16 **(b) Providing supplemental payments to hospitals for uncompensated trauma**
17 **treatment services not covered by Medicaid. The reimbursement methodology shall**
18 **include but is not limited to the following criteria:**

19 **a. Scope and severity of the trauma on an established scale;**

20 **b. Services provided, including those provided by an emergency room to stabilize**
21 **a patient for transfer to a trauma center or a higher level trauma center;**

22 **c. Other funding reimbursement available in the trauma case, including but not**
23 **limited to automobile insurance, health insurance, and lawsuit settlements;**

24 **d. The disproportionate share of uncompensated and Medicaid trauma cases the**
25 **hospital handled in the past year; and**

26 **(c) Providing supplemental Medicaid payments to hospitals for uncompensated and**
27 **Medicaid emergency room treatment services;**

28 **(d) Providing supplemental Medicaid payments to physicians:**

29 **a. For trauma treatment services delivered by a physician in a hospital trauma**
30 **center. Such payments shall increase the Medicaid reimbursement rate for a particular**
31 **service to a level equal to three hundred percent of the Medicare reimbursement rate for**
32 **such service. For follow-up treatment services by trauma specialists and other physicians**
33 **for trauma injuries initially treated in a trauma center, the Medicaid reimbursement rate**

34 for a particular service shall increase to a level equal to one hundred percent of the
35 Medicare reimbursement rate for such service;

36 b. For physician services delivered in a hospital emergency department. Such
37 payments shall increase the Medicaid reimbursement rate for a particular service to a level
38 equal to the Medicare reimbursement rate for such service;

39 c. For pediatric and adult primary care services and treatment services provided
40 by specialists as authorized by appropriation and rules promulgated by the department of
41 social services. Such payments shall increase the Medicaid reimbursement rate for a
42 particular service to a level equal to one hundred percent of the Medicare reimbursement
43 rate for such service;

44 (e) Providing supplemental Medicaid payments to emergency medical services
45 providers, including but not limited to public or private ambulance services; and

46 (f) Providing supplemental Medicaid payments to dentists; and

47 (2) The department of health and senior services shall administer the following
48 programs or services:

49 (a) A comprehensive evaluation of Missouri's emergency preparedness status by
50 a team assembled by the department. Such team shall make recommendations for any
51 improvements necessary to Missouri's emergency preparedness. The only compensation
52 for the evaluation team members shall be reimbursement for travel and expenses. Funds
53 shall be made available to elevate Missouri emergency preparedness based on the team
54 recommendations; and

55 (b) Emergency preparedness training programs;

56 (c) Disease surveillance and detection activities;

57 (d) A comprehensive study of the causes for Missouri's elevated death rate due to
58 traumatic injuries compared to other states. Funds shall be made available through grants
59 administered by the department to promote programs, including educational programs,
60 to reduce the incidence and severity of traumatic injuries as indicated in the study;

61 (e) A comprehensive trauma registry to improve the state's ability to analyze the
62 efficiency and effectiveness of the trauma care system;

63 (f) Payments to retire twenty-five million dollars in state bonds issued by the state
64 board of fund commissioners pursuant to article III, section 37(d) of the Missouri
65 Constitution and sections 108.900 to 108.933, RSMo, for the purpose of constructing and
66 equipping a new state public health laboratory; and

67 (g) Health sciences research related to the identification, prevention, and treatment
68 of illnesses or injuries caused by toxic nuclear, biological, or chemical substances with a
69 potential use in the crime of causing catastrophe, defined in section 569.070, RSMo, or the

70 **crime of making a terrorist threat, defined in section 574.115, RSMo.**

71 **2. Hospitals and physicians who receive moneys pursuant to subsection 1 of this**
72 **section shall collaborate in the development of an emergency preparedness plan to enhance**
73 **access to treatment services in the event of an emergency, as defined in section 44.010,**
74 **RSMo.**